

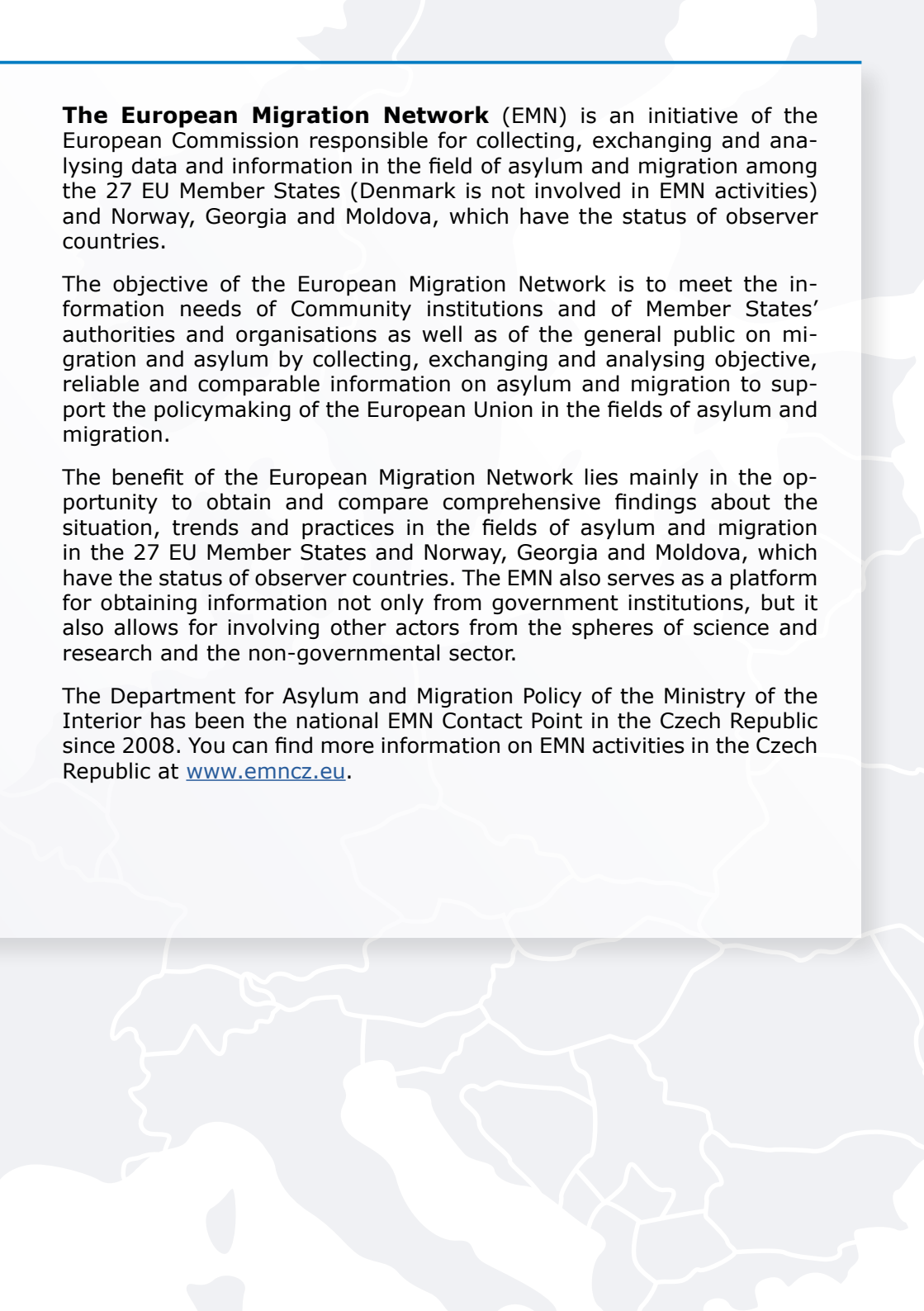
# EMN Annual Policy Report on Asylum and Migration









A faint, light-colored map of Europe is visible in the background of the page, showing the outlines of the continent and its various countries.

**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, Georgia and Moldova, which have the status of observer countries.

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 the 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 obtain and compare comprehensive findings about the situation, trends and practices in the fields of asylum and migration in the 27 EU Member States and Norway, Georgia and Moldova, which have the status of observer countries. The EMN also serves as a platform for obtaining information not only from government institutions, but it also allows for involving other actors 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](http://www.emncz.eu).



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## LIST OF ABBREVIATIONS

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<b>AC</b>	Accommodation Centre
<b>ANACEN</b>	Analytic Centre for Border Protection and Migration
<b>CIS</b>	Information System of Foreign Nationals
<b>CR</b>	Czech Republic
<b>DAMP</b>	Department for Asylum and Migration Policy (Ministry of the Interior of the CR)
<b>DFPS</b>	Directorate of the Foreign Police Service
<b>EASO</b>	European Asylum Support Office
<b>ECRIS-TCN</b>	European Criminal Records Information System – Third Country Nationals
<b>EEA</b>	European Economic Area
<b>EES</b>	Entry/Exit System
<b>EHIC</b>	European Health Insurance Card
<b>EMN</b>	European Migration Network
<b>EMPACT</b>	European Multidisciplinary Platform against Criminal Threats
<b>ETIAS</b>	European Travel Information and Authorisation System
<b>EU</b>	European Union
<b>EUAA</b>	European Union Agency for Asylum
<b>eu-LISA</b>	European Agency for the Operational Management of Large- scale IT Systems in the Area of Freedom, Security and Justice
<b>EUROSUR</b>	European Border Surveillance System
<b>FADO</b>	False and Authentic Documents Online
<b>FN</b>	University hospital (Czech abbreviation)
<b>FPI</b>	Foreign Police Inspectorate
<b>FRONTEX</b>	European Border and Coast Guard Agency

<b>GAMM</b>	Global Approach to Migration and Mobility
<b>GHIC</b>	UK Global Health Insurance Card
<b>GPIS</b>	General Provider of Integration Services
<b>IA</b>	International airport
<b>IAC</b>	Integration Asylum Centre
<b>ICMPD</b>	International Centre for Migration Policy Development
<b>IOM</b>	International Organization for Migration
<b>JITs</b>	Joint Investigation Teams
<b>MEDEVAC</b>	Programme of Humanitarian Evacuations of Inhabitants with Health Issues ( <i>Medical Evacuation</i> )
<b>MfRD</b>	Ministry for Regional Development
<b>MoA</b>	Ministry of Agriculture
<b>MoEYS</b>	Ministry of Education, Youth and Sport
<b>MoF</b>	Ministry of Finance
<b>MoFA</b>	Ministry of Foreign Affairs
<b>MoI</b>	Ministry of the Interior
<b>MoIT</b>	Ministry of Industry and Trade
<b>MoJ</b>	Ministry of Justice
<b>MoLSA</b>	Ministry of Labour and Social Affairs
<b>MoH</b>	Ministry of Health
<b>NCOZ</b>	Criminal Police and Investigation Service's National Central Unit for Combatting Organised Crime (Czech abbreviation)
<b>NGO</b>	Non-governmental non-profit organisation
<b>OSPOD</b>	Social-legal Child Protection Authority (Czech abbreviation)
<b>PCR</b>	Police of the Czech Republic
<b>RC</b>	Reception Centre
<b>RDP</b>	Regional Directorate of the Police

<b>SIP</b>	State Integration Programme
<b>SIS</b>	Schengen Information System
<b>SUZ</b>	Refugee Facilities Administration of the Ministry of the Interior (Czech abbreviation)
<b>UAM</b>	Unaccompanied minors
<b>UN</b>	United Nations
<b>UNHCR</b>	United Nations High Commissioner for Refugees
<b>ÚP ČR</b>	Labour Office of the Czech Republic (Czech abbreviation)
<b>V4</b>	Visegrad Group
<b>VIS</b>	Visa Information System
<b>VIS</b>	Facility for Children-foreigners (Czech abbreviation)
<b>ZZC</b>	Facility for Detention of Foreign Nationals (Czech abbreviation)



The 2021 European Migration Network (EMN) Annual Policy Report on Asylum and Migration provides a summary of the developments and most important changes in the fields of migration, asylum and integration during the year 2021. Migration was once again influenced by the continued SARS-CoV-2 coronavirus pandemic (hereinafter referred to as the “Covid-19 pandemic”) in the reference year.

### 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:

- ▶ the integration of foreign nationals;
- ▶ illegal migration and return policy;
- ▶ international protection;
- ▶ the external dimension of migration (including development-related and humanitarian aspects);
- ▶ free movement of persons within the EU and the Schengen Area;
- ▶ legal migration; and
- ▶ coherence with the EU’s common policies in the field of migration.

Implementation of the Strategy is supervised by the Coordination Body for Managing the Protection of State Borders and Migration.

### LEGAL MIGRATION AND INTEGRATION

Same as in the previous years, the **upward trend in legal migration** into the Czech Republic continued in 2021. As of 31 December 2021, a total of

**660,849 foreign nationals**<sup>1</sup> (a year-on-year increase by just below 4.1 %) were staying legally in the territory of the Czech Republic (for a period longer than 90 days). At the end of the year 2021, foreign nationals accounted approximately for 6.3 % of the population. This means that the percentage of foreign nationals in the general population exceeded 6 % for the first time.<sup>2</sup>

The predominant group with a share of 66 % consists of third-country nationals, who include primarily citizens of **Ukraine, Vietnam** and **Russian Federation**. The largest group of foreign nationals from EU countries consists of citizens of Slovakia who are the second largest group of foreign nationals with registered residence in the CR after citizens of Ukraine. Citizens of Ukraine, Slovakia and Vietnam account for more than half of all foreign nationals in the country.

At the end of the year 2021, from among the total number of foreign nationals with residence permits in the Czech Republic, 321,892 (48.7 %) had permanent residence in the country and 338,957 foreign nationals (51.3 %) had temporary residence. The largest groups were citizens of **Ukraine** (196,875), **Slovakia** (114,630) and **Vietnam** (64,851). Overall, the majority consisted of third-country nationals (66.2 %, 437,756 persons); there was a total of 223,093 citizens of EU countries registered.

In the field of **economic migration, a total of 701,830 foreign nationals** were registered as employees with the regional branch offices of the Labour Office of the Czech Republic as of 31 December 2021. This number included 401,376 citizens of EU/EEA Member States and Switzerland, including their family members, and 300,454 third-country nationals, among whom there were 145,764 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, citizens of Ukraine (195,207 persons), the Russian Federation (18,931 persons) and Vietnam (16,174 persons) traditionally held the highest shares of our labour market. Among the EU/EEA Member States and Switzerland, citizens of Slovakia (209,273 persons), Poland (47,001 persons), Romania (46,768 persons) and Bulgaria (38,120) had the strongest presence.

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

<sup>2</sup> The population of the Czech Republic was 10,515,669 as of 31 December 2021. (Source: Czech Statistical Office)

In 2021, the Ministry of Industry and Trade registered a total of 102,422 foreign businesspersons who had 138,346 registered trade licenses. Among the foreign businesspersons, the largest groups in terms of citizenship were the citizens of **Ukraine** (25,662 persons), **Vietnam** (20,584 persons) and **Slovakia** (21,560 persons). These three citizenships represented more than 66 % of all foreign businesspersons.

In the field of **economic migration**, the implementation of **economic migration programmes** continued, which have been created within interdepartmental cooperation of the central governmental authorities since 2012. These projects represent an effective instrument for supporting migration of selected target groups of third-country nationals, in whose entry into and stay in the territory of the Czech Republic the Czech state takes an increased interest. The implementation of **a total of 4 government-approved migration programmes** has been taking place since 2019.

**Labour migration was the main significant reason behind the growing number of foreign nationals** (economic activities were the reason for granting a long-term residence permit for 64 % of the newly arriving foreign nationals). Long-term labour migration was implemented primarily through the government-approved labour migration programmes. **Short-term labour migration, which reached a significant amount of 185 thousand short-term visas for the purpose of employment in 2021, also contributed to ensuring a sufficient amount of foreign labour force.** For foreign nationals in the country with an Employee Card or a Blue Card, an easier option to change jobs was set up due to the situation created by the measures taken against the spread of Covid-19 pandemic, same as in the year 2020.

In 2021, **the integration policy** was based on the government-approved *2021 Procedure for Implementing the Updated Policy for the Integration of Foreign Nationals – In Mutual Respect*.

The crucial element for the integration of foreign nationals is **the network of 18 Centres for the Support of the Integration of Foreigners**, which are operated in all the regions of the CR. They provide foreigners with a wide range of integration services and they also help foreigners and the majority to get to know each other better. The larger number of foreigners in the country entails increasing demands for integration capacities, particularly in the areas with higher concentration of foreign workers. Higher demands also arise in connection with the need for sufficient accommodation capacities, medical care and sufficient capacities in kindergartens and schools. In some regions (industrial zones), local governments are already drawing attention to the problems associated with this.

In 2021, the **citizenship** of the CR was acquired by a total of **4,298 foreigners**, most often by citizens of Ukraine (1,483), the Russian Federation (917) and Slovakia (585).

## INTERNATIONAL PROTECTION

In 2021, a total of **1,411 persons applied for international protection** in the Czech Republic (as compared with last year when as a result of the pandemic, there was the most significant decrease over the last several years, the number of applications increased by 21.2 %). **The main source countries** of international protection applicants in 2021 were Ukraine (377), Georgia (226), Afghanistan (176), Vietnam (70), and Moldova (69). In the Czech Republic, asylum was granted to 191 applicants, most often to citizens of Afghanistan (117). Subsidiary protection was granted to 120 applicants, most often to citizens of China (41), followed by Syria (34), and Ukraine (7).

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 2021, a total of **272 eligible persons** joined the SIP, which represents an increase by 227.7 % as compared to the previous year. A total of 120 individual integration plans for a total of 273 beneficiaries of international protection (both individuals and families) were prepared during the year.

## UNACCOMPANIED MINORS

In 2021, the facilities for provision of institutional and protective education established by the MoEYS provided an all-around care for a total of 176 unaccompanied minors.

In the same year, 6 unaccompanied minor children from third countries applied for international protection (the number of minor unaccompanied applicants from among third-country nationals applying for international protection hovers around single digits every year). These are very low numbers in comparison with the other Member States.

## MEASURES TO COMBAT HUMAN TRAFFICKING

There were no major changes in the situation concerning human trafficking during the year 2021 in comparison with the previous period. The most frequent forms of human trafficking were still sexual and labour exploitations. However, there were also mixed cases where the forms were combined, including forced marriages or forced criminal activity. The **Programme of Support and Protection of Victims of Human Trafficking** (hereinafter referred to as 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 2021, a total of **11 probable victims of human trafficking** were included in the Programme (a decrease by 2 persons as compared to the year 2020), specifically from the Czech Republic (5) and Mongolia (6). These were 6 men and 5 women. The cases of these persons involved **suspected labour and sexual exploitation**. Since 2003 when the Programme was set up, a total of 284 probable victims of human trafficking have been included in it.

In 2021, there was not a single voluntary return of a victim carried out to the victim's country of origin under the **Voluntary Returns Programme**, which is a part of the Programme.

## **INTERNATIONAL COOPERATION AND PROJECTS**

International cooperation in the field of migration continued in the year 2021 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 2021, the **MEDEVAC programme**<sup>3</sup> was implemented in a total of 15 priority countries, specifically in the Middle East (Iraq, Jordan, Lebanon), Africa (Burkina Faso, Ghana, Mali, Mauritania, Nigeria, Senegal) and East Europe (Belarus, Georgia, Ukraine), Central Asia (Afghanistan) and South America (Peru).

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. The budget of the Aid in Place programme in 2021 amounted to CZK 140 million. The priority areas of the programme in 2021 included the Balkan region, the region of the Middle East and the Greater Sahel region. Based on the events on the eastern border of the EU, special aid was being delivered to Lithuania.

In 2021, as concerns the external dimension of the European Union, the Czech Republic continued to participate in developing and implementing the instruments of the Global Approach to Migration and Mobility (GAMM) representing a policy framework of the external migration policy of the EU.

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<sup>3</sup> 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.

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

As part of international cooperation, the Regional Directorates of the Police of the Czech Republic (RDP) carry out **joint patrols**, 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 2021, a total of 83 joint patrols were carried out by police officers from the Foreign Police Departments of the RDP in collaboration with the police units of adjacent countries.

## ILLEGAL MIGRATION; PEOPLE SMUGGLING

In 2021, a total of **10,835 persons** were identified as perpetrators of **illegal migration** in the territory of the Czech Republic (a year-on-year increase of 63.1 %). This number included **335** persons caught during illegal migration across the external Schengen border of the Czech Republic<sup>4</sup> and **10,319** persons detected as illegally staying persons. In connection with illegal migration across the external Schengen border, the most frequently detained persons were citizens of Ukraine (132 persons), the Russian Federation (48 persons) and the United Kingdom (33 persons). Irregular travel documents at the external Schengen border were used by **11** persons, most often by citizens of Albania (4 persons) and Iran (4 persons). The highest number of persons identified as illegally staying persons was among citizens of **Ukraine** (5,844 persons), followed by citizens of **Moldova** (1,548 persons), **Afghanistan** (519 persons), **Syria** (428 persons) and **Vietnam** (309 persons). There were **292 persons** who were illegally staying in the country and presented an **irregular travel document**; these persons were most often citizens of Syria (110 persons), Moldova (56 persons) and Ukraine (51 persons).

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<sup>4</sup> 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.

## RETURNS

During the year 2021, a total of **513 voluntary returns of third-country nationals** were carried out. This included **361** assisted voluntary returns of foreign nationals carried out by the MoI CR; **133** voluntary returns of foreign nationals were carried out by the International Organisation for Migration (IOM) and **19** assisted voluntary returns of applicants for international protection were carried out by SUZ. Citizens of Ukraine, Moldova, Mongolia, and Uzbekistan accounted for the highest numbers among these returnees.

As part of **implementation of what is referred to as the Dublin Regulation**, which determines the EU Member State responsible for examining an application for international protection, the Czech Republic carried out a total of **133** transfers of third-country nationals to another EU Member State in 2021.

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, SUZ provides failed applicants for international protection with assistance for voluntary return trips to their countries of origin. Under all these programmes for voluntary returns, the MoI, SUZ and the IOM make sure not only that the actual voluntary return takes place but they also provide all the related consultancy and assistance, which are necessary for efficient, quick and 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.



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 2021.

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 foreign nationals who are unaccompanied minors. The report also contains information on measures to combat human trafficking and measures to combat illegal migration. The report also provides an overview of international cooperation and projects and describes the developments regarding the returns of foreign nationals<sup>5</sup> to their countries of origin. Each chapter also contains the basic statistical data. The structure of the report complies with the recommended structure of national reports of separate EMN Contact Points in order to make it possible to compare the separate documents and to maintain continuity with the reports prepared in previous years.

The presented report was prepared mainly using the source materials from the Department for Asylum and Migration Policy of the Ministry of the Interior, which is responsible for the fields of migration, asylum and integration. Other source materials used in preparation of the report included source materials from the Directorate of the Foreign Police Service; the Police Presidium; the Department of Crime Prevention of the Ministry of the Interior; the Ministry of Education, Youth and Sports; the Ministry of Labour and Social Affairs; the Ministry of Foreign Affairs; the Ministry of Justice; the Refugee Facilities Administration of the Ministry of the Interior; the National Central Unit for Combatting 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.

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<sup>5</sup> For the purposes of the report, only third-country nationals are regarded as foreign nationals.

### **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 responsible for exercising the powers assigned to the Ministry in the fields of international protection, refugees, entry and residence of foreign nationals, the policy for 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 discussing the future direction of the migration policy. The Coordination Body is also authorised by the government to make appropriate changes in migration programmes with its decisions.

In 2021, based on the authorisation given by the government, the Coordination Body approved a change in the migration programme titled **Skilled Employee Programme**; this change explicitly included a stronger support in the programme's text for not including and excluding those employers, which are reasonably suspected of operating as covert job placement organisations that might be using foreign workers obtained through the programme for this purpose. Several modifications to the **Key and Scientific Personnel Programme**, the **Highly Skilled Employee Programme** and the **Special Work Visa Programme** were also approved but these were not of a major nature and did not change the basic parameters of these programmes and the method of their implementation.

The Coordination Body also discussed a proposal for pre-setting quotas for acceptance of applications for Employee Cards at selected embassies, which was subsequently approved by the government with its Regulation No. 233/2021 Coll., with effect as of 1 July 2021.

## **ANALYTIC CENTRE FOR BORDER PROTECTION AND MIGRATION (ANACEN)**

The Analytic Centre for Border Protection and Migration is a permanent analytical body of an interdepartmental nature controlled by the Ministry of the Interior. In its activities, it concentrates on monitoring and analysing migration as a comprehensive phenomenon. The Analytic Centre operates at an expert level; its activities are managed by the Coordination Body for Managing the Protection of the State Borders and Migration. All the key bodies involved in the system for managing the protection of state borders and migration control participate in the activities of the Analytic Centre; the close cooperation and information exchange on this platform allow for a flexible and quick response to any problems that arise.<sup>6</sup>

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 2021, 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.

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<sup>6</sup> The members of the Analytical Centre are delegated representatives of the Ministry of the Interior; the Ministry of Foreign Affairs; the Ministry of Labour and Social Affairs; the Ministry of Industry and Trade; the Ministry of Education, Youth and Sports; the Ministry of Finance (the General Directorate of Customs); the Police of the Czech Republic and the intelligence services and security forces.

## 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. No less importantly, it is responsible for implementing readmission agreements, including transports carried out by a police escort, and for performing 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, 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 ŘSCP, include five Foreign Police Inspectorates (FPIs) at international airports<sup>7</sup>, which ensure the protection of external borders at all international airports of the Czech Republic, the Facility for Detention of Foreign Nationals in

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<sup>7</sup> 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.



Bělá-Jezová, the Facility for Detention of Foreign Nationals in Vyšní Lhoty, 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.

### **CRIMINAL POLICE AND INVESTIGATION SERVICE'S NATIONAL CENTRAL UNIT FOR COMBATTING ORGANISED CRIME (NCOZ)**

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

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

The Ministry of Foreign Affairs is a central administrative body of the Czech Republic, which creates the concept of foreign policy and coordinates foreign development cooperation and humanitarian aid provided abroad. It carries out public administration in the matters of permitting the residence of foreign nationals in the territory of the Czech Republic who enjoy the privileges and immunities defined by the international law. Through embassies, it carries out public administration in the matters of granting visas pursuant to the Act on the Residence of Foreign Nationals. Within its separate purview, it carries out public administration in the matters of granting short-term visas according to the EU Visa Code.

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

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

Besides the national legislation, the field of labour migration is also governed by bilateral international treaties governing social security and employment as well as by multilateral conventions concerning human rights, the status of refugees and social rights, which are binding on the Czech Republic. There is still the phenomenon of illegal employment of foreign nationals in the Czech Republic. Among other authorities, the Interdepartmental Body for 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 their defined terms of reference in the field of asylum and migration, are:** the Ministry of Industry and Trade (MoIT); the Ministry of Justice (MoJ); the Ministry of Finance (MoF); the Ministry of Health (MoH); the Ministry of Education, Youth and Sports (MoEYS); the Ministry of Finance (the General Directorate of Customs); the Ministry of Culture (MoC); and the Ministry for Regional Development (MfRD).

## 1.2 Asylum and Migration Legislation

# 1.2

Asylum and migration is governed particularly by the following legislation:

- ▶ Act No. 326/1999 Coll., **on the Residence of Foreign Nationals in the Territory of the Czech Republic** and on amendments to certain Acts, as amended (hereinafter referred to as the “Act on the Residence of Foreigners”)

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.

In 2021, **this Act was amended by Act No. 274/2021**. The amendment brought a number of changes concerning, for example, **the introduction of administrative fees** for an application for a certificate of EU citizen registration, for an application for a temporary residence permit for an EU citizen’s family member, or for an application for a permanent residence permit for an EU citizen and their family members.

Furthermore, **an obligation to take out comprehensive health insurance** has been introduced for foreign nationals entering the territory of the Czech Republic and intending for staying in the country for more than 90 days. Nevertheless, this obligation does not apply to participants of public health insurance, holders of EHIC (European Health Insurance Card) and GHIC (UK Global Health Insurance Card), and citizens of the European Union and their immediate family members.

The amendment has changed **the term used for the document issued to EU citizens to certify their residence in the country**. Henceforth, they will be issued a registration certificate (instead of a temporary residence certificate), which will still be a document without biometric features issued with a validity period of 10 years.

**There has been a major change, which involves dividing EU citizen family members** into two different groups, to which different rules apply. The first group consists of family members referred to in Section 15a(1) and (2) of the Act on the Residence of Foreigners – these are referred to as immediate family members, meaning spouses, parents or children younger than 21 years. The second group consists of family members referred to in Section 15a(3) of the Act – these are referred to as distant family members. In this case, this means, for example, those relatives who are in the care of an EU citizen for health-related reasons or who have a documented permanent partner relationship with an EU citizen.

The amendment also brought new rules for the procedure for awarding the legal status of a stateless person.

In connection with the exit of the United Kingdom from the European Union, the amendment also deals with the **status of UK citizens in the territory of the Czech Republic**. Henceforth, the Act requires them to replace their certificates of temporary or permanent residence with biometric documents. Those UK citizens who have been staying in the territory of the Czech Republic legally as of 31 December 2020 will still be able to apply for a registration certificate and the provisions of the Act on the Residence of Foreign Nationals, which are applicable to EU citizens, will continue to apply to them in the future.

▶ 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 2021, this Act was amended by Act No. 274/2021 Coll.** The amendment has responded to certain practical problems and has made

the existing transposition of Directives, which are a part of the Common European Asylum System, more accurate.

In 2021, the extensive amendment to the Asylum Act, which had been prepared and had passed the internal and external consultation processes, was not discussed and, therefore, not adopted; nevertheless, it was not discussed in the Parliament of the Czech Republic even during the previous election period.

▶ 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 2021.

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

On 1 January 2021, Act No. 277/2019 Coll. entered into force, which amends certain acts in connection with adoption of the Act on the Collection of Laws and International Treaties, which modified the terminology in Section 4 of the Act on the Protection of the State Borders of the CR.

▶ 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; 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.

Act No. 221/2003 Coll., on the Temporary Protection of Foreign Nationals, is applied only if the temporary protection was declared by a decision of the Council of the European Union. It is an instrument intended to be used in the event of a large-scale migration wave.

This Act was not amended in 2021.

▶ Act No. 435/2004 Coll., **on Employment**,<sup>8</sup> as amended

This Act defines the conditions for employment of foreign nationals in the territory of the CR.

The Employment Act was amended to provide for liability for facilitating covert job placement by introducing a new offence – **facilitation of covert job placement** with a penalty of up to CZK 5 million for a natural person and up to CZK 10 million for a legal entity, with the minimum penalty being CZK 50 thousand.

This amendment was made by the aforementioned Act No. 274/2021 Coll., amending the Act on the Residence of Foreign Nationals, with effect as of **2 August 2021**.

▶ Act No. 186/2013 Coll., **on the Citizenship of the Czech Republic** and on Amendments to Certain Acts

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

This Act was not amended in 2021.

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<sup>8</sup> With regard to migration.



## **The Act on the Residence of Foreign Nationals was amended in 2021.**

The important changes involved **dividing family members of EU citizens into two different groups**, to which different rules apply.

Furthermore, **an obligation to take out comprehensive health insurance** has been introduced for foreign nationals entering the territory of the CR and intending to stay in the country for more than 90 days.

The amendment also modified **the status of UK citizens**, who are henceforth required to replace their certificates of temporary or permanent residence with biometric documents.

Also, the term used for the document issued to EU citizens to certify their residence in the country has changed. Henceforth, they will be issued a **registration certificate** (instead of a temporary residence certificate), which will still be a document without biometric features issued with a validity period of 10 years.

Minor amendments were also made to the Asylum Act and the Employment Act. The Employment Act was amended to provide for liability for facilitating covert job placement, introducing a new offence with a related financial penalty.

## **2.1 Political Developments**

## **2.1**

### **POLITICAL SITUATION IN THE COUNTRY**

Elections to the Chamber of Deputies of the Parliament of the CR were held on 8 and 9 October 2021. The voter turnout was 65.43 %. The winner was the SPOLU alliance (27.79 %) consisting of ODS, KDU-ČSL and TOP 09. The second place was taken by ANO 2011 (27.12 %), the third place was taken by Pirates and STAN alliance (15.62 %), and the SPD party (9.56 %) also surpassed the threshold for getting into the Chamber of Deputies. Petr Fiala, the chairman of ODS, became the Prime Minister. The cabinet consisting of ODS, KDU-ČSL, TOP 09, Piráti and Starostové was appointed on 17 December 2021.

Preparations for the CR's Presidency of the Council of the EU, which the CR will assume in the second half of the year 2022, were also taking place during 2021.

During the year 2021, **legislative activities** concentrated on amendments to the Acts mentioned below.

### ▶ **Act No. 326/1999 Coll., on the Residence of Foreign Nationals in the Territory of the Czech Republic**

In 2021, **Act No. 274/2021 amended the Act on the Residence of Foreign Nationals**, as amended. The amendment brought a number of changes, for example, the introduction of administrative fees for an application for a certificate of registration of EU citizens, for an application for a temporary residence permit for a family member of an EU citizen or for an application for permanent residence permit for an EU citizen and his/her family members.

Furthermore, **an obligation to take out comprehensive health insurance** has been introduced for foreign nationals entering the territory of the CR and intending to stay in the country for more than 90 days.<sup>9</sup> Nevertheless, this obligation does not apply to participants of public health insurance, holders of EHIC and GHIC and EU citizens and their immediate family members.

The amendment **has changed the term used for the document issued to EU citizens to certify their residence** in the country. From now on, they will be issued a registration certificate (instead of a temporary residence certificate), which will still be a document without biometric features, issued with a validity period of 10 years.

**A major change is the division of the family members of EU citizens** into two distinct groups, to which different rules apply. The first group consists of family members referred to in Section 15a(1) and (2) of the Act on the Residence of Foreigners – these are referred to as immediate family members, meaning, for example, spouses, parents or children younger than 21 years. The second group consists of family members referred to in Section 15a(3) of the Act – these are referred to as distant family members. In this

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<sup>9</sup> Amendment to Act No. 48/1997 Coll., on Public Health Insurance, which took effect on 2 August 2021, has introduced the obligation to take out commercial health insurance for those foreign nationals who are staying legally in the territory of the CR and who are not covered by the system of public health insurance. With the aforementioned amendment to the Act on the Residence of Foreign Nationals, the Parliament of the CR decided to entrust the ability to offer private health insurance solely to Pojišťovna VZP, a. s., which is a subsidiary of one of the public health insurance companies: VZP ČR.



case, this means, for example, those relatives who are in the care of an EU citizen for health-related reasons or who have a documented permanent partner relationship with an EU citizen. For the category of distant family members, it is particularly important that they are unable to use the fiction of residence when they file an application for extension of their current residence in a timely manner or when they file an application for a new type of residence permit.

In connection with the exit of the United Kingdom of Great Britain and Northern Ireland from the EU, the amendment also addresses the **status of UK citizens in the territory of the Czech Republic**. From now on, they are required to replace their certificate of temporary or permanent residence with biometric documents. Those UK citizens who were legally staying in the territory of the Czech Republic as of 31 December 2020 will still be able to apply for a registration certificate and the provisions of the Act on the Residence of Foreign Nationals applicable to EU citizens will apply to them in the future.

### ► **Act No. 325/1999 Coll., on Asylum**

In 2021, Act No. 325/1999 Coll., on Asylum, as amended, was amended by Act No. 274/2021 Coll. The amendment has responded to certain practical problems and has made the existing transposition of Directives, which are a part of the Common European Asylum System, more accurate.

With the same Act, the Act on the Residence of Foreign Nationals was also amended. The amendment particularly brought new legislation governing the proceedings on granting a legal status to a stateless person.

In 2021, the extensive amendment to the Asylum Act, which had been prepared and had passed the internal and external consultation processes, was not discussed and, therefore, not adopted; nevertheless, it was not discussed in the Parliament of the Czech Republic even during the previous election period.

### ► **Act No. 435/2004 Coll., on Employment**<sup>10</sup>

The Employment Act was amended to provide for a liability for facilitation of covert job placement by introducing a new offence – **facilitation of covert job placement** with a penalty of up to CZK 5 million for a natural person and up to CZK 10 million for a legal entity, with the minimum penalty being CZK 50 thousand. (A natural person or a legal entity commits this offence, if it covertly provides a job placement service pursuant to Section 5(g) of the Employment Act **or facilitates the provision of covert job placement.**

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<sup>10</sup> with respect to migration

This legislation was adopted as a result of laws having been amended by passing Act No. 274/2021 Coll., which has amended Act No. 326/1999 Coll., on the Residence of Foreign Nationals in the Territory of the Czech Republic, **with effect as of 2 August 2021.**

## 2.3 Debates in the Media

## 2.3

The issues of foreigners and migrations were among highly popular topics in 2021 in spite of the fact that for most of the year, attention was mainly paid to the measures related to the Covid-19 pandemic.

Particularly two topics resonated in the media. One of them was the amendment to Act No. 326/1999 Coll., on the Residence of Foreign Nationals, adopted in August; the other one was the evacuation of people from Afghanistan where Taliban seized power.

The amendment to the Act on the Residence of Foreign Nationals also brought a fairly significant legislative change concerning health insurance. Under this new legislation, foreigners are only able to take out their insurance for their period of stay with a single specific health insurance company. This move, which originated in a proposal presented by members of parliament, was heavily criticised both in media and on social media.

Deterioration of the political situation in Afghanistan was a threat particularly to those Afghans who had closely cooperated with other countries. For this reason, the Czech Republic, along with a number of other countries, decided to help its collaborators and organised several evacuation flights. Through these flights, collaborators and their families were evacuated and were subsequently able to apply for international protection in the Czech Republic. The situation in Afghanistan was also covered in the media, which published predominantly the stories of evacuated collaborators.

Throughout the year 2021, the media continuously reported the numbers of migrants detained by the police during illegal transit migration across the territory of the Czech Republic. The citizenship of such detained foreigners and where and how they travelled was mostly mentioned. This information is also popular on social media among those who are opposed to migration.

Reports concerning labour migration also appeared on an ongoing basis. In this respect, the lack of foreign labour force was most often mentioned.

The Czech media also continued to monitor the developments along migration routes or the general developments surrounding the illegal migration into the EU.

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

- ▶ amendment to Act No. 326/1999 Coll., on the Residence of Foreign Nationals;
- ▶ the stories of Afghans who collaborated with the Czech Republic;
- ▶ employment of foreigners in the Czech Republic (for example, the employment of Ukrainians, the programmes for foreign workers, the lack of “local” workers and the related requirements of companies for fast supply of foreign workers);
- ▶ the impacts of anti-Covid measures on foreigners as concerns their entry into the Czech Republic (particularly their impact on foreign students at Czech universities);
- ▶ foreigners in the Czech Republic in general (such as how many foreigners live here, the integration of foreigners, the crime rate of foreigners, illegal transit migration);
- ▶ the situation along migration routes, particularly at the Greece-Turkey border;
- ▶ the situation in the refugee camps in Greece;
- ▶ the legislative proposals concerning the EU’s migration policy (the reform of common migration policy, migration pacts, etc.);
- ▶ the situation concerning migration in other EU countries (such as the situation in Germany and the German migration policy; riots in France; problems in Swedish suburbs where large numbers of migrants live, etc.);
- ▶ the situation in migration source countries (particularly the developments in Afghanistan and Syria);
- ▶ the security-related aspects of migration;
- ▶ the activities of the Czech Republic relating to a migration crisis abroad (for example, the financial involvement of the CR in regions affected by a migration crisis, the MEDEVAC and Aid in Place programmes implemented by the Ministry of the Interior);
- ▶ the granting of international protection in the Czech Republic or the EU.

In spite of the decline of interest in this topic among both the media and the general public, migration and foreigner-related issues were still significant and discussed social topics



In the year 2021, a total of **660,849 foreign nationals** were staying in the territory of the CR on a long-term basis (for a period longer than 90 days). At the end of the year 2021, the percentage of foreign nationals exceeded the threshold of 6 % for the first time; **66.2 % (437,756) of foreign nationals staying in the territory of the Czech Republic were third-country nationals. A total of 223,093 EU citizens were registered, which accounted for 33.8 % of the total number of foreign nationals.** The largest groups among foreign nationals were citizens of Ukraine (196,875, i.e. 29.8 %), Slovakia (114,630, i.e. 17.3 %) and Vietnam (64,851, i.e. 9.8 %). **From among the total registered number of foreign nationals with permitted residence in the Czech Republic, 48.7 % of them were staying in the country on a permanent basis (321,892 foreign nationals) and 51.3 % of them were staying on temporary basis (338,957 foreign nationals) as of the end of 2021.**

In 2021, **citizenship of the Czech Republic was granted to 4,298 foreign nationals** (a year-on-year increase of 1,642 persons).

In 2021, Act No. 326/1999 Coll., **on the Residence of Foreign Nationals in the Territory of the Czech Republic, was amended by Act No. 274/2021. The major change is that family members of EU citizens have been divided** into two distinct groups (immediate and distant family members), to which different rules apply. For the purpose of **family reunification**, there were 3,462 long-term residence permits issued in 2021, which accounted for 9 % of the total number of granted applications. More than half of the long-term residence permits for this purpose was received by citizens of **Ukraine** (1,901, i.e. 55 % of the total number of favourable decisions) who were followed by citizens of **Vietnam** (506, i.e. 15 %) and **the Russian Federation** (340, i.e. 10 %).

## NUMBERS OF FOREIGN NATIONALS WITH RESIDENCE PERMITS IN THE TERRITORY OF THE CR

As of 31 December 2021, a **total of 660,849 foreign nationals** were registered as legally staying in the territory of the CR (for a period longer than 90 days),<sup>11</sup> which represents an increase of 26,059 persons in comparison with the end of the year 2020. The year-on-year increase in the number of foreign nationals was 4.1 %; the number of foreign nationals continued to grow in spite of the ongoing Covid-19 pandemic, although the growth rate was somewhat lower than in the previous year (by 2.4 percent). At the end of the year 2021, **foreign nationals accounted for 6.3 % of the population of the Czech Republic**. Thus, the share of foreign nationals exceeded the threshold of 6 percent in 2021 (their percentage was 5.9 % in 2020).

**Table 1**  
**History of the numbers of foreign nationals with residence permits in the territory of the CR (2011 – 2021)**

Year	2011	2012	2013	2014	2015	2016
<b>Number of foreign nationals</b>	436 389	438 213	441 536	451 923	467 562	496 413
<b>Year-on-year change in %</b>	2,6	0,4	0,8	2,4	3,5	6,2

Year	2017	2018	2019	2020	2021
<b>Number of foreign nationals</b>	526 811	566 931	595 881	634 790	660 849
<b>Year-on-year change in %</b>	6,1	7,6	5,1	6,5	4,1

Source: IS CIS

<sup>11</sup> This figure includes foreign nationals with residence permits in the CR, registered in the Information System of Foreign Nationals (CIS). Nevertheless, the actual numbers of foreign nationals legally staying in the territory of the CR may be different because the registered number of foreign nationals does not include all the citizens of other EU Member States staying in the CR. The statistical statements only register those citizens of the EU who applied for or who were issued a temporary residence certificate. Those who just exercise their right to free movement are not statistically recorded.

## PERMANENT AND TEMPORARY RESIDENCE

**From among the total registered number of foreign nationals with permitted residence in the Czech Republic, 48.7 % resided permanently in the country** (321,892 foreign nationals with permanent residence permits) and **51.3 % resided temporarily in the country**<sup>12</sup> (338,957 foreign nationals). These percentages were almost identical as in the previous year.

**In recent years, the number of foreign nationals staying temporarily in the territory of the CR has been steadily growing.** In 2020 and 2021, the numbers of temporarily staying foreign nationals were higher than the numbers of permanently staying foreign nationals, unlike the two previous years. The year-on-year increase of the number of temporarily staying foreign nationals was 4.2 %, while the number of permanently staying foreign nationals increased by 4 %. There were considerable increases in both categories of residence among third-country nationals, specifically an increase of 28 % (47,319 persons) in the category of temporary residence and an increase of 4.5 % (9,486 persons) in the category of permanent residence. The number of EU citizens increased only in the category of permanent residence (2,798 persons, i.e. a year-on-year increase of 2.9 %), while their number decreased by 33,544 persons in the category of temporary residence (i.e. a year-on-year decrease by 21.5 %). The reason behind this is the amendment to the Act on the Residence of Foreign Nationals, which took effect on 31 July 2019. Since then, EU citizens have not been issued certificates of temporary residence (registration certificates since 2 August 2021) for an indefinite period of time but instead for a period of 10 years. Based on that, a modification was made to the Foreign Information System in July 2021 to automatically delete persons whose periods of residence expired. As a result, there was a sharp drop in the number of persons between July and August 2021. This is a positive development because this “cleaned up” the database by removing persons who were no longer staying in the territory of the Czech Republic in the overwhelming majority of cases.

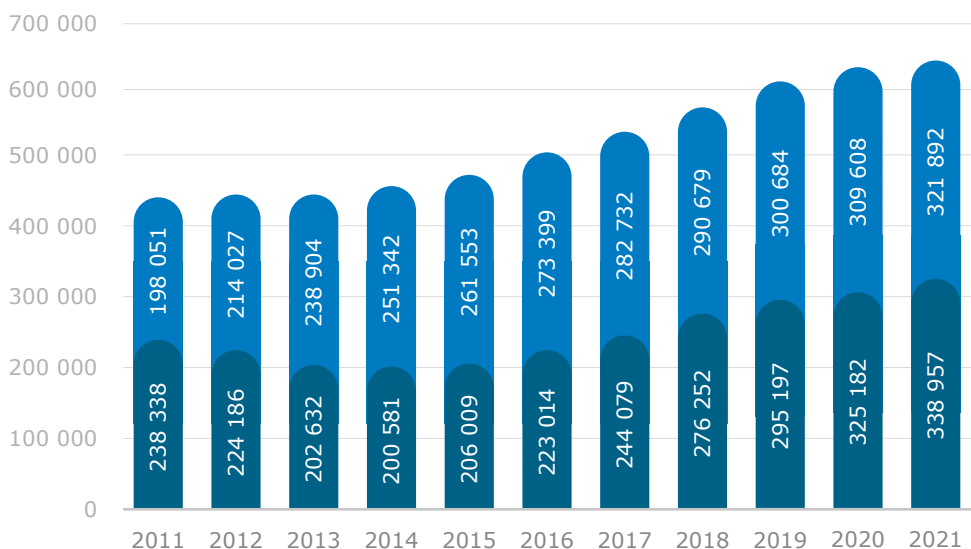
Another reason behind the decrease in the total reported number of foreign nationals from the EU in the territory of the Czech Republic is the **end of what is referred to as the transition period** (as of 31 December 2020) during which the provisions of the Act on the Residence of Foreign Nationals applicable to EU citizens continued to apply to all the citizens of the United Kingdom after their exit on 31 January 2020 under the *Agreement on the Withdrawal of the United Kingdom of Great Britain and Northern Ireland*

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<sup>12</sup> This includes persons with a long-term visa (for more than 90 days), long-term residence permit, temporary residence permit for a family member of an EU citizen and a person with a temporary residence certificate for an EU citizen or a citizen of a country bound by the Agreement on the European Economic Area.

from the European Union and the European Atomic Energy Community. Citizens of the United Kingdom can now be distinguished into two categories. One category consists of those who are able to prove that they were legally staying in the territory of the Czech Republic as of 31 December 2020 and continue to stay in the country even after the end of the transition period (the provisions of the Act on the Residence of Foreign Nationals applicable to EU citizens continue to apply to these UK citizens). The second category consists of those citizens of the United Kingdom who entered the territory of the Czech Republic after the end of the transition period (the provisions of the Act on the Residence of Foreign Nationals applicable to third-country nationals apply to these UK citizens). Nevertheless, for the purpose of data processing and simplification, citizens of the United Kingdom are only included in the category of third-country nationals in the data presented below.

**Chart 1:**  
**History of the numbers of foreign nationals with temporary residence permits and permanent residence permits in the CR (2011–2021)<sup>13</sup>**



**Source:** IS CIS ● temporary residence permit ● permanent residence permit

<sup>13</sup> For the purposes of this report, the category of EU citizens includes citizens of the EU Member States along with citizens of those countries, which are members of the European Free Trade Association (EFTA), with which the European Union entered into the Treaty Establishing the Common European Economic Area (i.e. Iceland, Liechtenstein and Norway). The category also includes Switzerland, which is a part of the European single market.



**Third-country nationals** were the larger category in recent years and their share increased even more in 2021. At the end of 2021, they accounted for **66.2 % of foreign nationals staying in the territory of the Czech Republic. In total, there were 437,756 registered third-country nationals**, which represents a marked year-on-year increase of **56,805**.<sup>14</sup> The highest absolute increase was among citizens of Ukraine where 31,221 additional persons were registered as compared to the end of 2020. The second and third highest increases were among citizens of the Russian Federation (+3,458) and Vietnam (+1,967), respectively. **The total number of registered EU citizens was 223,093, which represents 33.8 % of the total number of foreign nationals.** This share decreased by 6.2 % as compared to the previous year (mainly due to the aforementioned “cleaning up” of data). The largest decreases occurred among citizens of Slovakia, Germany and Poland. Foreign nationals from the EU countries mostly stay in the territory of the Czech Republic on a temporary basis (55 %), while in the category of third-country nationals, both types of residence are nearly equal, with permanent residence slightly predominating (50.6 %). **In terms of citizenship, the largest groups** with permitted residence in the territory of the Czech Republic were citizens of **Ukraine, Slovakia and Vietnam** at the end of 2021. Combined, they accounted for 57 % of all foreign nationals.

## CITIZENSHIP OF FOREIGN NATIONALS

**The citizenship structure of foreign nationals in terms of the top 10 source countries was similar to that in 2020.** Apart from the United Kingdom (-1,209 persons) having been removed from its 10<sup>th</sup> position and having been replaced with Hungary, the rankings of some citizenships merely reshuffled. For example, Romania moved up from the 7<sup>th</sup> position to the 5<sup>th</sup> position where it replaced Germany, which is now in the 8<sup>th</sup> position. Besides that, Bulgaria moved up from the 8<sup>th</sup> position to the 7<sup>th</sup> position, in spite of the number of foreign nationals from this country having decreased.

Among the TOP 10 citizenships, the highest percentage increase as well as absolute increase was reported for Ukraine (+18.8 %, +31,221). This was particularly a consequence of economic migration because for a total of 71.5 % of the citizens of Ukraine staying in the territory of the Czech

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<sup>14</sup> This increase includes citizens of the United Kingdom, who were transferred to this category and whose number amounted to 7,875 persons.

Republic on a temporary basis, their purpose of residence is employment. This was followed by the second highest percentage increase with citizens of Hungary (+9 %, +802); in their case, too, the main purpose of temporary residence is employment (42.7 %). This was followed by the percentage increases of the numbers of citizens of Mongolia (+8.6 %, +875) and the Russian Federation (+8.3 %, + 3,458). Increases were also seen with citizens of Vietnam (3.1 %) and Romania (+2.2 %, +410). Among the TOP 10, Romania and Hungary are the only EU countries, for which the numbers of foreign nationals increased. For other EU countries, there were decreases, specifically by 29.1 % (-6,069) for Germany, followed by Poland (-13.5 %, -2,797), Slovakia (-8 %, -9,914) and Bulgaria (-3.5 %, -622).

**Table 2:**  
**TOP 10 citizenships of foreign nationals with residence permits in the CR by residence category (as of 31 December 2021)**

Type of residence	Number	Percentage in %	Year-on-year change in %	Of which			
				Perm.	i.e. %	Temp.	i.e. %
<b>Foreign nationals in total</b>	<b>660 849</b>	<b>100</b>	<b>4,1</b>	<b>338 957</b>	<b>51,3</b>	<b>321 892</b>	<b>48,7</b>
<b>TOP 10 citizenships:</b>							
Ukraine	196 875	29,8	18,8	106 099	53,9	90 776	46,1
Slovakia	114 630	17,3	-8,0	55 787	48,7	58 843	51,3
Vietnam	64 851	9,8	3,1	10 461	16,1	54 390	83,9
Russian Federation	45 365	6,9	8,3	21 989	48,5	23 376	51,5
Romania	18 806	2,8	2,2	13 261	70,5	5 545	29,5
Poland	17 936	2,7	-13,5	6 807	38,0	11 129	62,0
Bulgaria	17 295	2,6	-3,5	10 608	61,3	6 687	38,7
Germany	14 792	2,2	-29,1	10 191	68,9	4 601	31,1
Mongolia	11 016	1,7	8,6	5 413	49,1	5 603	50,9
Hungary	9 740	1,5	9,0	7 898	81,1	1 842	18,9
EU citizens	223 093	33,8	-12,1	122 702	55,0	100 391	45,0
Third-country nationals	437 756	66,2	14,9	216 255	49,4	221 501	50,6

Source: IS CIS

Another significant year-on-year increase<sup>15</sup> was seen among citizens of **Uzbekistan (+49.9 %)**. Their number grew to 3,595 on a year-on-year basis, which means 1,196 additional persons as compared to the previous year. This was driven mainly by the increase of temporary residence permits for the purpose of employment (+127.9 %, +949), which was due to the higher demand for seasonal work from citizens of Uzbekistan in the second half of the year 2021. At the end of the year, the purpose of temporary residence of citizens of Uzbekistan in the country was most often employment (+71.1 %).

The second highest percentage increase was reported for citizens of **Iran (+23.3 %)**; in absolute terms, the increase was by 214 persons. Studies and research as the purposes of residence account for more than half of the increase. Most citizens of Iran were staying in the country with temporary residence permits for the purpose of studies (51.8 %), family reunification (20.1 %) and research (14.1 %) at the end of the year 2021. In total, there were 1,134 citizens of Iran staying in the territory of the Czech Republic at the end of the year 2021.

The third highest percentage increase was reported for citizens of **Philippines (i.e. +22.8 %)**. Citizens of Philippines came to the Czech Republic primarily for the purpose of employment under economic migration programmes. At the end of the year, most of them (87.3 %) were staying in the country with temporary residence permits for the purpose of employment. In total, there were 3,230 citizens of Philippines registered with residence in the territory of the Czech Republic.

The situation is similar with citizens of **India** with whom the fourth highest percentage increase (**+19.6 %, +1,138**) was recorded. Their number increased mainly in the category of residence for the purpose of employment, which is simultaneously the most frequent purpose of temporary residence (45.42 %); however, there was also increase in the category of residence for the purpose of studies (+37.8 %). The total number of citizens of India in the territory of the Czech Republic was 6,951 persons at the end of the year 2021.

## FOREIGN NATIONALS BY GENDER AND AGE

Same as in the previous years, men continued to predominate among foreign nationals in 2021 and their share amounted to 56.5 %. The share of women very slightly increased on a year-on-year basis (by 0.6 %) and amounted to 43.5 %. The ratio between men and women is more balanced with those foreign nationals who reside permanently in the territory

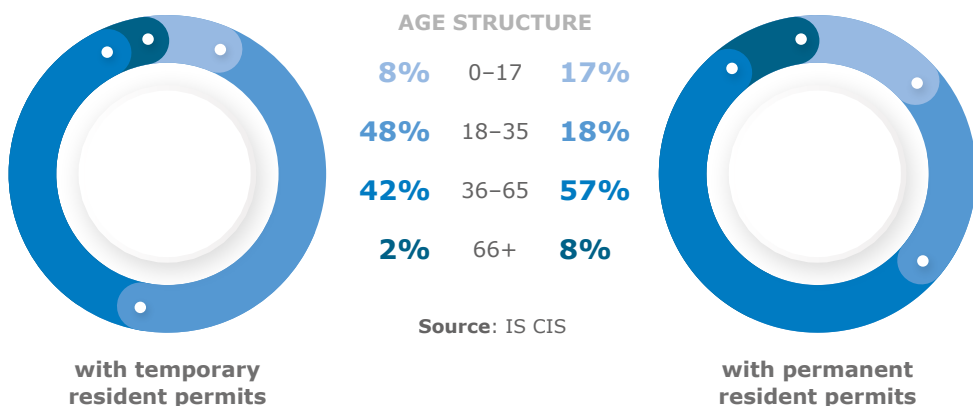
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<sup>15</sup> Among those foreign nationals whose registered number exceeded 1,000 persons in the year 2021.

of the CR. In the category of permanent residence, the share of men was 52.7 %. In the category of temporary residence, the share of men was even more predominant, specifically 60.1 %. The differences in the percentages of foreign nationals with respect to gender in the individual categories of residence can be linked to the nature of temporary residence, which is mostly provisional and mainly economically motivated.

Among the total number of foreign nationals, the age category between 36 and 65 years predominated and accounted for 49.1 % in 2021. The age structure differs according to the type of residence. In the category of temporary residence, the age categories of between 18 and 35 years and between 36 and 65 years are almost equal, while in the category of permanent residence, the age category of between 36 and 65 years clearly predominates; and there are also higher percentages of minors and persons older than 66 years in the category of permanent residence

**Chart 2:**  
**Age structure of foreign nationals with residence permits in the CR (as of 31 December 2021)**



### 3.2 Economic Migration

# 3.2

As of 31 December 2021, the regional branch offices of the Labour Office of the Czech Republic (ÚP ČR) **registered a total of 701,830 foreign workers in the positions of employees, which was 9 % more than in 2020** (there were 644,164 foreign workers in that year). A total of **401,376 foreign workers (i.e. 57.2 %)** came from the EU Member States, the European Economic Area and Switzerland, including their family members. Among them, the largest groups consisted of the citizens of **Slovakia** (209,273 information cards), followed by citizens of **Poland** (47,001 information cards), **Romania** (46,768 information cards) and **Bulgaria**

(38,120 information cards). **There were a total of 300,454 foreign workers (i.e. 39.4 %) who were not citizens of the EU/EEA Member States and Switzerland** – third-country nationals, with the highest numbers found among the citizens of **Ukraine** (87,323 information cards<sup>16</sup> + 107,884 work permits<sup>17</sup>), **the Russian Federation** (14,868 information cards + 4,063 work permits) and **Vietnam** (12,868 information cards + 3,306 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** (222,446) on a long-term basis, followed by **the Region of Central Bohemia** (121,586), **the Region of South Moravia** (77,201) and **the Region of Pilsen** (69,831).

**Foreign nationals with free access to the labour market accounted for the majority of foreign workers in 2021.** From among the total number of 701,830 foreign workers, the register **included 401,376 information cards of the citizens of the EU/EEA Member States and Switzerland, including their family members,** and **154,690 information cards** of third-country nationals. Among the foreign workers who enter the labour market with a work permit, there were 102,714 Employee Card holders,<sup>18</sup> 41,710 employment permit holders, and 1,340 Blue Card holders registered as of 31 December 2021 (the total number of work permits was 145,764).

**As of 31 December 2021, there were 2,136 licensed job agencies,** entities with a license to mediate employment, issued by the General Directorate of the Labour Office.

## **PROGRAMMES IN THE FIELD OF ECONOMIC MIGRATION**

Migration programmes and projects have been created and implemented since 2012 as part of the interdepartmental cooperation of central governmental authorities, specifically the MoI, MoIT, MoFA, MoLSA, MoA and MoH, with business representatives also participating in the implementation of some of these programmes. These programmes are **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.**

The goal of migration programmes is **to improve the efficiency of the migration procedure by simplifying the process of filing and processing**

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<sup>16</sup> 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.

<sup>17</sup> This includes employment permits, Employment Cards, Blue Cards and possibly intra-corporate transferee cards.

<sup>18</sup> These are only the employment cards maintained in the central register of the MoLSA.

**the applications of foreign nationals for residence permits or employment permits.** The owner of the programme makes decisions on inclusion of foreign nationals and domestic entities (employers, business corporations, schools), which are directly interested in their arrival, into the programme, provided that the defined criteria are met. In previous years, the programmes have proved to be a suitable tool for managing work migration. They significantly preventively contributed to reducing the security risks associated with work migration from third countries to the CR thanks to the higher degree of scrutiny from the employers, for the benefit of whom the migration was being carried out.

**Since 2019, a total of 4 government-approved programmes have been implemented:**

### **1) The Highly Skilled Employee Programme**

is designed for companies employing highly skilled workers from third countries (i.e. for foreigners performing professions in the CR, which are included in the main classes 1 through 3 in the CZ-ISCO job classification: managers, specialists, technical and expert workers). The target group also includes medical professionals. The Programme **is open to citizens of all third countries**; along with the migrant workers, their closest family members can also become participants of the programme.

This programme was in higher demand (almost by one third in comparison with the previous year). **There were 873 candidates** included in the Highly Skilled Employee Programme in 2021, with the highest numbers of applicants coming from Ukraine, the Russian Federation, India, China and Belarus. They were mostly computer network specialists, coders, software developers, graphic designers and medical professionals (general nurses and nurse practitioners and physicians without postgraduate certification).

In the Highly Skilled Employee Programme, a total of **369 applications** for an Employee Card were filed and there were 378 decisions issued, with the success rate amounting to 91.1 %. Applications were most often filed by citizens of Ukraine (153), the Russian Federation (38), China (36) and India (33).

### **2) The Skilled Employee Programme**

is designed for companies employing medium-skilled to low-skilled employees (for foreigners performing professions included in the main classes 4 through 8 in the CZ-ISCO job classification, such as drivers, welders, seamstresses, butchers, assembly workers, workers in automotive and chemical industries, etc.). The Programme owners (i.e. the business representations in the CR

and the CzechInvest agency) decide on inclusion of a specific employer in the programme and they are responsible for assessing the need for inclusion of each employer on an individual basis. For this Programme, the countries selected as the source countries of economic migration to the CR were the ones, which the government found to be suitable with regard to the requirements of the Czech labour market, while taking into account the security-related and migration-related risks. These countries are primarily **Ukraine with an annual quota of 40,000 persons, the Philippines (2,000 persons), Belarus (1,900 persons), Serbia and Montenegro (1,900 persons), Moldova (1,000 persons), Mongolia (1,000 persons), India (600 persons) and Kazakhstan (500 persons)**. The capacity of this Programme is 50,000 applications per year. Due to the popularity of this Programme, the quotas for Belarus and the Philippines were increased with effect as of 1 January 2021 by a decision of the government made in December 2020.

Under the Skilled Employee Programme, a total of 31,506 applications for an Employee Card were filed and 33,217 decisions were made; the success rate amounted to 92.9 %. Applications were mainly filed by citizens of Ukraine (27,828), Mongolia (743), the Philippines (708) and Serbia (668).<sup>19</sup>

The overall data for the year 2021 show that with **the main source countries** of the Skilled Employee Programme **more than 50 % of the annual quota was used up** (Mongolia used up 74 %, Ukraine 68 %, India 55 % and Kazakhstan 55 %). Employees from the following countries were least in demand: Belarus 29 %, Serbia and Montenegro 35 %, the Philippines 35 % and Moldova 41 %. The most sought-for professions were assembly workers, masons and drivers.

Exercising the power vested by the government, the Coordination Body approved a change in the migration-focused Skilled Employee Programme in 2021 to include an explicit stronger support in its text for not including and excluding those employers who are reasonably suspected of operating as covert job placement agencies and who might take advantage of foreign workers obtained through the Programme for this purpose. Several modifications to the Key and Scientific Personnel Programme, the Highly Skilled Employee Programme and the Special Work Visa Programme were also approved, which, however, were not of a major nature and did not change the basic parameters of the programmes and their implementation processes. The Coordination Body also discussed a proposal for pre-setting quotas for accepting applications for Employee Cards at selected embassies, which the Government of the CR approved in its Regulation No. 233/2021 Coll., with effect as of 1 July 2021.

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<sup>19</sup> The number of decisions is higher than the number of accepted applications because applications filed in 2020 are decided on in early 2021.

### 3) The Key and Scientific Personnel Programme

is designed for investors, newly incorporated companies, start-ups as well as research organisations and tech companies, which are interested in employing workers from third countries with top qualifications. The Programme is open to citizens of all third countries, and their closest family members can become participants of the programme along with the migrant workers. Their applications for residence permits are processed within a reduced time limit (within 30 days). The interest in this Programme is constantly growing.

In 2021, the number of foreign nationals included in this Programme nearly doubled in comparison with the year 2020. In 2021, **more than 2,400 candidates** were included in the Programme. The most frequent professions of the candidates were: IT specialists, software developers, mechanical engineers in research and development, industrial engineering specialists, and managers. The **source countries of the candidates** for this Programme **most often included the Russian Federation, India, Belarus, Ukraine, Japan, China and Turkey.**

In 2021, there were **737 applications for an Employee Card** filed under the **Key and Scientific Personnel Programme**, and 694 decisions were issued; the success rate amounted to 93.2 %. Applications were most often filed by citizens of the Russian Federation (131), India (93), Ukraine (63) and Korea (57).

### 4) The Special Work Visa for Citizens of Ukraine Working in Agriculture, Food Industry or Forestry Programme

is designed exclusively for employers seeking low-skilled and non-skilled workers (included in the main classes 4 through 9 in the CZ-ISCO job classification) in the sectors stated in the name of the Programme and its target group only consists of citizens of Ukraine. The annual capacity of the Programme is 1,500 persons.

Due to the persisting lack of workers in agriculture in the Czech Republic and considerable promotion of the Special Work Visa Programme carried out by the Ministry of Agriculture of the CR, the number of interested candidates increased in this case, too, specifically by around one quarter. While 665 candidates were included in this Programme in 2020, it was 815 workers in 2021. In order to make it easier for the majority of applicants who come from the west part of Ukraine to file applications, the site for submitting the applications was changed from the Embassy of the Czech Republic in Kyiv to the Consulate General of the Czech Republic in Lviv. Based on the



need for labour forces in the agricultural sector, particularly in connection with liquidation of the bark beetle calamity, which has been going on since 2018, and with regard to the acute lack of labour forces on the Czech labour market currently faced by the agricultural sector, too, the mechanism of a special work visa was **activated for citizens of Ukraine working in agriculture, food industry or forestry**. The Programme has a monthly quota of 125 applications. In 2021, citizens of Ukraine filed **532 applications** for the visas under the Special Work Visa Programme, and 561 decisions were issued; the success rate amounted to 84 %. The end of the programme was set to be the end of the year 2022.

Besides the aforementioned programmes, **a project titled Internship** was implemented in 2021 (it had been launched on 24 November 2014 in cooperation with the Confederation of Industry of the Czech Republic). This project is intended for third-country nationals who are sent by foreign employers to Czech legal entities (typically manufacturing corporations) or natural persons with the aim of improving their skills and qualifications for the purpose of further employment of these foreign nationals with their foreign employers, with the caveat that the duration of their internship must not be longer than 6 months. In 2021, the implementation of the Internship project started as late as on 30 September 2021 when acceptance of applications for all residence permits was resumed at all embassies of the Czech Republic. However, nobody participated in the Internship project since 30 September 2021.

**The goal of all economic migration programmes is to simplify the influx of skilled workers from abroad to the territory of the CR in order to support targeted and selective legal economic migration.**

**By introducing new government economic migration programmes, the territorial coverage of the previous projects was significantly expanded, the option to take advantage of the new programmes was made available to a wider group of employers and the criteria for joining these programmes were simplified and unified.** The programmes work as a selection tool for Czech employers and their foreign employees who are provided with preferential treatment, subject to compliance with transparency criteria, when they file applications for residence permits at embassies and are provided with other benefits as well (the option of migrating together with their immediate family members; reduction of bureaucracy; fast-track processing of their application for a residence permit). The criteria for including employers in a programme are defined in such a way so that the programmes cannot be joined by employers who systematically violate laws and do not comply with their statutory obligations towards the state or employees. One of the important criteria is the minimum wages for various categories of migrant workers, which the employer must ensure and which serve as prevention of social dumping and strengthen the economic position of foreign workers.

The maximum annual volume of work migration under these programmes and outside them is defined by a government regulation. In 2021, **Employee Cards were granted to approximately 32,600 migrant workers from third countries** under the programmes. In July 2021, the government issued a regulation (No. 233/2021 Coll.), by which it modified the quotas for the year 2021. The quotas for medium-skilled and low-skilled work migrants under the Skilled Employee Programme were modified at embassies in Belgrade (Serbia) (-600 applications), Chisinau (Moldova) (+400 applications) and Nur-Sultan (Kazakhstan) (+200 applications) and the quota for highly skilled migrant workers was defined more accurately for the embassy in Hanoi (Vietnam); this quota is now intended solely for the Key and Scientific Personnel Programme. A new quota was defined for the embassy in Bratislava for the Highly Skilled Employee Programme and the Key and Scientific Personnel Programme, with the total annual number of applications for Employee Cards amounting to 150.

### 3.3 Family Reunification

## 3.3

In 2021, Act No. 326/1999 Coll., **on the Residence of Foreign Nationals in the Territory of the Czech Republic**, was amended by **Act No. 274/2021**. **The major change involves dividing family members of EU citizens into two distinct groups**, to which different rules apply. The first group consists of family members referred to in Section 15a(1) and (2) of the Act on the Residence of Foreign Nationals – **these are referred to as immediate family members** and include, for example, spouses, parents or children younger than 21 years. The second group consists of family members referred to in Section 15a(3) of the Act – **these are referred to as distant family members**. In this case, these are, for example, those relatives who are in the care of an EU citizen for health-related reasons or who have a documented permanent partner relationship with an EU citizen. Furthermore, **the status of UK citizens in the territory of the Czech Republic** has changed.

In 2021, **there were 3,462 long-term residence permits** issued for the purpose of **family reunification**, which accounts for 9 % of the total number of granted applications. There was a year-on-year increase of 27 %, which corresponds to 744 granted applications. More than half of the long-term residence permits issued for this purpose were received by citizens of **Ukraine**, specifically by 1,901 citizens of Ukraine, which represents 55 % of the total number of favourable decisions. These were followed by citizens of **Vietnam** (506, i.e. 15 %) and **the Russian Federation** (340, i.e. 10 %).

This issue is governed by 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**,<sup>20</sup> which contains 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.

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 Regime"**. The project was approved by the Government of the CR on 22 May 2017 with effect as of 1 June 2017. The basic goal of the Student Regime is to facilitate the visa procedure for foreigners from selected countries accepted for studies under accredited study programmes at universities in the CR, which were included into the Student Regime by the MoEYS. Under the Student Regime, foreign students are provided with faster access to an embassy to file an application. The purpose of the Student Regime is to ensure flexible cooperation of the included universities with the relevant administrative authorities in the Czech Republic and to make sure that foreigners receive correct information from universities, which will result in the filing of applications without formal and substantive errors.

In 2021, there were 36 public and private universities participating in the Student Regime. The collection of nominations for the Student Regime took place in January, February, May through December, and 3,818 candidates were included in it in 2021, which represents a nearly double increase (specifically by 1,735 candidates) as compared with the previous year. A total of 32 countries were included in the Student Regime as of 1 December 2021, with some embassies having consular authority for multiple countries, which means that the Student Regime covered a total of 89 countries.

The implementation of the project titled **Fast Track Procedure for Granting Residence Permits to Foreigners – Foreign Students from Third Countries**, which was first launched in 2013, continued in 2021. The project focuses particularly on student migration of foreign scholarship holders. The MoEYS is the administrator of this project (the co-administrators are the MoI and the MoFA). Students are included in the project based on nomination by the residence guarantor, which is the host institution. The

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<sup>20</sup> Approved by the MoEYS under 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* in June 2016.

original target group, which consisted of students from third countries who had been accepted for studies in the CR under bilateral or multilateral international agreements and government resolutions (developing countries and compatriots abroad), has been joined, starting from 2020, also by participants of the Erasmus+ International Credit Mobility Programme and the Fulbright Program.

### 3.5 Visa Policy and Schengen Cooperation

## 3.5

#### VISA POLICY

Since fully joining Schengen cooperation (i.e. since 21 December 2007), the Czech Republic has been implementing **the common visa policy**. This agenda is within the purview of the MoFA, which closely cooperates with the MoI in this respect. The basic document of **the common visa policy is Regulation (EU) 2018/1806 of the European Parliament and of the Council (referred to as the "Visa Regulation")**. **This document lists the third countries, whose citizens must have visas when crossing the external border, and also lists the third countries, whose citizens are exempt from this obligation.**

In 2021, Regulation (EU) 2018/1806 of the European Parliament and of the Council was amended. In connection with the withdrawal of the United Kingdom from the European Union in 2019, what was referred to as a transition period was negotiated, during which the right of free movement between the EU and the United Kingdom continued to be exercised. As of 31 December 2020, this period ended, and **starting from 1 January 2021, new rules started to apply to travels between the EU and the United Kingdom. As concerns short-term visa, UK citizens have been regarded as third-country nationals since January 2021.** In this respect, Regulation (EU) 2019/592 of the European Parliament and of the Council was adopted as early as in April 2019, under which citizens of the United Kingdom were exempted from visa obligations for their stay in the territories of the Schengen Area Member States. The exception is a trip for profit-making purposes to certain EU countries, including the Czech Republic, where the need for visa remains.

**The basic legal instrument, which governs the issue of short-term visas (Schengen visas), is Regulation (EC) No 810/2009 of the European Parliament and of the Council of 13 July 2009 establishing**

**a Community Code on Visas (Visa Code).<sup>21</sup> Starting from 2 February 2020, the Visa Code amendment has been in effect.** The amendment responds to the latest developments in the fields of security and migration and, as a tool for addressing problems associated with illegal migration, it integrated the visa policy with the collaboration of individual third countries in readmission of illegally staying third-country nationals.

The amendment is based on the effort to find a balance between supporting legal travel and strengthening the tools for combatting illegal migration. The most important elements of the amendment include facilitation of the visa procedure for applicants with a positive Schengen history, for whom mandatory issue of multiple-entry visas with a progressively prolonged period of validity (from 1 year to 5 years) has been introduced. At the same time, the obligation to be personally present when filing an application has been repealed, except for those cases where it is necessary to collect biometric data. Other innovations include an option to file a visa application as early as 6 months before the expected departure but no later than 15 days before the trip. The amendment has also provided for the possibility to fill out and sign the application form electronically. The regulation more clearly defines, which Member State is responsible for examining an application, if the intended visit spans across multiple Member States. The amendment also included changes, which were brought to the visa process by the evolution of the visa practice; the most important ones include the need for broader cooperation with external service providers (i.e. utilisation of visa centres) in the process of accepting visa applications, and the advancing digitalisation of the administrative procedures, which is being implemented while preserving the integrity and security of the visa process. Besides that, **the visa fee was slightly raised to 80 €** in order to cover the growing costs of processing visa applications and in the context of the necessary IT innovations.

The amendment has introduced an option for certain tiered visa restrictions towards non-cooperative third countries and makes it possible to exert pressure to improve returns (for example, by raising the visa fee or by extending the time limit for making a decision on a visa). If the collaboration is good, it is possible to offer the third country concerned an easier procedure for issuing visa. The measure defined in Article 25a, containing a set of negative incentives, which may be applied towards third countries exhibiting a low degree of cooperation in readmission of persons, was implemented in 2021 for the first time. On 12 March 2021, the European Commission invited

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<sup>21</sup> This is directly applicable legislation, which became a part of the Czech legislation on its effective date, i.e. on 5 April 2010. The implementing regulation for the Visa Code is the "Handbook for the Processing of Visa Applications and the Modification of Issued Visas". The Visa Code governs, among other things, the processes in a visa procedure, lists the requirements for visa applications, defines the circumstances of representation and outsourcing, etc.

the Council for Justice and Home Affairs (JHA) to indicate the non-cooperating countries, towards which these measures could be implemented. Based on the Council's recommendation, the European Commission announced in July 2021 that it proposes activation of the Article in relation to The Gambia, Iraq and Bangladesh to the full extent (the measures provided in Article 25a(5a) of the Visa Code). In spite of the initial support for swift adoption of the proposal, the measure was implemented only towards The Gambia; for Bangladesh and Iraq, adoption of the implementing decision was postponed for political reasons.

**On 7 October 2021, the Council adopted Council Implementing Decision (EU) 2021/1781 on the suspension of certain provisions of Regulation (EC) No 810/2009 of the European Parliament and of the Council with respect to The Gambia.** All the proposed measures were implemented on a temporary basis: termination of reliefs for presentation of corroborating documents for bona fide applicants; termination of exemptions from payment of the visa fee for holders of diplomatic and service passports; termination of the obligation to decide on an application within 15 days; termination of issue of multiple-entry visas, including termination of issue of multiple-entry visas with a validity period of 5 years. The Implementing Decision took effect on 31 October 2021.

Visa liberalisation was not discussed with any third country in 2021. However, regular assessment of migration and security situation in those countries, which completed the visa liberalisation process in the last seven years, continued. **In August 2021, the European Commission published the "Fourth Report under the Visa Suspension Mechanism"** (referred to as the suspension mechanism). While the third report published in 2020 registered the downward trend in the number of asylum applications, which can be explained by the restricted travel due to the Covid-19 pandemic, most EU Member States saw an increase in the number of filed asylum applications as well as an increase in the number of illegal migrants from the assessed countries (Albania, Bosnia and Herzegovina, Montenegro, Serbia, North Macedonia, Moldova, Ukraine, and Georgia) in 2021. The EC is supposed to present another monitoring report in mid-2022.

One of the major topics of the common visa policy in 2021 was the digitalisation of the visa process. **At the beginning of the year, several EU Member States, including the Czech Republic, had the opportunity to test the prototype of the new application portal (EU VAP-Common EU Visa Application Portal).** The prototype will further be used for preparation of a legislative proposal, which will convert the visa process into a predominantly digital form, which will include replacement of the visa sticker with its digital alternative. The main benefit of the portal should be the harmonised online platform for filing applications for short-stay visas with central and powerful management for headquarters and consulates. The European Commission will incorporate the results of the work on the application portal prototype into the **legislative proposal for**

## **visa digitalisation; it is expected to be published in spring 2022.**

Discussion of the proposal will be an important topic of the Czech Presidency in the Visa Working Party.

The visa sticker issued according to the uniform template is to be **extended to include a digital seal, i.e. a secured 2D barcode**, based on the implementing decision of the European Commission. The purpose of the change is to strengthen the security of the visa sticker, particularly its protection against forgery. Member States are supposed to start issuing the visa stickers with the 2D barcode on 1 May 2022 with a transition period of 6 months. In 2021, the Czech Republic worked on fulfilling the task by means of the tools of the eu-INIS Programme.

In 2021, **the revision of Regulation (EC) No 767/2008 of the European Parliament and of the Council of 9 July 2008 concerning the Visa Information System (VIS)** and on the exchange of data between Member States on short-stay visas **was successfully completed**. The proposal was adopted by the EU Council at its meeting on 27 May 2021 and subsequently approved by the European Parliament, and the amendment was signed on 7 July 2021. It entered into force on 2 August 2021. The amendment to the regulation aims to strengthen the security of the Schengen Area in the procedure for granting short-stay visas, to include long-stay visas and long-term residence permits in VIS and to ensure interoperability between VIS and other relevant EU systems and databases (from now on, information on long-term residence permits, which are checked on borders and consulted with other information systems, will be entered into VIS).

From now on, EU systems and databases (SIS, EES, ETIAS, including the lists of persons of interest and the Europol and Interpol databases) should be consulted when a visa application is examined. According to the updated schedule of implementation of the interoperability programme adopted by the EU Council on 9 December 2021, the interoperability will be limited to the currently valid VIS up until 2023. The project for implementing the revised VIS is planned for the year 2024.

As concerns interoperability, the test of **the Entry/Exit System (EES)** was started in autumn 2021 and this system is expected to be launched in the second half of the year 2022. Although this system works well with VIS already now, it will be necessary to slightly modify VIS for its full launch. Launch of the ETIAS system (*the EU registration system for foreigners travelling from visa-free countries, which is similar to the ESTA system used by the USA*) is planned for the end of the year 2022, and the secondary legislation has already been completed.

Visa agenda operations at embassies of the Czech Republic abroad **continued to be strongly affected by the global Covid-19 pandemics** in 2021. The protective measures by the Ministry of Health of the Czech

Republic concerning the entry of foreigners into the Czech Republic directly determined the scope of restrictions regarding the acceptance and processing of applications for various types of visas and long-term residence documents. Some embassies also had to be completely closed, either due to their staff coming down with Covid-19 en masse or due to the strict national epidemiological measures implemented in the given country.

Visa agenda operations in some countries were also significantly affected by the emergence of new mutations of Covid-19. From April to August 2021, several protective measures were implemented in response to the delta variant towards countries with an extreme contagion risk where **the visa agenda was temporarily limited to an absolute minimum** (for example, this restriction lasted for 17 weeks in India and nearly 8 weeks in the Russian Federation). The emergence of the omicron variant prompted the Government of the CR to adopt a resolution in late November 2021, which significantly limited visa agenda operations in several countries in South Africa for approximately 4 weeks.

**The protective measures of the Ministry of Health of the CR in 2021 generally allowed for full visa agenda operations** (i.e. for accepting and processing all applications for visas and residence documents) **only at the Czech Republic's embassies in EU+ countries** (i.e. in EU and EEA countries) and in countries with a low risk of contagion for Covid-19, the list of which was continuously changing but generally did not contain many countries. Starting from 23 August 2021, **the protective measures started to take into account the vaccination against Covid-19** in the way that foreign nationals with completed vaccination, which was carried out with a vaccine and confirmed with a certificate (recognised by the Czech Republic) were able to start applying for any type of visa or residence document (i.e. were able to file applications under the same conditions as before the Covid-19 pandemic).

As concerns **short-stay visas**, the process of accepting and processing the applications was limited to absolutely necessary travels, which did not include, for example, tourism or visit to friends and extended family, in most countries of the world (except for EU+ countries and the countries with a low contagion risk for Covid-19) in accordance with the EU's recommendations. As a result, the applications that were generally accepted were applications for short-stay visas of family members of CR/EU citizens (including couples referred to as unmarried), short-stay visas for the purpose of employment in selected key industries (in Ukraine, the job position could be of any kind), applications from foreigners travelling to the Czech Republic in emergency situations (such as urgent medical procedure, urgent official meeting) or as provided by an exception granted by selected institutions or governmental authorities of the Czech Republic (Ministries, Nationals Sports Agency). Starting from the end of August 2021, vaccinated persons (and subsequently their minor children) were able to file applications for short-stay visas for any purpose (including, for example, tourism).



The process of accepting and processing applications for **long-term residence documents** was also limited in countries outside EU+ countries and countries with a low contagion risk; once again, the process was limited to those stays of foreigners, which were considered to be absolutely necessary. Besides residence documents for family members of CR/EU citizens, this included, for example, stays for the purpose of studies, scientific research or for the purpose of employment for all foreign nationals included in the governmental programmes of targeted economic migration. Starting from 30 September 2021, all foreign nationals were able to file applications for all types of long-stay visas and residence permits at all embassies of the Czech Republic in the world (regardless of whether they were vaccinated or not).

## SCHENGEN COOPERATION

Since the spreading of the SARS-CoV-2 virus and the breakout of the global **Covid-19 pandemic** in spring 2020, the global movement of persons has come to an unprecedented halt. Most countries in the world introduced more or less **strict restrictions on entry into their territories**. The overwhelming majority of countries limited entry only to essential trips (return of citizens and foreign nationals with permitted residence, international transport, family reunification and cross-border workers). The entire European Union responded to this course of action on 16 March 2020 by imposing a coordinated across-the-board ban on entry into the European Union from third countries with defined exceptions. This ban was subsequently extended multiple times.

On 2 June 2021, the European Commission issued **a proposal for Council Regulation on establishing and operating an evaluation and monitoring mechanism to verify the application of the Schengen acquis and on repealing Regulation (EU) No 1053/2013**. At present, the Schengen evaluation is governed by Council Regulation No 1053/2013, under which the first cycle of evaluation started in 2015. Within this cycle, all Member States are evaluated periodically every five years with regard to visas, police cooperation, external borders, returns, the Schengen Information System and the protection of personal data. The proposal is based on a report on the review of the functioning of the Schengen evaluation after the end of the first five-year cycle under Regulation No 1053/2013, which the Commission issued on 25 November 2020. The conclusion of this report is that the Schengen evaluation brought tangible improvements, that Member States apply the Schengen acquis adequately and that identified major shortcomings are being successfully rectified. The shortcomings in the current mechanism are particularly the lengthy administrative process of receiving evaluation reports and related documents, insufficient capacity of Member States to send experts for evaluations, low effectiveness of unannounced visits, slow implementation of action plans and lack of information on the course of the implementation, as well as insufficient integration of the monitoring of fundamental rights into the evaluation

mechanism. The Commission also viewed the Council's recommendation as an insufficient instrument for creating political pressure on Member States to eliminate the identified shortcomings. It can be expected that agreement will be reached and the regulation will be adopted in the first half of the year 2022. The new regulation should enter into force in autumn 2022, that is, during the Czech Republic's Presidency of the EU Council.

Based on the Strategy for Ensuring Fully Functional and Resilient Schengen Area and in response to the current situation on the external borders in the context of instrumentalisation of migration, the Commission presented **a proposal for a regulation of the European Parliament and of the Council, amending Regulation (EU) 2016/399 on a Union Code on the rules governing the movement of persons across borders** (Schengen Borders Code), on 14 December 2021. The proposed changes concern both main pillars of the Schengen Borders Code, which are the external and internal borders of the Schengen Area (the European Union). Among other issues, the proposal addresses the issue of consistent implementation of measures at external borders in the event of a threat to public health, a response to the instrumentalisation of migration at external borders, the regime at internal borders or the issue of temporary reintroduction of border control at internal borders. The proposal was presented in a package with the proposal for a regulation intended to address the situations of instrumentalisation in the fields of migration and asylum and is related to other proposals presented during the year 2021, for example, to the proposal for revision of the Schengen evaluation mechanism or the Police Cooperation Code. The proposal is being discussed at the Council level. France considers this proposal to be one of the priorities of its Presidency of the EU Council and intends to discuss it intensively with the aim of achieving as much progress as possible.

In 2021, the EU Council continued to discuss individual proposals, which had been presented in 2020 under the **Pact on Immigration and Asylum**. The discussions in the working bodies of the Council dealing with Schengen issues were focused on the proposal for a regulation on verification of third-country nationals at external borders.

On 24 May 2021, the Government of the CR approved the updated **eu-INIS Programme 2021**, which includes the implementation of new or the modification of the already functioning large-scale European information systems in the fields of justice and internal affairs in the Czech Republic (EES, ETIAS, SIS, Interoperability Tools, VIS, Eurodac, ECRIS-TCN, EUROSUR, FADO, PNR, API). The entire programme should be completed by 2024 with a possibility of extension, depending on the actual status of implementation in the European context. With its scale and time limits, it is a task of unprecedented scope in European integration. The en-INIS Programme

contains tools for coordinating, supporting and monitoring 9 national and 4 horizontal projects in the period of 2019-2024. The state budget and European funds participate in funding the national parts of the projects with an estimated amount of approximately CZK 3.5 billion. Implementation of interoperability of information systems in the fields of justice and internal affairs is a part of the policy for combatting illegal migration and security threats.

In connection with the problems in particular the central EES project and in EES national projects of some Member States, an alternative scenario for interoperability, prepared in collaboration with Member States and the Commission, which postpones the dates for launching the EES to September 2022 and the systems ETIAS and ECRIS-TCN to May 2023, was approved by the EU Council for Justice and Home Affairs on 9 December 2021. The alternative scenario has thus moved the final period of implementation of the EES to the period of the Czech Republic's Presidency of the EU Council. At the same time, it was decided that the revised VIS is not a part of this scenario. This alternative scenario strives for a solution, which will make it possible to meet the political deadline for completing the implementation of interoperability at the central European level (eu-LISA) in 2023; nevertheless, its implementation will be a big challenge for the agency and Member States due to the overall difficulty, parallelisation and zero time margin, posing a number of risks threatening the meeting of the deadline.

On 1 December 2012, the **European Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA)** started to perform its tasks. In 2013, the Agency assumed responsibility for the operational management of large-scale information systems supporting the activities of the responsible authorities in this area (SIS II, VIS, Eurodac). In view of the extension of the scope of responsibility for the new information systems in preparation, the structures of the eu-LISA Agency worked, for example, on expanding the Agency's mandate, contractual matters, financial aspects, audits, human and financial resources, work programmes, security and operational matters in 2020.

In 2021, a total of 7 meetings of the eu-LISA's Management Board (MB) were held, also in the form of videoconferences. The MB was informed on the discussions of the advisory groups for SIS, VIS and Eurodac and on the status of implementation of the new systems EES, ETIAS, ECRIS-TCN and for interoperability. Among other things, the MB discussed documents concerning the Agency's matters – the operation, funding and organisation of information systems, including the addressing of urgent problems and the planning of future activities. The EES, ETIAS Programme Management Board (PMB) held 12 meetings, also in the form of videoconferences.

## INTEGRATION

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

The Ministry of the Interior is responsible for coordinating the policy for the integration of foreigners but each Ministry is responsible for implementation of this policy within its purview. The integration measures implemented in 2021 were based on Resolution No. 1352 of 21 December 2020, approved by the government, on the "*Procedure for Implementing the Updated Policy for the Integration of Foreign Nationals – in Mutual Respect in 2021*". The integration of persons who have been granted international protection is a separate matter, which is governed by the State Integration Programme.<sup>22</sup>

**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 secondary target group of the integration measures are EU citizens** who have the opportunity to take advantage of certain integration tools, i.e. mainly the provision of information, social and legal consultancy, language courses, and assistance in addressing a difficult life situation. As a supplementary group, the integration measures can also be taken advantage of by beneficiaries of international protection<sup>23</sup> who can take advantage of the integration measures provided beyond the framework of services ensured under the State Integration Programme. In exceptional cases, the target group may also include citizens of the CR who have provably similar integration needs as the aforementioned population groups. Integration is a two-way process;

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<sup>22</sup> On 16 January 2017, the Government of the Czech Republic approved, with its Resolution No. 36, an amendment to Government Resolution No. 954 of 20 November 2015 on the State Integration Programme for beneficiaries of international protection in 2016 and in the following years.

<sup>23</sup> Meaning recognised refugees and beneficiaries of subsidiary protection.

therefore, the majority society is also the target group of integration. To an increased degree, the integration policy is focused on the integration of foreign nationals in a vulnerable or disadvantaged position. These are particularly female foreign nationals (both economically active women and housewives), elderly foreign nationals and children and young people from among foreign nationals.

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***, approved in 2016. The Policy defines 5 basic priorities for the integration of foreign nationals, which are knowledge of the Czech language, financial self-sufficiency, foreign nationals' general understanding of the society, development of mutual relationships between communities and gradual acquisition of rights depending on the duration of stay. The MoI presents a draft resolution on the *Procedure for Implementing the Policy for the Integration of Foreign Nationals* (hereinafter referred to as the "Procedure") to the government every year. This draft resolution contains specific integration measures, which the relevant Ministries responsible for implementing the integration policy during the following year will take to support successful integration of foreign nationals in the CR. In 2021, the integration measures were based on the document titled *Procedure for Implementing the Updated Policy for the Integration of Foreign Nationals – In Mutual Respect in 2021*, which was approved by Government Resolution No. 1352 of 21 December 2020. 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*.<sup>24</sup>

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; 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 with the integration of foreign nationals significantly reduces the risk that they will be abused, manipulated and dependent on intermediaries.

A crucial tool for supporting the integration of foreign nationals on a regional level is **the nationwide network of 18 Centres for the Support of the Integration of Foreigners**, which monitors the situation of foreigners in the given region and shares important information with other actors. They also provide foreigners with an equal access to integration services and to expert integration assistance of comparable quality in all the regions of the CR. Thus, they offer a whole range of integration services, such as Czech

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<sup>24</sup> The Policy, Procedure and Reports are available at <https://www.mvcr.cz/migrace/clanek/zakladni-dokumenty-k-integracni-politice-ke-stazeni.aspx>

language courses, socio-cultural courses or social and legal consultancy. In its activities, the Centres also focus on the majority society, the public authorities and other integration actors in the given location (such as non-profit non-governmental organisations, employers or schools).

Selected groups of third-country nationals are legally obliged to complete **an adaptation-integration course** starting from 1 January 2021 pursuant to Ordinance No. 520/2020 Coll. The goal of this measure is to familiarise foreigners with their rights and obligations and enhance their self-sufficiency and independence. At the same time, completion of this course should help them break free from the system of dependence on intermediaries and should provide them with information on the opportunities to take advantage of the integration measures.

Another key tool to support integration at a local level are projects of municipalities. These help create suitable conditions for problem-free integration of foreign nationals and conflict-free coexistence of all inhabitants of the given municipality. Municipalities and city districts can use funds from state subsidies to implement comprehensive integration projects, which are created based on the knowledge of the local situation and needs. The projects are implemented in cooperation with foreign nationals and other integration actors in the municipality (such as a Centre for the Support of the Integration of Foreign Nationals, non-profit non-governmental organisations, schools). Other integration actors at a local level are non-profit non-governmental organisations, which, as part of their activities, provided foreign nationals with assistance in offices of DAMP or methodologically supervised the adaptation-integration courses, among other things.

During the last quarter of 2021, the MoI prepared, based on the source materials from other Ministries and other entities, and presented to the cabinet the *Procedure for Implementing the Updated Policy for the Integration of Foreign Nationals – in Mutual Respect in 2022*, which was approved by Government Resolution No. 40 on 26 January 2022.

In 2021, the amount of CZK 54,290,290 was earmarked from the CR's state budget for support of the integration of foreign nationals under the Policy for the Integration of Foreign Nationals. From this amount, CZK 41,814,290 was allocated to the MoI; CZK 526,000 was allocated to the Ministry of Culture; CZK 11,700,000 was allocated to the Ministry of Education, Youth and Sports; and CZK 250,000 was allocated to the Czech Statistical Office. Other Ministries involved in the integration of foreign nationals (MoLSA, MoFA, MfRD, MoIT and MoH) did not claim any finances for integration from this section of the state budget. Funds were also allocated from the Ministries' own resources outside the Policy for the Integration of Foreign Nationals as well as from embassies, individual municipalities, foundations and foundation funds. The Asylum, Migration and Integration Fund was among other significant sources of funding. Finances for projects, where foreign nationals were the predominant target group, also came from the European Social Fund.

In 2021, emphasis was placed on keeping the foreign nationals and the majority society informed. This is why the website covering the issues of the integration of foreigners are continuously updated. In cooperation with the MoI, the MoLSA operates the website [www.cizinci.cz](http://www.cizinci.cz) where it is possible to find comprehensive information on the integration of foreigners, statistics relating to the topics of foreigners, possibilities of funding projects in this field, and information materials for foreigners. The continuously updated information on matters relating to obtaining residence permits for foreign nationals can be found on the official website of the Ministry of the Interior at [www.mvcr.cz/cizinci](http://www.mvcr.cz/cizinci), which is also available in English. Particularly in response to the epidemiological situation, new information sections have been created and, in some cases, translated into multiple languages. An updated information service for foreigners can also be found on the websites of certain local governments, for example, on the website of the Capital City of Prague at [www.metropolevsech.eu](http://www.metropolevsech.eu).

In 2021, the MoI was actively involved in international discussions and negotiations regarding the integration of foreign nationals in spite of the continued complications associated with the pandemic. These discussions took place primarily online. Two meetings of the representatives of the European Integration Network (EIN) Working Party, created under DG HOME, were held in 2021. During the first meeting, the PT PRES focused mainly on the impact of the Covid-19 pandemic on migrants and the labour market. The focus of the second meeting was on obtaining new information from the European Commission, on exchanging experience among Member States and on the possibility to use the Asylum, Migration and Integration Fund. The PT PRES convened the Integration, Migration and Expulsion (Integration) Working Party for the first time since 2016. The main goal was to exchange information and present the Integration and Inclusion Action Plan for the years 2021-2027. During the second meeting, the Working Party concentrated on the topic of integration of young people and parents with a migration history. OECD presented its study titled "Making Integration Work – Young People with Migrant Parents". The European Commission presented a multiple-year financial framework and its impact on the integration issues. Active involvement of MoI officials in the activities of the European Commission's European Integration Network Working Party and in other forms of international cooperation continued, although these activities were significantly limited by the impact of the epidemiological situation.

## CITIZENSHIP

In 2021, **the citizenship of the CR was granted to a total of 4,298 foreign nationals** (an increase by 1,642 persons in comparison with the previous year). In 26 cases, this included persons who had been granted international protection in the form of asylum in the CR in the past. Also, 58 applications for granting the citizenship of the CR pursuant to Section 28 of the Czech Republic Citizenship Act were granted (an increase by 31 persons in comparison with

the previous year); in these cases, Czech citizenship was granted to minor 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 2021, the citizenship of the Czech Republic was granted to 11 persons pursuant to Section 29 of the Czech Republic Citizenship Act (no citizenship was granted on these grounds 2020); in these cases, the citizenship was granted to children who were born in the territory of the Czech Republic and who did not acquire the citizenship of either of their parents by birth and who had at least one parent that had a residence permit for residence in the territory of the Czech Republic for a period longer than 90 days.

In 2021, the citizenship of the Czech Republic was most often granted to citizens of **Ukraine**: 1,483 persons (547 more than in the previous year). These were followed by citizens of the following countries who were granted the citizenship of the CR: **the Russian Federation**, 917 persons (406 more than in the previous year); **Slovakia**, 585 persons (220 more than in the previous year); **Vietnam**, 173 persons (84 more than in the previous year); and **Belarus**, 139 persons (33 more than in the previous year).

In 2021, the MoI issued **a total of 163 rejection decisions** at first instance (22 fewer than in the previous year).

At the same time, **1,771 foreign nationals** (110 more than in the previous year) **acquired the citizenship of the CR based on one of the declarations**, which are laid down in the Czech Republic Citizenship Act, in 2021.

Thus, **in 2021, a total of 6,138 persons** (1,794 more than in 2020) **acquired the citizenship of the CR either as a result of having been granted the citizenship or having made a declaration.**

**Table 3:**  
**The number of foreign nationals who were granted the citizenship of the CR in the period 2011–2021**

Year	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
<b>Number of foreign nationals who were granted the citizenship of the CR</b>	1 653	1 565	2 253	4 915	2 620	3 897	5 006	3 757	2 973	2 656	4 298

Source: MoI



**In 2021, there was an increase in the number of applicants for international protection as compared to the previous year, specifically by 21.2 %.** In total, there were **1,411 applications for international protection** registered in 2021, which is still below the level of the year 2019, that is, before the breakout of the Covid-19 pandemic.

The main source countries of applicants for international protection in 2021 were Ukraine (377), Georgia (226) and Afghanistan (176). International protection **in the form of asylum was granted** to 191 applicants, most often to citizens of Afghanistan (117), Belarus (41) and Azerbaijan (7). **International protection in the form of subsidiary protection was granted in 120 cases.** It was most often granted to citizens of **China (41)**, followed by citizens of Syria and Ukraine.

The integration of persons who were granted international protection is governed by the State Integration Programme (SIP). The entity with overall responsibility for integration activities has been the Refugee Facilities Administration (SUZ). The goal of the programme is to facilitate the process of integrating recognised refugees and beneficiaries of subsidiary protection and their inclusion in the society. A total of **272 eligible persons** joined the SIP in 2021. During the year, **a total of 120 individual integration plans (IIPs) were prepared for a total of 273 beneficiaries of international protection (both individuals and families).**

#### **4.1 Applicants for International Protection in the Czech Republic**

In 2021, the number of applications was moderately growing from the beginning of the year and remained stable at the level of around 100 applications per month from the second quarter onwards. A significant fluctuation in the number of applications was seen in August when there was a sharp increase in the number of applicants as a result of the evacuation of citizens from Afghanistan, from among whom 151 filed applications for international protection in the CR. A total of **1,411 applications for international protection** were filed in 2021, which means an increase of 21.2 % in comparison with the year 2020. However, the numbers are still lower than in 2019, that is, before the breakout of the Covid-19 pandemic (by 26.6 %). A similar number of applications was last seen in 2017.

## APPLICATIONS FOR INTERNATIONAL PROTECTION

While Ukraine citizenship was previously the clearly predominating citizenship of applicants for international protection in the CR, starting from the year 2017, the share of applicants from Georgia, as well as Vietnam and Uzbekistan grew. Up until 2021, citizens of Afghanistan were not a significantly represented group of applicants in the CR and their annual share in the total number of applicants hovered around 0.9 % – 2.5 % in the years 2015–2020.

In comparison with other EU Member States, the numbers of applicants for international protection in the CR are still below the average. 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 demographics of the applicants are also different in terms of their nationalities. Within EU+, the Czech Republic is in the 24<sup>th</sup> position in the ranking of destination countries of applicants for international protection. There are only 5 other countries, which are the destination countries of lower numbers of applicants (Luxembourg, Latvia, Slovakia, Estonia, Hungary).

**Table 4:**  
**The numbers of applicants for international protection in the Czech Republic in the period 2011–2021**

Year	2011	2012	2013	2014	2015	2016
Number of foreign nationals	756	753	707	1 156	1 525	1 478
Year-on-year change in %	-9,2	-0,4	-6,1	63,5	31,9	-3,1

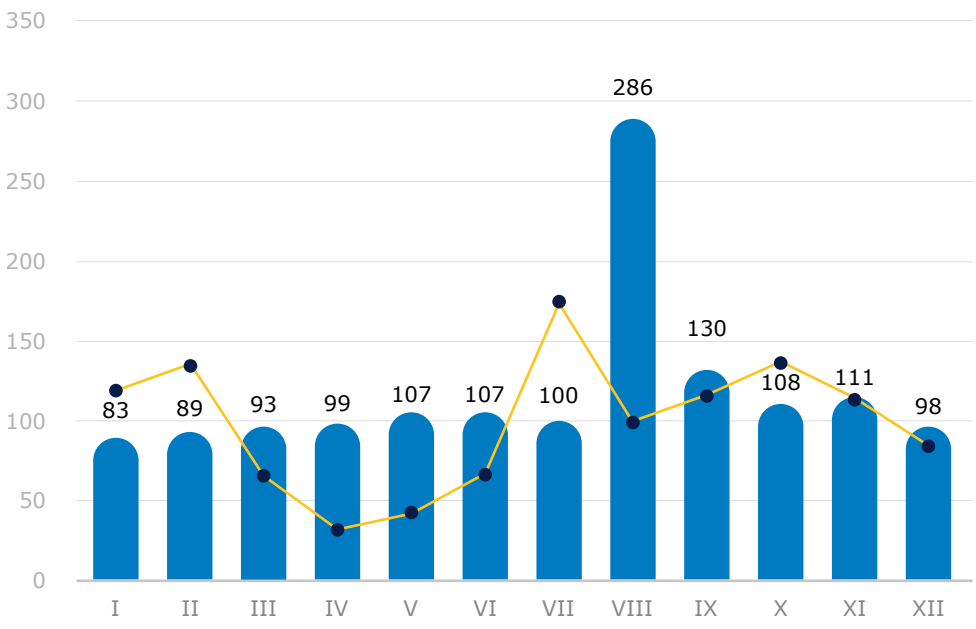
Year	2017	2018	2019	2020	2021
Number of foreign nationals	1 450	1 701	1 922	1 164	1 411
Year-on-year change in %	-1,9	17,3	13,0	-39,4	21,2

Source: MoI

From among the total number of 1,411 applications for international protection filed in 2021, **1,060** (i.e. 75.1 %) **applications were filed for the first time** and **351** (i.e. 24.9 %) **were filed multiple times**. The share of first-time applications slightly increased as compared with the year 2020 (by 6.5 %).

As compared to the year 2020 when there was a significant decrease in the number of registered applications during spring months as a result of the implemented measures against the spreading of the Covid-19 pandemic, the monthly numbers of applicants were more or less stable in 2021. The lowest number of applications was filed during the 1<sup>st</sup> quarter of the year 2021 (265); the numbers were stable during the 2<sup>nd</sup> quarter (313) and the 4<sup>th</sup> quarter (317) and the highest number of applications was filed during the 3<sup>rd</sup> quarter (516) due to the evacuation of Afghan citizens. The average monthly number of applications was 118 applications, which represents a year-on-year increase of 21 applications.

**Chart 3:**  
**The number of applications for international protection in each month – comparison between 2020 and 2021**



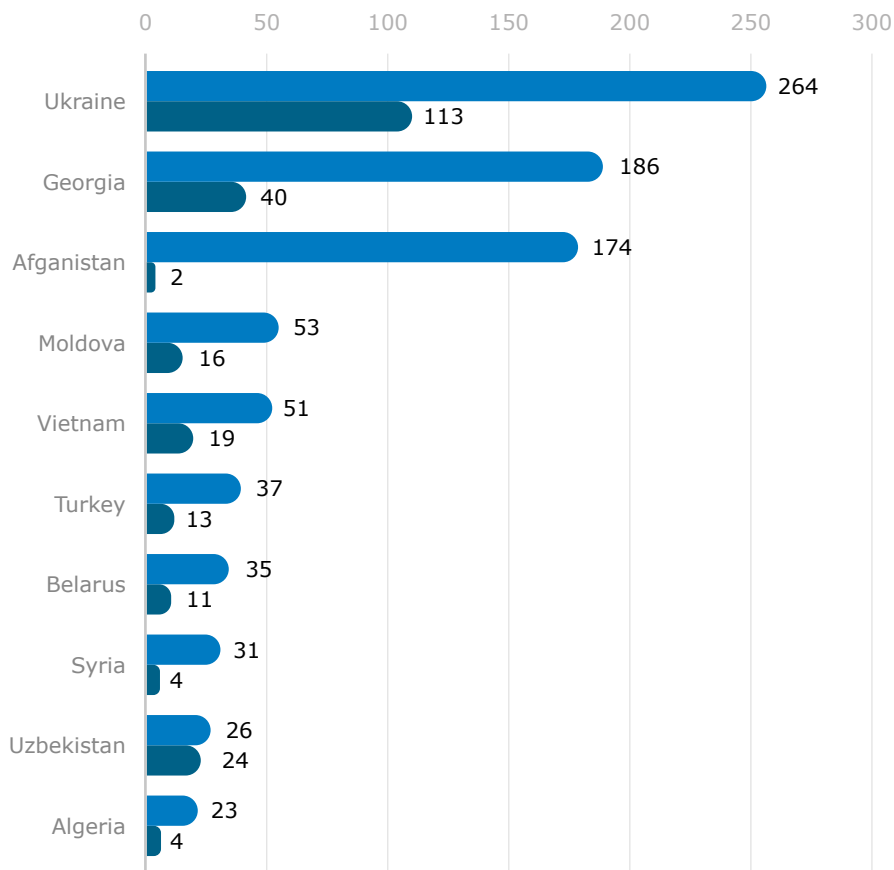
Source: MoI ● 2020 ● 2021

In 2021, the main source countries of applicants for international protection were Ukraine (377), Georgia (226), Afghanistan (176), Vietnam (70), and Moldova (69).

International protection **in the form of asylum was granted to 191 applicants in 2021**. These were most often citizens of Afghanistan who were granted asylum in 117 cases, followed by citizens of Belarus with

41 granted asylums and Azerbaijan (7). **International protection in the form of subsidiary protection was granted in 120 cases in 2021.** It was most often granted to citizens of **China (41)**, followed by citizens of Syria and Ukraine.

**Chart 4:**  
**The number of first-time applications and repeated applications in 2021**



Source: MV

● first-time applications ● applications filed multiple times

In total, foreign nationals from 57 countries applied for international protection in the Czech Republic in 2021. Stateless applicants filed a total of 9 applications. **An increasing number of applicants came from Asian countries;** while they accounted for just below one half in 2020, they accounted for 54.7 % in 2021 (772). **The second most frequent source**

**continent was Europe** with a share of 37.2 % (525). While the share of European countries increased in 2020, their share decreased by 4.2 % in 2021. There were 89 applications filed from Africa, which is 31 more than in the previous year. The share of African countries has thus also slightly increased to 6.3 %. There were 16 applicants from the American continent, which is half as much as in the previous year, and consequently their share was mere 1.1 %.

The most significant change, which was seen in terms of the year-on-year comparison of applicants in the years 2020 and 2021, was clearly the **increase in citizens of Afghanistan**. Due to the evacuations carried out, they claimed the absolutely highest year-on-year increase both in absolute terms (+166) and in relative terms (+1,660 %). Consequently, citizens of Afghanistan moved to the 3<sup>rd</sup> position in the ranking of top citizenships of applicants in 2021, while there were in the 20<sup>th</sup> position (with 10 applicants) in 2020. Citizens of Afghanistan **filed a total of 176 applications for international protection** (12.5 % of the total number of applications), from among which 151 applications were filed by evacuated citizens. Women and men were represented equally among the applicants, with a slight predominance of men (89, i.e. 50.6 %), and minor persons accounted for more than a third (66, i.e. 37.5 %).

However, the first two positions did not change in 2021. The highest number of applications was still filed by citizens of **Ukraine** who filed a total of **377 applications for international protection**. In their case, there was a slight year-on-year increase of 7.4 % (i.e. by 26 applications); nevertheless, nearly 30 % of them were filed multiple times. Overall, citizens of Ukraine accounted for 26.7 % of all applicants. More than two thirds of the applicants were men (72.7 %) and minor persons accounted for 11.1 %. The downward trend of this citizenship was interrupted in 2020 when their numbers grew once again in spite of the consequences of the measures related to the Covid-19 pandemic. Their number grew for the second year in a row, although this increase was somewhat lower in 2021 than in the previous year.<sup>25</sup> It is still true that a large part of citizens of Ukraine file their applications in the territory of the Czech Republic in an effort to legalise their stay.

In 2021, citizens of **Georgia** were the second largest group of applicants for international protection **with a total number of 226 applications**, which accounted for 16 % of all applications. In comparison with the previous year, this was an increase by 82 applications (i.e. by 56.9 %), which is the second highest increase in absolute terms after citizens of Afghanistan. The number of applicants from Georgia thus returned to a level seen last in 2019 (224 applicants at that time). For quite some time, the trend characterised

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<sup>25</sup> In 2021, the number of citizens of Ukraine among applicants for international protection grew by 41 persons, which meant an increase by 13.2 %.

by a higher number of applicants from Georgia has been associated with the fact that visa liberalisation took place in 2017 for citizens of this country. Since then, the number of applications grew every year. However, this growth was not reflected in the number of cases, in which international protection was granted. During the last 7 years, international protection was granted to citizens of Georgia only in 3 cases, while the total number of applications was 961. In 2021, there were 33 women and merely 8 minors among Georgian applicants. A total of 17.7 % of applications were filed multiple times.

Citizens of Afghanistan were followed by citizens of **Vietnam** in the fourth position with **70 applications for international protection**, who thus accounted for 5 % of all applicants. In a year-on-year comparison, there were 5 more applications than in the year 2020 (i.e. an increase of 7.7 %). Nevertheless, over the long term, there is a downward trend because as recently as in 2019, the number of applications was more than double than that (143 applicants at that time). Men (87.1 %) predominated among applicants from Vietnam and minors accounted for mere 5.7 %.

In 2021, the top 5 citizenships of applicants included **Moldova (69)**, whose citizens accounted for 4.9 % of all applicants. With this citizenship, there was also a year-on-year increase, specifically by 18 applications (i.e. an increase of 35.3 %). There were 10 women (i.e. 14.5 %) and only 3 minors (i.e. 4.3 %) among the applicants. Citizens of Moldova filed a total of 16 applications multiple times in 2021. While in the years 2015-2018, the annual number of applicants from this country hovered around twenty applicants at the most, their numbers have been steadily rising on a year-on-year basis since 2019. However, no form of international protection has been granted to citizens of Moldova since 2016.

Other main source countries, from which applicants came in 2021, continued to be **Uzbekistan (50), Turkey (50), Belarus (46), Kazakhstan (36), Syria (35)** and **Algeria (27)**. With citizens of Algeria, there was a year-on-year increase of 200 % (+18 persons). There were also year-on-year increases with citizens of Turkey (+16, i.e. +47.1 %) and Syria (+12, i.e. +52.2 %). Besides the top 10 countries, increase in the number of applications in absolute terms was also seen with Somalia. This increase by 12 applications represented an increase of 1,200 %, which is the second highest percentage increase after citizens of Afghanistan. However, this increase was the result of a planned arrival of family members of a recognised female refugee residing in the territory of the Czech Republic.

Conversely, the largest year-on-year decreases were seen with citizens of Azerbaijan (-32, i.e. - 78 %), the Russian Federation (-20, i.e. -51.3 %), Belarus (-19, i.e. -29.2 %), Cuba (-15, i.e. -62.5 %) and Armenia (-15, i.e. -40.5 %).

## PROCEEDINGS ON GRANTING INTERNATIONAL PROTECTION

In 2021, a total of 1,642 decisions were issued by the MoI in proceedings on granting international protection and 318 decisions were issued in proceedings to extend subsidiary protection. As of 31 December 2021, there were 543 persons registered in pending proceedings (i.e. persons on whose applications a decision was not made yet).

While in the first year of the Covid-19 pandemic the number of decisions on the granting of international protection decreased by approximately one quarter on a year-on-year basis, in 2021 their number grew by 12.9 % (187 more decisions). **International protection in the form of asylum or subsidiary protection was granted to a total of 311 foreign nationals.** This is 197 more than in the previous year. This increase was mainly the result of the international protection granted to the evacuated citizens of Afghanistan.

**Subsidiary protection was extended** in a total of 279 cases, which is 129 fewer than in the preceding year (-31.1 %). Similarly, as in the preceding year, this concerned most often citizens of **Syria** (77), citizens of **Ukraine** (53) and, ranking third, citizens of **Belarus** (25).

During the year 2021, **a total of 783 negative decisions** (i.e. 46.7 %) **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 548 cases (i.e. 33.4 %).

**The rate of granting international protection in 2021 was 18.9 %**, which is higher by 11.1 % than in the previous year. This increase was mainly the result of the assistance provided to the evacuated citizens of Afghanistan.

## APPLICATION OF THE DUBLIN REGULATION <sup>26</sup>

In 2021, the CR registered **a total of 989 Dublin Cases** (i.e. received and sent requests), which represented an increase by approximately one quarter (+26 %) in comparison with the year 2020. During the year 2021, the Czech Republic received a total of 346 requests from other Member States (a decrease of 30.5 % as compared with the previous year). This

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<sup>26</sup> 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.

included 236 requests for readmission and 110 requests for admission. The top countries from which the CR received these requests were Germany (162), France (41) and the Netherlands (25). For all these three countries, the number of requests received from them decreased as compared with the previous year; the largest percentage decrease occurred with France (-66.1 %), followed by the Netherlands (-24.2 %) and Germany (-20.6 %). However, the largest percentage decrease was seen with Spain (-96 %), from which 25 requests were received in 2020, while it was merely 1 request in 2021.

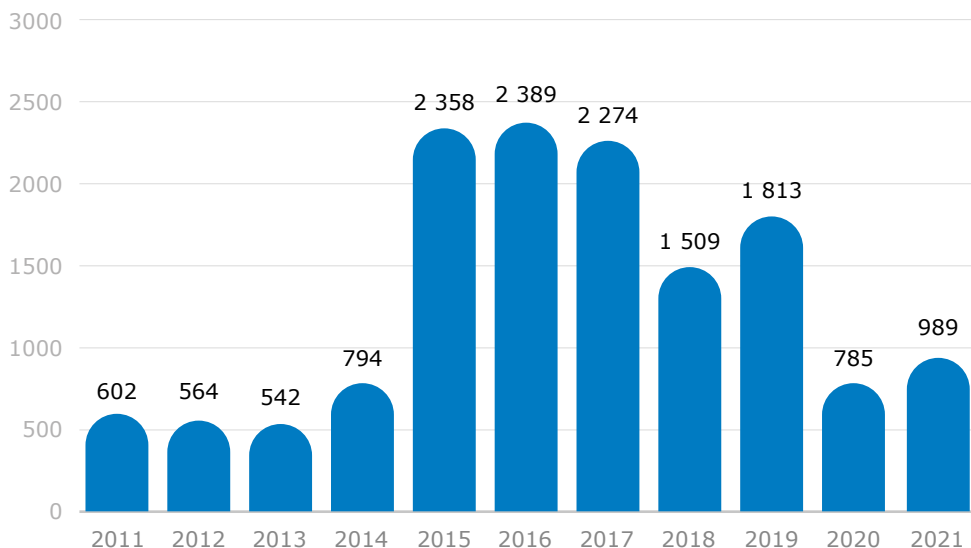
During the same period, the Czech Republic sent to other Member States a total of 643 requests for admission or readmission of a foreign national, which represents a more than double year-on-year increase (+124 %). Once again, the number of requests for readmission made to Romania rose significantly on a year-on-year basis; while 60 requests for readmission were made to Romania in 2020, 324 such requests were made in 2021. These requests mostly concerned citizens of Afghanistan who unequivocally became the top citizenship among the requests sent (a total of 346 sent requests concerned citizens of Afghanistan, i.e. 53.8 %).

Although the year 2021 was still significantly affected with regard to the application of the Dublin system, particularly in planning and carrying out Dublin transfers, by the restrictive measures of Member States taken to control the spread of the Covid-19 pandemic, the situation essentially stabilised. Member States cooperated without greater difficulties and respected the conditions defined for admission of persons under the Dublin Regulation to their territories, including the conditions for admission of persons to the Czech Republic. Not a single Member State directly suspended Dublin transfers in 2021. The most serious reasons, which made it impossible to carry out Dublin transfers, were capacities, i.e. particularly the lack of flights to destinations, as well as arbitrary departures or unknown places of residence of persons who were supposed to be transferred to Member States.





**Chart 5:**  
**History of Dublin cases in the period 2011–2021<sup>27</sup>**



Source: MoI

During the year 2021, **the Czech Republic received** a total of **346 requests** from other Member States (a decrease of 30.5 % as compared with the previous year). This included 236 requests for readmission and 110 requests for admission. The top countries from which the CR received these requests were Germany (162), France (41) and the Netherlands (25). For all these three countries, the numbers of requests received from them decreased as compared with the previous year; the largest percentage decrease occurred with France (-66.1 %), followed by the Netherlands (-24.2 %) and Germany (-20.6 %). However, the largest percentage decrease was seen with Spain (-96 %), from which 25 requests were received in 2020, while it was merely 1 request in 2021.

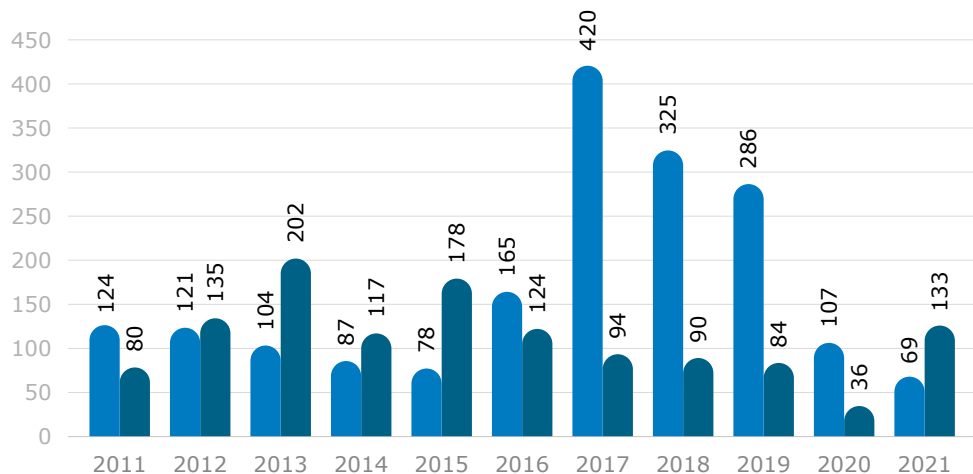
During the same period, the **Czech Republic sent** to other Member States **a total of 643 requests** for admission or readmission of a foreign national, which represents a more than double year-on-year increase (+124 %). Requests for readmission were most often sent to Romania. While 60 requests for readmission were made to Romania in 2020, 324 such requests were made in 2021. These requests mostly concerned citizens of Afghanistan who unequivocally became the top citizenship among the requests sent (a total of 346 sent requests concerned citizens of Afghanistan, i.e. 53.8 %). The

<sup>27</sup> Requests for information in the years 2012 through 2015 were not included in the statistics on Dublin Cases.

second top country in this respect became Bulgaria, for which there was several-fold year-on-year increase (+70, +333.3 %) and the third highest number of sent requests was directed at Germany (58).

**Chart 6:**

**Transfers carried out from and to the territory of the Czech Republic in the period 2011-2021<sup>28</sup>**



Source: MoI ● transfers to the Czech Republic ● transfers from the Czech Republic

## 4.2 Asylum Facilities in the Czech Republic

## 4.2

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

<sup>28</sup> Requests for information in the years 2012 through 2015 were not included in the statistics on Dublin Cases.

**SUZ operates three reception centres, specifically the quarantine facility reception centre in Bělá-Jezová, the reception centre in Zastávka and the reception centre at the Václav Havel International Airport in Prague.** SUZ MoI set up the quarantine facility reception centre in Bělá-Jezová under a special measure adopted by the Ministry of the Interior, the Department of Medical Security, as the authority responsible for protecting public health, and is designed for accommodating newly arriving clients in a quarantine regime in connection with the Covid-19 pandemic, both applicants for international protection and detained foreigners. This facility was set up as early as during the first wave of the pandemic on 1 April 2020 with a capacity of 65 beds. SUZ operates **three accommodation centres, specifically the accommodation centre in Havířov, the accommodation centre in Kostelec nad Orlicí and, since 2018, the accommodation centre in Zastávka (serving a dual purpose of both a reception centre and an accommodation centre).** In both types of facilities, food is provided in addition to accommodation services (either the operator cooks meals or donates a regular financial contribution that also serves to help with cooking one's own meals). The role of social workers is irreplaceable; a balanced offer of leisure-time activities is available. The workers who are in direct contact with the target group work under expert supervision. Services of social nature are available to clients; a psychologist comes to visit the facility particularly to fulfil the needs of vulnerable persons.

As of 31 December 2021, **the total capacity of the reception and accommodation centres was 772 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 and with consultancy aimed at obtaining housing and employment; other integration activities and Czech language courses are also provided.

As of 31 December 2021, 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).

## **USE OF ACCOMMODATION CAPACITIES IN 2021**

In 2021, a total of 1,344 newly arrived foreign nationals – applicants for international protection (including new-borns born while the mother was staying in an asylum facility) or persons accommodated based on a granted exception – came to asylum facilities. Citizens of Ukraine (349 persons, i.e. 26 %), Afghanistan (191 persons, i.e. 14.2 %), Vietnam (65 persons,

i.e. 4.8 %), and Moldova (61 persons, i.e. 4.5 %) most often came to asylum facilities.

On the average, 35 % 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 leave to stay outside the accommodation centres were also included, the extent of using the capacity of the reception and accommodation centres would be 81 % on the average.

Applicants for international protection accommodated in an accommodation centre have the option to leave the centre on a long-term basis at their request. In 2021, this option was used, on the average, by 58 % of the registered applicants for international protection.

The accommodation capacity of the integration asylum centres remained unchanged during the year.

The information on the extent to which the accommodation capacity of the IACs was used and the information on their occupancy rates is only approximate because the accommodation capacity consists more of apartment units than separate rooms. Therefore, the number of vacant beds does not correspond to the number of vacant apartment units. In 2020, the average number of persons accommodated in an IAC was 52; therefore, the average for the year 2021 amounting to 68 persons indicates an increase resulting from the fact that a higher number of persons who had been granted international protection were received.

### 4.3 Integration of Recognised Refugees and Beneficiaries of Subsidiary Protection

## 4.3

The integration of persons who were granted international protection is governed by the **State Integration Programme (SIP)**. Legislatively, SIP is governed by Sections 68 through 70 of the Asylum Act and by Government Resolution No. 36 of 16 January 2017. In addition to the binding principles of SIP, this legislation also provides for an umbrella entity for integration activities, which is referred to as the **general provider of integration services (GPIS)**.

**Since January 2017, this provider with an overall responsibility for integration activities has been the Refugee Facilities Administration<sup>29</sup>**, 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.

<sup>29</sup> 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 integration of recognised refugees and beneficiaries of subsidiary protection (eligible persons) into the society in the Czech Republic. This involves particularly providing assistance and social consultancy regarding housing, entry into the labour market, health care, welfare assistance and education, including the retraining system, and assistance with acquiring and improving the knowledge of the Czech language.

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 also 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.

All the assistance to, support for and cooperation of the eligible person is governed by **an individual integration plan**, which the provider prepares in close cooperation with the eligible persons and the workers of integration asylum centres. An integration plan is a basic document describing the integration objectives for a specific person and the course of integration in the following key integration areas: housing, employment, education and removal of the language barrier as well as in the welfare and medical areas. These are the activities that will lead to accomplishment of the defined goal. Finances for implementation and performance of the activities are drawn from a special budget and the duration of the cooperation on the implementation of the plan is 12 months. The plan also includes providing the eligible person with material equipment, which is paid from the budget according to pre-set limits.

In 2021, a total of **272 eligible persons** joined SIP, which represents an increase of 189 persons (227.7 %) as compared with the previous year. The increase in eligible persons mainly resulted from the provision of assistance to **45 medically disabled persons from Belarus under the MEDEVAC project, from the granting of subsidiary protection to 41 applicants for international protection from China and from providing assistance to 121 evacuated persons from Afghanistan**. During the year, **a total of 120 individual integration plans (IIPs) were prepared for a total of 273 beneficiaries of international protection (both individuals and families)**. In 2021, nearly CZK 7.8 million was drawn from the state budget to provide integration services by implementing IIPs. The direct costs of services, housing and equipment for the eligible persons accounted for the largest part of this amount; other costs included payments for integration services to non-governmental non-profit organisations.



In 2021, the facilities for provision of institutional and protective care, established by the MoEYS, provided a universal care to a total of **176 unaccompanied minor foreign nationals**. **During the year, 6 unaccompanied minor foreign nationals applied for international protection in the CR.**

The Facility for Children-Foreigners was an active member of several expert groups addressing the issues of UAMs, provided methodological support for OSPOD and courts, prepared materials for discussions at interministerial and international meetings, participated in development of an approach to an intensified migration crisis during the pandemic and attended all the discussions of UAM issues organised by governmental and non-governmental institutions.

The activities of all facilities within the purview of the MoEYS were not restricted in any way throughout the year 2021. Even during the period of strict hygiene measures, services were provided to the full extent guaranteed by the legislation in force.

## 5.1 Unaccompanied Minors

## 5.1

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 by the Police of the CR. 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 minor foreign nationals, 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. ZDC was established by the MoEYS. The facility provides full direct custody, therapeutic and support services, education, intensive work on the integration process and preparation for future self-reliant life.

The facility includes a diagnostic institute, a centre for educational care and an elementary school. The diagnostic institute serves to provide primarily diagnostic, therapeutic, medical and educational training services. During the first two months of the stay of a client in the facility, a comprehensive diagnosis of the client is made (a psychological, special pedagogical, education, social-legal and medical diagnosis) and an individual educational-training plan and client's personality development plan are prepared, the purpose of which is mainly the client's integration into the Czech society. The facility provides clients with systematic elementary education with an emphasis on improvement of their knowledge of the Czech language; the clients may carry out leisure time activities in and outside the facility. For clients who have already fulfilled mandatory school attendance, the facility allows them to systematically prepare for a secondary school in a diagnostic classroom. Clients who study at a secondary school or a university are allowed to remain in the facility under a contract up until the age of 26 years. An apartment referred to as a training apartment also serves to ensure successful integration process; in this apartment, clients get ready to leave the facility (3 clients lived in this apartment in 2021). In 2021, 1 client was admitted to a secondary school and 6 other clients advanced to higher grades at secondary schools. Two clients successfully completed their education and secured jobs and accommodation.

At the beginning of each 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 an individual educational plan is prepared for each client. The system adopted in 2015 particularly made sure that each minor foreign national is given the opportunity of being subjected to the comprehensive assessment at the ZDC. Based on such identified objective facts, it was possible to set up the aforementioned integration plans together with the client.

In 2021, due to the increased migration flow, it was necessary to place a fairly high number of unaccompanied minors. The situation was heavily complicated by the global pandemic and the very poor state of health of migrants, mainly due to various infectious diseases, including Covid-19. In the reference year, in view of the increased number of placed UAMs, it was also necessary to closely cooperate with other facilities for institutional and protective care, which the MoEYS determined for the event of a higher number of UAMs. The Facility for Children-Foreigners thus closely cooperated and methodologically managed other sites and generally coordinated the organisation of the care for UAMs in the Czech Republic. The main cooperation partners were the Foster Care Centre in Klíčov, the Foster Care Institute in Pšov, the Foster Care Institute in Višňová, the Foster Care Institute in Hostouň and the Children's Home with School in Sedlec Prčice.

In 2021, the facilities for provision of institutional and protective care, established by the MoEYS, provided universal care to **a total of 176 unaccompanied minors**. All clients were placed in the facilities under



courts' preliminary injunctions. The clients were 175 boys and 1 girl; there were 26 clients younger than 15 years; the others were older than 15 years; a total of 141 clients were from Afghanistan. In 2021, a total of 159 clients left the facilities of their own will and continued their trips to their destination countries; only 6 clients filed applications for international protection.

The Facility for Children-Foreigners was an active member of several expert groups addressing the issues of UAMs, provided methodological support to authorities responsible for social-legal protection of children as well as to courts, prepared materials for discussions at interministerial and international meetings, participated in creating the strategic approach to the intensified migration crisis during the pandemic and participated in the discussions about the issues of UAMs. The activities of all facilities were not restricted in any way throughout the year 2021; the care was provided even during the period of strict hygiene measures.

**There were no changes in the legislation governing the methods of work with UAMs in 2021.**

## STATISTICS

In 2021, the facilities for provision of institutional and protective care, established by the MoEYS, provided universal care to **a total of 176 unaccompanied minor third-country nationals**. Among these clients, there were 175 boys and 1 girl. There were 26 clients younger than 15 years; the others were older than 15 years. All clients were placed in the facilities under courts' preliminary injunctions. In 2021, a total of 159 clients left the facilities of their own will and continued their trips to their destination countries. **6<sup>30</sup> unaccompanied minor third-country nationals applied for international protection** (the number of third-country unaccompanied minor applicants applying for international protection is approximately in single digits every year). In comparison with the other Member States, these are still very low numbers.

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

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<sup>30</sup> Source: DAMP

**Table 5:**  
**The numbers of unaccompanied minor foreign nationals who applied for international protection in the period 2009–2021**

Year	2009	2010	2011	2012	2013	2014	2015
<b>Number of unaccompanied minors applying for international protection</b>	9	4	8	5	2	6	14

Year	2016 <sup>31</sup>	2017 <sup>32</sup>	2018	2019	2020	2021
<b>Number of unaccompanied minors applying for international protection</b>	4	7	10	8	7	6

Source: DAMP (for the period 2008-2015); ZDC (for the years 2016-2017), since 2018 DAMP has once again been the source

## 5.2 Other Vulnerable Groups of Persons

# 5.2

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

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

<sup>31</sup> This number may not be complete for the CR; this is the number of children who were placed in the Facility for Children-Foreigners and applied for international protection in this facility in 2016.

<sup>32</sup> This number may not be complete for the CR; this is the number of children who were placed in the Facility for Children-Foreigners and applied for international protection in this facility in 2017.

In 2021, 21 persons were prosecuted for the crime of human trafficking and 24 persons were convicted of this crime.

In 2021, there were **11 probable victims of human trafficking**, specifically from the Czech Republic (5) and Mongolia (6), included in the **Programme for the Support and Protection of Victims of Human Trafficking** operated by the Ministry of the Interior.

During the year 2021, the traffickers continued to target men and women who have a socially and educationally lower status in the CR. These men and women are subsequently lured abroad, particularly to the United Kingdom, where women are forced into prostitution and men are forced to perform physically demanding work.

## 6.1 Human Trafficking

## 6.1

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

In 2021, a total of 11 probable victims of human trafficking were included in the Programme (this represents a decrease by 2 persons in comparison with the year 2020). The victims came from the Czech Republic (5) and Mongolia (6). They were 6 men and 5 women. It was suspected that these persons were subjected to labour and sexual exploitation.

The key objective of the Programme is the humanitarian dimension of assistance to 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, assistance with

a change of a residence permit, and implementation of a dignified return to the victim's country of origin, if the victim is interested in such a return. 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.**

In 2021, no voluntary return of a victim to their country of origin was carried out under the Programme. The provision of services and care to victims of human trafficking was not interrupted even by the Covid-19 pandemic.

There were no major changes observed in the situation in human trafficking during the year 2021 as compared with the previous period. Using victims of trafficking for miscellaneous forms of exploitation and using victims for prostitution and forced labour or exploiting such actions were still the most frequent forms of human trafficking.

During the year 2021, the trend of traffickers targeting men and women who have a socially and educationally lower status in the CR continued. These men and women are subsequently lured abroad, particularly to the United Kingdom, where women are forced into prostitution<sup>33</sup> and men are forced to perform physically demanding work. The working environments of such persons were, for example, car washes, fruit and vegetable sorting plants, poultry farms, restaurants, building sites and various manufacturing plants. Traffickers take away the entire victim's salary or its larger part, often by means of payment cards, which traffickers set up for the victims along with bank accounts in local banks; in some cases, traffickers also indebted victims by forcing them to take loans through such bank accounts.

In 2021, there was a liaison officer of the Police of the CR operating at the Embassy of the CR in London who provided assistance to probable victims of human trafficking in the form of voluntary returns to the Czech Republic, carried out initial questioning of these persons, informed the Criminal Police and Investigation Service's National Central Unit for Combatting Organised Crime (NCOZ SKPV) on specific suspicions and ensured communication with the UK police authorities during subsequent verification or investigation of crimes. The liaison officer in the United Kingdom was intensively utilised by NCOZ SKPV for the issues of human trafficking. The liaison officer was also actively involved as a regular member of Joint Investigation Teams and performed a number of procedural tasks in that capacity.

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<sup>33</sup> "Marriages of convenience" where citizens of the Czech Republic, particularly from the Roma community, were forced into marriages with third-country nationals, were also a frequent phenomenon in the past. However, as a result of withdrawal of the United Kingdom from the EU, the "demand" for such marriages declined.

It needs to be added that the information on the number of persons does not reflect the overall situation in human trafficking in the Czech Republic. The Programme needs to be perceived merely as one of the possible measures for victims of human trafficking. Since 2003 when the Programme was launched, a total of 284 probable victims of human trafficking were included in the Programme.

## 6.2 Preventive Activities and Educational Events in 2021

## 6.2

As part of preventive activities, the CR joined the EMPACT campaign<sup>34</sup> in 2021, which is focused on sexual exploitation. In this campaign, materials were disseminated through social media and were also distributed among non-profit organisations to be possibly used in their field work.

In 2021, a methodology for identifying victims of crimes was issued for police officers. It is a detailed guide on how to correctly identify victims of crimes from psychological and legal points of view. Under the Crime Prevention Strategy, it is planned to train the police across the board to make sure the police is able to use this methodology in order to be better able to identify victims of crimes.

In February 2021, the Justice Academy organised a seminar for judges and public prosecutors, which dealt with the topic of human trafficking in relation to sexual and labour exploitation, children trafficking as well as other forms of exploitation of human trafficking victims from the current perspectives of a public prosecution office, the NCOZ and the Ministry of the Interior. Attention was also paid to the topics of identifying victims of human trafficking, the rules of no punishment of victims, the MoI CR's Programme of Support for and the Protection of Human Trafficking Victims and, finally, the case law of the European Court for Human Rights, the Constitutional Court of the CR and ordinary courts.

Two human trafficking training sessions with consular officials took place in 2021. Other training sessions and seminars were organised by the NCOZ as part of police training.

<sup>34</sup> *European Multidisciplinary Platform against Criminal Threats*

## STATISTICS

In 2021, **21 persons** were criminally prosecuted by the Police of the Czech Republic and **24 persons were convicted** of the crime of human trafficking in the same year.

**Table 6:**

**The number of persons criminally prosecuted for and convicted of human trafficking in the period 2012–2021<sup>35</sup>**

Year	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Number of persons prosecuted for human trafficking*	31	25	16	12	23	24	15	26	21	21
Number of persons convicted of human trafficking**	11	20	6	19	8	14	16	9	0	24

Source: \* The Police Presidium; \*\* The Ministry of Justice



<sup>35</sup> There was an extensive reconstruction of the Crime Registration Statistical System carried out in 2016, and therefore it is not possible to compare the number of persons prosecuted for human trafficking in that year with the numbers from previous years.

The Ministry of the Interior has been implementing the **Aid in Place** programme (Programme of the Ministry of the Interior to Aid Refugees in Regions of Origin and to Prevent Large Migration Flows) since 2015. In 2021, the budget of the Programme was **CZK 140 million**. The prioritised areas of the programme in 2021 included **the Balkan region, the region of the Middle East and Greater Sahel**. In view of the situation at the eastern border of the EU, special aid was also sent to Lithuania.

Implementation of the **MEDEVAC** programme continued in 2021. This programme is focused on providing professional medical care to vulnerable groups of inhabitants in regions affected by a refugee crisis or a natural catastrophe, specifically in fifteen countries, which reflect its territorial priorities.

During the year 2021, a total of **264 members of Czech compatriot communities in Ukraine, the Russian Federation and Venezuela** resettled to the CR under the **Programme for Providing Assistance to Czech Compatriots**.

## 7.1 International Cooperation and Projects

The Czech Republic's migration policy is firmly rooted in the common policies of the European Union and its implementation is largely determined by the common legal instruments of the EU. The specific fields of migration, which are mostly regulated by the EU common policies, include primarily international protection, the common visa policy, the protection of the external border of the EU and the field of returns (including the expulsion of illegally staying foreign nationals). In the field of legal migration and the integration of foreign nationals, the EU Member States retained a fairly high degree of sovereignty. All the aforementioned fields, regardless of the degree of their harmonisation at the Union level, form an integrated system framework. Thus, in its approach to migration issues, the Czech Republic must take into account not only its specific needs and possibilities but also the situation at the EU level and must actively participate in addressing them under the EU's common policies.

In 2021, the EU's migration policy continued to be significantly affected by the Covid-19 pandemic. Consequently, besides the discussion on the presented legislation and the addressing of common migration challenges, the coordination of the measures related to mobility during the pandemic were

of fundamental importance in the EU. For the purpose of joint coordination, the EU Council adopted common Recommendations on the Mobility within the EU and to the EU, which was updated several times during the year 2021, depending on the developments in the epidemiological situation. **Adoption of EU COVID Digital Certificate Regulation of June 2021<sup>36</sup>** was also a key measure. All these efforts, which the Czech Republic implements into national measures, have primarily aimed and still aim to create predictable rules for travellers and to set up such rules so as to reduce the risk of transmission of the disease.

In 2021, the EU, along with the entire global community, faced the challenges of coping with the impacts of the seizure of power by Taliban in Afghanistan and the challenges of instrumentalising the migration from Belarus.

The situation in Afghanistan, presenting an unprecedented security and migration challenge, required an immediate response from the Ministers of the Interior and the Ministers of Foreign Affairs. On the last day of August, the Ministries of the Interior of the EU Member States supported the evacuation of EU citizens and the relevant citizens of Afghanistan and expressed the need to strengthen cooperation with the relevant third countries in order to stabilise persons in neighbouring countries and to prevent their illegal flows towards the EU. The immediate release of humanitarian aid heading either directly to Afghanistan or to the neighbouring countries was also a joint response.

A response of similar intensity was also necessitated by the situation at the eastern external border with Belarus. In late May 2021, the rise in illegal migration from Belarus, particularly to Lithuania and partly also to Latvia became apparent. In the context of the sanctions imposed by the EU on the Belarusian regime because of the presidential elections in Belarus and the subsequent brutal crackdown on civil society, it was soon clear that it was a case of instrumentalising migration where the Belarusian regime was actively and deliberately organising illegal crossings into the EU with the aim of exerting pressure on the EU and of destabilising the EU Member States. After an intervention by the Lithuanian authorities (particularly through restriction of the possibilities to enter Lithuania), the migration flows redirected to Poland, which also responded by closing selected border crossings and by massively enhancing border protection. In total, 8,267 arrivals from Belarus (4,326 to Lithuania, 3,495 to Poland and 446 to Latvia) were registered during the year 2021.<sup>37</sup> A total of 48,241 attempts at crossing the border were

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<sup>36</sup> Regulation (EU) 2021/953 of the European Parliament and of the Council of 14 June 2021 on a framework for the issuance, verification and acceptance of interoperable COVID-19 vaccination, test and recovery certificates (EU Digital COVID Certificate) to facilitate free movement during the COVID-19 pandemic.

<sup>37</sup> Source: European Commission Directorate-General for Migration and Home Affairs.



thwarted. Lithuania, Latvia and Poland received a total of 12,730 asylum applications during last year.<sup>38</sup> In terms of citizenship, particularly citizens of Iraq and, to a lesser extent, citizens of Afghanistan, Syria, Democratic Republic of Congo, Cameroon and others were coming to the border.

At the EU level and among Member States, there was a clear response condemning the actions of the Belarusian regime, refusing any form of coercion and expressing solidarity with the states affected. The European Commission responded by mobilising financial and expert support and by presenting several legislative proposals aiming to respond to cases of instrumentalisation of migration both now and in the future.

Both these situations created a clear need to achieve specific progress in the activities of the EU and its Member States in the external dimension. In the response to the crisis at the external borders with Belarus, M. Schinas, the Vice-chairman of the European Commission, and the European External Action Service made purposeful contacts with representatives of third countries, particularly to prevent the entry of additional illegal migrants into the EU and to strengthen returns. The effort to strengthen comprehensive relations with third countries was also translated into creating dedicated action plans for the most relevant third countries, which, besides identifying the main priorities in relation to individual countries, also identify the tools and financial options for ensuring progress.

In response to the hybrid attacks from the Belarusian regime, the Czech Republic fully supported the actions towards the effective protection of the EU's external border from organised illegal migration and is ready to continue to actively participate in addressing the situation with its expert, financial and political support. In accordance with its long-term policy, it also supported the EU's actions towards third countries, which it considers to be an absolute prerequisite for the effective functioning of the European migration policy.

In 2021, the EU Council continued to discuss the individual proposals, which had been presented in 2020 under the **Pact on Migration and Asylum**. The working bodies of the Council discussed particularly the draft regulation concerning Eurodac, the common system for storage of fingerprints, and the draft regulation on asylum and migration management, which includes components of responsibility (the criteria and mechanisms for determining the state responsible for examining the filed application for international protection) and solidarity (the solidarity measures for the benefit of Member States affected by extensive migration flows into their territories). Complicated discussions at the EU level searching particularly for the correct

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<sup>38</sup> Source: EUAA Annual Trend Analysis Report 2021.

balance between responsibility and solidarity saw a certain limited progress. For example, one of the specific outputs was the approval of the mandate of the European Union Agency for Asylum (EUAA) in December, which was officially set up in early 2022, with the European Asylum Support Office (EASO) as its basis.<sup>39</sup>

In 2021, **the package referred to as the Schengen Package was presented**, which, besides striving to improve the framework of Schengen administration, also seeks to revise the Schengen Border Code. Discussions on these topics will also be of key importance for the year 2022 when the Czech Republic, in the second half of the year, will build on the work of the French Presidency of the EU Council.

Also, **the Blue Card Directive** was adopted at the EU level.<sup>40</sup> Its adoption was the culmination of several-year negotiations at the level of European institutions and Member States about the need to support labour migration of talented and highly skilled foreign nationals. In order to accomplish this goal, it was identified it was necessary to change the existing system of EU Blue Cards as the primary tool for employing these groups of foreign nationals in the territories of Member States. Up until now, the system of EU Blue Cards was governed by Council Directive 2009/50/EC on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment.

The specific changes consisted, for example, in facilitating the access of highly skilled foreign nationals to the European labour market. From now on, all they need to do to be able to file an application for this permit is to enter into an employment contract or to present a binding employment offer for a minimum period of six months as opposed to the formerly required twelve months. Furthermore, recognition of expert skills as evidence of high qualification has been introduced. The salary thresholds for the jobs, for which Blue Card applicants can apply, have also been changed. The new directive also facilitates the mobility of Blue Card holders within the EU and reduces the time limits for examining their applications. In addition to that, Blue Card holders will have an easier access to permanent residence because in addition to the period of employment with Blue Card, it will now be possible to count the period of a permit for the purpose of scientific research, studies or the period, during which the foreign national was a beneficiary of international protection, towards the required five years of stay in the EU. The deadline for transposition of the new Blue Card Directive was set

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<sup>39</sup> Regulation (EU) 2021/2303 of the European Parliament and of the Council on the European Union Agency for Asylum and repealing Regulation (EU) No 439/2010.

<sup>40</sup> Directive (EU) 2021/1883 of the European Parliament and of the Council of 20 October 2021 on the conditions of entry and residence of third-country nationals for the purpose of highly qualified employment, and repealing Council Directive 2009/50/EC.

for 18 November 2023. The presentation of the relevant amendment for an interministerial procedure is scheduled for early 2022.

**At the international level**, the CR continued to foster cooperation particularly with the International Organisation for Migration (IOM) and the Office of the UN High Commissioner for Refugees (UNHCR) with the aim of addressing the largest global challenges impacting the EU. As concerns **regional cooperation**, the CR was actively involved in cooperation within the International Centre for Migration Policy Development (ICMPD), particularly through regional dialogues (the Rabat Process, the Khartoum Process, the Budapest Process, the Prague Process), which the CR used to present and advance its long-term goals in relation to the third countries.

In 2021, **the Rabat Process and the Khartoum Process**, addressing the cooperation with African countries, continued to implement their main goal, i.e. to implement the 2015 Valletta Action Plan. Therefore, the CR supported all efforts aiming to prevent illegal migration, to combat people smugglers and to improve the effectiveness of the return policy. After France, the presidency of the Rabat Process had been assumed by Equatorial Guinea, the historically first African country to assume the presidency, which was succeeded by Spain.

The CR also fostered regional cooperation within the scope of the **Salzburg Forum**, which focuses its efforts on political coordination within the EU and on cooperation with the West Balkan countries. For the first half of the year 2021, the Czech Republic assumed the presidency of this forum. The culmination of all efforts was the ministerial conference in June 2021, the output of which was the Prague Declaration, which approved the strategic direction of this platform's collaboration until the year 2030, and the ministerial declaration on the *Joint Coordination Platform*, which was founded at the turn of the years 2020 and 2021 on the initiative of Austria with a contribution from the Czech Republic. Overall, it can be said that Czech Republic's cooperation at the regional level particularly strived to harmonise the positions of the countries sharing similar views in order to gain a stronger voice at the European level and to concentrate joint efforts on West Balkan, which is a key geographic region for the Czech Republic with respect to migration.

## EXAMPLES OF SPECIFIC ACTIVITIES:

### PRAGUE PROCESS

The Czech Republic maintains good relationships in the issues of eastern and south-eastern dimensions through the Prague Process, among other instruments. The Prague Process is the main dialogue with the countries of east regions, which are the main migration source countries for the Czech Republic. It is in the interest of the Czech Republic that there is a reinforced and effective dialogue, which will have a favourable impact on the overall

situation in the EU. For the years 2021 and 2022, the Czech Republic assumed the presidency of the steering committee of the Prague Process with a view to prepare the process politically and technically for another stage of its existence. The efforts made during the years 2021 and 2022 should culminate during the second half of the year 2022 when the CR plans to organise a ministerial meeting within this process and approve the political mandate and action plan for the following years during its Presidency of the Council of the EU. The main event of the year 2021 leading to this goal was the organisation of a meeting of senior officials, during which the first draft versions of output documents were discussed.

## **COOPERATION AMONG THE VISEGRAD GROUP**

Besides regular consultations at the expert level, the Czech Republic attended the meeting of the Ministers of the Interior in Budapest in October 2021 where the V4 countries, along with Austria and Slovenia, discussed the current developments in the migration situation and the topical issues regarding the European protection of external borders. In 2021, the Czech Republic, along with Poland, also launched the implementation of a joint project for training asylum experts, which focuses on experts of the V4 countries and offers an opportunity for training experts from other EU Member States as well.

## **EUROPEAN ASYLUM SUPPORTING OFFICE (EASO)**

The European Asylum Supporting Office (EASO) is the agency of the European Union, which was established by Regulation (EU) 439/2010 in 2010. Its head office is in Valletta, the capital of Malta, and its task is to strengthen the cooperation among Member States in asylum and assist them in crisis situations.

In 2021, the key activities of the EASO continued to include particularly the operational and technical support of the asylum systems in selected EU Member States. Traditionally, this support was provided to Greece, Italy, Cyprus and Malta. Due to the growing migration pressures from North Africa, operational and technical support provided by the EASO was extended to include Spain in 2021. In 2021, the EASO also flexibly responded to the deteriorating migration situation at the border between the EU and Belarus. In July 2021, it also started to operate in the territory of Lithuania for this reason.

In Italy, the main focus of the EASO in 2021 was on the provision of primarily structural support to the relevant Italian authorities. This included mainly support in standardisation of quality within the system for receiving applicants for international protection, the Dublin procedure and the international protection proceedings. Additional structural support for Italy from the EASO was focused on strengthening the coordination among Italian asylum authorities by developing information systems and enhancing mutual

communication. Direct intervention was carried out to a limited extent by supporting the process of registering applicants for international protection and the Dublin procedure.

In Greece, the EASO carried out direct intervention by supporting the processing of applications for international protection in the first instance determination process and the communication with applicants as well as by providing structural support focused on improving the strategic planning and management within the Greek asylum system. Besides that, the EASO provided Greece with assistance in increasing the capacities of its reception system in 2021. This mainly involved providing assistance in planning, designing and building new reception centres.

In Malta and Cyprus, the EASO concentrated its direct intervention efforts mainly on improving the access to asylum procedure and on improving the quality of the system for registration of applicants for international protection. Other efforts were made to harmonise the Maltese and Cypriot asylum systems with the SEAS standards. In addition to that, Cyprus was provided with direct support in the asylum procedure process not only with registration of applications but also with their processing and in the first instance determination process. Due to the fact that Cyprus also faces a problem with processing pending applications for international protection in the second instance of the administrative procedure, the EASO also focused on increasing the capacities of the Cypriot judiciary system in 2021. Other countries, which the EASO provided assistance in 2021 with handling overloaded systems for receiving applicants for international protection, were Spain and Lithuania. In Spain, the EASO primarily worked on structural support with the comprehensive creation of a new Spanish system for receiving applicants for international protection. In Lithuania, the EASO flexibly responded to the deteriorating migration situation at the border with Belarus by concentrating on strengthening the capacities of border guards in the field of conducting reception procedures on the front line and on strengthening the capacities of the entire Lithuanian system for receiving applicants for international protection and for providing care to vulnerable applicants.

For the second year in a row, the actual implementation of the operational plans of the EASO was significantly affected by the Covid-19 pandemic and the related restrictive measures, which affected not only the possibilities of the EU Member States for sending national experts but also other planned activities of the EASO in 2021. These complications, which, due to their long-term nature, started to become a structural problem, were intensively addressed by the EASO in 2021 and the Office created conditions for building its own expert base, which will be able to complement the existing system for providing human resources for implementation of the operational plans of the EASO, which is based on sending national experts from the EU Member States.

In 2021, the EASO continued to carry out its duties arising from its mandate, which entrusts the office with a supporting role for Member States particularly in the 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, preparation of shared information on countries of origin, etc. The Office continued to perform these activities in spite of the restrictive measures adopted in response to Covid-19, which were in force in Malta as well as in individual EU Member States. Nevertheless, thanks to transferring most of its activities online, the EASO was able to continue to carry out, for example, the training of national experts in the partial areas of its purview.

The CR participated in the activities of the EASO by attending the regular meetings of the EASO board and other expert meetings, which took place as planned thanks to online videoconferences. The Czech Republic also traditionally participated in supporting the implementation of the operational plans of the EASO for Greece and Italy, particularly through the engagement of national experts, which it sent to said countries. In the period 2015-2021, a total of 103 national experts of the CR were sent abroad as part of this support. Due to the Covid-19 pandemic in 2021 and the continued restrictive protective measures, it was only possible to continue to support the implementation of the operational plans only to a limited extent within this format of cooperation. In 2021, the Czech Republic sent an EASO national expert to Italy where he worked as part of the direct intervention supporting the registration of applicants for international protection. Besides that, the Czech Republic, same as other EU Member States, concentrated on supporting the EASO in its search for new expert human resources, which would complement the national experts sent from the EU Member States for implementation of the operational plans of the EASO and which would also better correspond to the current strategy and needs of the EASO's actions in the countries where it helps to address the overload of asylum systems. This problem is topical particularly in Greece where, as a result of legislative changes made in 2020, it is now necessary for the EASO experts to be able to conduct the asylum procedure in the Greek language.

In 2021, the global Covid-19 pandemic and the restrictive measures aiming to control the spreading of the disease continued to affect the programme of trainings carried out by the EASO. For the same reason as in the previous year 2020, the management of the EASO cancelled the annual promotional event called "EASO Day", which serves to present the current activities being performed by the EASO and to provide information on the experience so far with the work of Czech experts within the implementation of the Office's operational plans. Notwithstanding the aforementioned complications, the Czech Republic joined a common multi-year project led by the Polish Ministry of the Interior, the purpose of which is to train a total of 100 new national experts from the EU Member States. Last year, in spite of the unfavourable situation, there were 20 new national experts, including 4 officials from the Ministry of the

Interior of the CR, trained within this project successfully in accordance with the plan.

Beyond the performance of the aforementioned meritorious activities of the EASO arising from its current mandate, the year 2021 was also filled with continuing preparations for transforming the EASO into the new format, the EU Asylum Agency (EUAA). Very intensive communication was taking place between the EASO and the EU Member States in this respect. The preparations of the transformation process culminated at the end of the year 2021 so that it could be possible to commence the process as early as in January 2022.

## 7.2 Humanitarian Projects; Relocation; Resettlement

# 7.2

### ASSISTANCE ABROAD

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

Under the Aid in Place programme, the Ministry of the Interior sends financial donations abroad, which are intended particularly to help refugees directly on the site of their initial displacement and those states, which host a large number of refugees and migrants 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 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.

According to information from Frontex, almost 200 thousand persons illegally crossed the EU's borders in 2021. This is an increase of 60 % in comparison with the year 2020 and an increase of 41 % in comparison with the year 2019. The central Mediterranean migration routes remains

the most frequented route where nearly 68 thousand persons took a trip by sea from North Africa to Italy and Malta, which is nearly 90 % more than in the previous year. The number of migrants also rose along the West Balkan route where nearly 62 thousand persons crossed the border illegally in 2021 according to statistics from Frontex. This is an increase of 129 % in comparison with the year 2020 and an increase by as much as 307 % in comparison with the year 2019. Greece experienced steady migration pressure in 2021. Along the eastern Mediterranean route, 20.5 thousand migrants came to the EU in 2021, which is 1.4 % more in comparison with the previous year. The western Mediterranean migration route saw a similar consistent trend, with Frontex having observed around 18.5 thousand persons along this route in 2021 who illegally crossed the border from North Africa to Spain (an increase by 7 %); in addition to that, around 22 thousand migrants reached the Canary Islands by sea (a decrease by 3 %).

Nevertheless, in addition to the developments along these main migration routes, the migration situation in the EU in 2021 was negatively affected by two events: the Taliban's seizure of power in Afghanistan and the migration pressure created by the Belarusian regime at the eastern border of the EU.

The budget of the Aid in Place programme was **CZK 140 million** in 2021. The priority areas of the programme in 2021 included the **Balkan region, the region of the Middle East and the Greater Sahel region**. Due to the situation at the eastern border of the EU, special aid was also sent to Lithuania.

## LIST OF DONATIONS UNDER THE AID IN PLACE PROGRAMME IN 2021

### PRIORITY 1 – THE BALKAN REGION

#### ▶ **Bosnia and Herzegovina – support for meeting the basic needs of migrants and refugees – CZK 5 million**

A financial donation was given to the International Organisation for Migration (IOM) to meet the basic needs of migrants and refugees during winter. The donation was used to buy warm clothes, shoes, sleeping bags, blankets, mattresses and other equipment for more than 700 persons staying outside accommodation centres. The implementation of the project ended in August 2021.

#### ▶ **Bosnia and Herzegovina – support of voluntary returns and systematic data collection – CZK 20 million**

The goal of this project of the International Organisation for Migration (IOM) is to support voluntary returns of migrants from Bosnia and Herzegovina to their countries of origin and to support regular and systematic collection



of data on the migrants found in the territory of Bosnia and Herzegovina. The target group consists of up to 40,000 persons for a period of one year. The project was launched in July 2021. The implementation of the project is scheduled to be completed in June 2022.

## **PRIORITY 2 – THE REGION OF THE MIDDLE EAST AND NORTH AFRICA**

### **▶ Jordan – support of Syrian refugees’ business development – CZK 25 million**

The goal of this project of the UN High Commissioner for Refugees (UNHCR) was to support development of the businesses of Syrian refugees in Jordan, particularly the businesses of women. In total, 604 persons received support. The activities included training in hairdressing, tailoring and cosmetics. Furthermore, future sole traders were provided with training in technical and commercial skills and legal consultancy to enable them to enter the formal labour market. 70 selected beneficiaries of the support received an initial grant to buy the equipment and materials necessary to start their business; they were provided with legal assistance in registering their businesses and they were interlinked with potential business partners from among retailers and wholesalers in order to be able to start their businesses successfully. The implementation of the project was completed in December 2021.

## **PRIORITY 3 – THE GREATER SAHEL REGION**

### **▶ Niger – establishing a mobile police unit to protect the southern border – CZK 25 million**

The goal of this project of EUCAP Sahel Niger is to establish and equip a mobile police unit consisting of approximately 250 persons to protect the southern border of Niger in the Tillabéri region. The permanent protection of this border is a big challenge. Cross-border terrorism (particularly at the borders with Nigeria, Burkina Faso and Mali), illegal migration and drug and arms smuggling are, regrettably, very frequent occurrences. The project is co-funded by the Czech Republic and Germany. Within the project, vehicles and technical equipment will be procured; buildings will be constructed and equipped and the police units will be provided with necessary training. The implementation of the project is scheduled to be completed in June 2022.

### **▶ Senegal – support of economic opportunities and prevention of illegal migration – CZK 25 million**

The main goal of this project of the International Organisation for Migration (IOM) is to support economic opportunities for returnees and potential

future migrants from Senegal. The project includes a comprehensive support of small businesses of returnees and young Senegalese by creating new jobs, improving the access to financing, including micro-loans, as well as the access to equipment and new technologies, and by organising training sessions focused on technical and business skills. The second goal of the project is to raise awareness among young people and their families, to promote economic opportunities for young people in Senegal by sharing success stories of returnees and to present alternatives to illegal migration. The implementation of the project started in November 2021 and will end in October 2022.

## OTHER SUPPORTED PROJECTS

### ▶ **Morocco – support of a joint project implemented by the V4 countries and Germany – CZK 23.3 million**

A financial donation was given to the International Centre for Migration Policy Development (ICMPD) as a contribution from the Czech Republic to the 1st pillar of the joint migration project of the V4 countries and Germany in Morocco under the agreement of the prime ministers of the V4 countries and Germany and Government Resolution No. 922 of 14 September 2020. The implementation of the project is scheduled to start during the year 2022.

### ▶ **Lithuania – material assistance – CZK 3.2 million**

In response to a request from the Lithuanian Ministry of the Interior for assistance within the Union Civil Protection Mechanism (UCPM), material assistance was delivered to Lithuania, which consisted of 20 tents, 100 foldable beds with mattresses, 500 blankets, 20 heaters and 500 sleeping bags from the supplies of the Czech Republic's Fire Brigade. Lithuania requested assistance in connection with the inflow of migrants across the Lithuanian-Belarusian border.

### ▶ **Lithuania – support of the migration system and border protection – CZK 13.5 million**

This financial donation given to the Lithuanian Ministry of the Interior in connection with the events at the Lithuanian-Belarusian border will be used primarily to build a physical barrier at this border as well as, potentially, to increase the accommodation capacities and to directly support migrants and applicants for international protection in the country. The implementation will be taking place until September 2022.

## THE PERMANENT PROGRAMME OF HUMANITARIAN EVACUATIONS OF INHABITANTS WITH HEALTH ISSUES – MEDEVAC PROGRAMME

The **MEDEVAC** Programme is a governmental, medical humanitarian programme of the CR, which focuses on providing medical care to vulnerable groups of population in regions affected by migration or strained by a large number of refugees, or in places where specialised professional care is not available. Treatment is provided for free and exclusively to civilians (predominantly to women, children and elderly persons) whose medical condition is serious or whose medical condition does not allow them to lead a dignified life. The programme is implemented under Resolution No. 956 of the Government of the Czech Republic of 20 November 2015 by sending teams of Czech physicians abroad, by training medical staff and by supporting projects designed to build and develop medical infrastructure.

In 2021, the MEDEVAC Programme supported the healthcare systems and provided assistance in a total of 15 priority countries, specifically in the Middle East (Iraq, Jordan, Lebanon), in Africa (Burkina Faso, Ghana, Mali, Mauritania, Nigeria, Senegal) and in Eastern Europe (Belarus, Georgia, Ukraine), in Central Asia (Afghanistan) and in South America (Peru). Medical missions were organised there; medical professionals were trained there; patients were evacuated to be treated in the CR; and healthcare projects were supported and donations in kind were provided. In spite of the continued pandemic and the restrictions related to the Covid-19 pandemic, most of the planned activities were successfully performed.

The budget of the MEDEVAC Programme in 2021 was CZK 55 million. In connection with the activities of the Programme cancelled or postponed in 2020 as a result of the Covid-19 pandemic, the unused part of the budget was carried forward from the year 2020 to the year 2021. Thus, a total of CZK 76 million was used from the MEDEVAC Programme's budget in 2021.

### Summary of the MEDEVAC Programme implementation in 2021:

- ▶ **7 Czech hospitals participated in implementing the Programme** (Bulovka University Hospital, Brno University Hospital, IKEM, Královské Vinohrady University Hospital, Motol University Hospital, Olomouc University Hospital, General University Hospital);
- ▶ **12 surgical missions** during which 487 surgical procedures were carried out in Ghana, Jordan, Lebanon, Senegal (paediatric cardiac surgery, gynaecology, ophthalmology, ENT, plastic surgery, traumatology);
- ▶ **Evacuation** of 29 persecuted medical professionals and their family members from Belarus to the Czech Republic;
- ▶ **2 online training sessions** focused on the Covid-19 pandemic in cooperation with IKEM (Peru) and on physical therapy in cooperation with the General University Hospital (Ukraine);

- ▶ **2 training sessions for medical staff** abroad in gynaecology and infectiology (Georgia, Iraq);
- ▶ **4 expert internships** in the Czech Republic for medical professionals from Ghana, Ukraine and Senegal (physical therapy, gynaecology);
- ▶ **8 medical projects of international organisations** (CARE Int., Caritas Int., ICRC, Lutheran World Federation, Light for the World) **were provided with support** worth a total of CZK 40 million (Afghanistan, Burkina Faso, Georgia, Iraq, Kenya, Mali, Mauritania, Nigeria).

### 7.3 Assistance to Compatriots

## 7.3

The Programme for Providing Assistance with the Resettlement of Czech Compatriots continued in 2021. 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 of proven Czech origin (compatriots) living abroad.

For the participants, participation in the programme does not mean that they automatically receive permanent residence permits. The programme simplifies the entire procedure, particularly by having the state assume responsibility for providing accommodation for them and funds for their stay. However, these benefits are only provided to those persons, in whose case such assistance is justified, 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 **264 members of Czech compatriot communities** in Ukraine, the Russian Federation and Venezuela **were resettled to the CR during the year 2021**. The compatriots from Ukraine were mainly members of the compatriot communities in the Zaporozhe, Odesa and Zhytomyr Regions and from Kyiv. By the end of the year, 211 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 moved to their places of permanent settlement in early 2022. The highest number of compatriots resettled in Prague and in the Region of Pilsen, the Region of South Bohemia, the Region of Central Bohemia, and the Region of Ústí nad Labem. The Caritas of Archdiocese of Prague, which ensured direct work with clients, continued to be a partner of the MoI in the implementation of this programme in 2021.

A total of **2,004 persons** have been resettled to the CR since the launch of the programme in 2015 until 31 December 2021. The average period of their stay in temporary accommodations provided by the MoI was reduced to 63 days, which was 7 days fewer than in 2020. The reduction of this average period was achieved in spite of the fact that the programme was

implemented under the complicated circumstances surrounding the ongoing epidemic.

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 2022 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 and the countries of the former Soviet Union.

## 7.4 International Police Cooperation

# 7.4

On 28 through 30 September 2021, a regular **meeting of the directors of foreign and border police services from the V4 countries** was held and was also attended by a representative of the Austrian Ministry of the Interior. The presiding hosting country provided the participants with extensive information on the system of protection of the external Schengen border in the territory of Hungary, including a visit to the border with Serbia (technical equipment) and to the relevant control centre. The participants in the meeting agreed that it was of fundamental importance that they should continue their mutual cooperation in protecting the external Schengen border and in combatting illegal people smuggling.

On 29 November 2021, **a meeting of the main border representatives** of the Czech Republic and Slovakia and the representative of the Chief Commander of the Border Guards of Poland was held in the Czech Republic (Mikulov) (in the form of a videoconference). The participants provided information on the current migration situation in their countries. In this context, the Slovakian party provided information on the signing of a bilateral agreement, under which Slovakia would be able to send police details to the Hungarian-Romanian and Hungarian-Serbian borders.

In 2021, due to the ongoing epidemiological situation in the Czech Republic, the Regional Directorates of the PCR set up strict measures to prevent the spreading of the Covid-19 pandemic, which greatly **restricted joint activities concerning international police cooperation** (joint training sessions, direct performance of joint patrols in the territories of both involved countries, coordinated operations, etc.).

The DFPS officials are regular participants of the Frontex agency meetings and special trainings within the **task force dealing with joint return operations** (Direct Contact Points). Due to the pandemic-related restrictions, the meetings in 2021 were held in the form of online seminars. Owing to the strict conditions of entry into some countries, the number of return operations decreased. The most frequent destinations of return flights from Germany were Balkan states (Serbia, Kosovo, North Macedonia and Albania). Flights from other countries

(France, Italy, Spain) headed to Africa. There was a general persisting problem with obtaining travel documents. Returning of persons by regular airline flights was also taking place successfully. The Czech Republic is involved in these operations to a lesser extent because of the number of foreign nationals being returned and because most returns are carried out by land travel.

The DFPS monitors the opportunities offered by the Frontex agency in relation to return operations and monitors the plans of joint return operations implemented through the Frontex agency, while constantly assessing the offers of the return operations concerned, which it compares with the current number of persons detained and placed in the facilities for detention of foreigners and the number of persons found in prisons, serving their prison sentences, or in pre-expulsion detention with an imposed expulsion sentence. During the pandemic (limited flying options), a return was only possible by means of these flights. Due to the number of different citizenships it was dealing with, the Czech Republic was not an organiser of any joint return operation but has actively participated mostly in those organised returns where departure takes place from Vienna. In 2021, persons were returned to Nigeria, Georgia and Vietnam.

Police officers from the Foreign Police, predominantly from the teams of the mobile unit of the DFPS and Frontex, participated **in joint operations at various sections of external European borders** (Greece, North Macedonia and Serbia). In addition to that, they were a part of several police details operating in North Macedonia, Serbia and Hungary under bilateral agreements.<sup>41</sup> As part of operations of the Frontex agency, the police officers of the Foreign Police were deployed at airports, which are the key points for illegal migration. Foreign police officers were also deployed with the Foreign Police Inspectorate at the Václav Havel International Airport in Prague.

Mutual exchange of information on documents successfully takes place on the platform of the Council of the EU task force Borders/False Documents, Committee of Documents Specialists within the Frontex agency and other organisations. The information on documents is also exchanged through information systems (such as the FADO international system). Through national contact points for documents within the EU+, it is possible to request the assistance of partner states at any time. Nevertheless, based on international cooperation in the field of documents, the CR has also been establishing and maintaining contacts with experts outside the EU+ on an ongoing basis (Canada, USA, Australia, the Republic of Korea).

**Data** concerning irregular travel documents, illegal migration, expulsion, persons cleared at the external Schengen border, etc. are sent to the Frontex agency on a regular basis. The DFPS is also integrated into the EUROSUR system (the European Border Surveillance System), which is used to share information and cooperation

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<sup>41</sup> Detailed information on the deployment of police officers is at the disposal of the Police Presidium, which is responsible for deploying the police officers.

mechanisms. Data are also provided within VAN (Vulnerability Assessment Network), which is a concept created by the Frontex agency to assess vulnerability in the process of protecting state borders (the goal is to obtain analytical data from individual Member States and assess the readiness of individual states for an unexpected migration surge; technical equipment, information systems, human resources capacities, funding and infrastructure are monitored and assessed with regard to the protection of the external Schengen borders).

## COOPERATION WITH THE NEIGHBOURING STATES<sup>42</sup>

One of the forms of international cooperation are the **joint patrols**, which are carried out by the Foreign Police Departments of the Regional Directorates of the Police of the Czech Republic<sup>43</sup> with partners from the neighbouring states and are used for standard police work. The joint patrols focus on monitoring illegal migration, carrying Schengen national searches, monitoring the movement of vehicles, addressing cross-border crime, searching for stolen vehicles and perpetrators of crimes, checking the residence permits of foreign nationals, including residence checks in night clubs, and checking persons and vehicles. The operations of the joint patrols have been proven to yield good results on a long-term basis, particularly with respect to prevention, exchange of information and experience and general development of cross-border cooperation. The joint patrols are planned in advance but both sides are able to respond quickly and flexibly, if necessary. Police officers who received special training are assigned to the joint patrols.

In 2021, a total of **75 joint patrols were carried out by police officers from the Foreign Police Departments of the RDPs together with units from the neighbouring states**. In comparison with the year 2020, this was a considerable decrease once again, this time by 151 patrols (i.e. -66.8 %). The reason for this low number were the ongoing measures adopted in connection with the Covid-19 pandemic. In most months of the year 2021, performance of joint patrols was suspended or completely cancelled. Before the year 2020, the annual numbers of joint patrols reached around 700 patrols. The total number of patrols included 53 Czech-German patrols, 20 Czech-Polish patrols and 2 Czech-Austrian patrols. There was no joint patrol with the Slovakian side. More than a half of the joint patrols were carried out with the Foreign Police Department of the RDP of the Region of Liberec (41 patrols), followed by the Foreign Police Departments of the RDPs of the Regions of Pilsen (13), Ústí nad Labem (11), South Bohemia (8) and Karlovy Vary (2). Nearly half of the patrols took place in the territory of the Czech Republic (48 %). Approximately 29 % of the patrols took place in the territory of Germany and 8 % took place on the territories of both Germany and the Czech Republic. There were 15 % of the patrols carried out in the territory of Poland. During the joint patrols, approximately 1,922 persons were checked and 75 offences were addressed.

<sup>42</sup> The respective forms of cooperation with the neighbouring states are specified in international agreements on police cooperation.

<sup>43</sup> This does not concern the inland RDPs, i.e. the Regional Police Directorates of Prague, the Region of Central Bohemia and the Region of Vysočina.

The implementation of the **Cross Border Security Cooperation project (CBSC)** – designed to strengthen cross-border cooperation – was significantly affected by the measures against the spreading of the Covid-19 pandemic. Due to this situation, activities were carried out (if possible) in the form of videoconferences. The goal of the project is to improve effectiveness of combat against cross-border crime and illegal migration at the border and in the territories of the Czech Republic and Germany and in the border triangle between the Czech Republic, Poland and Germany. The Schengen border between the Czech Republic and Germany as well as alternative routes across Poland are typically used for various kinds of crimes. In view of the measures against the spreading of the Covid-19 disease, a proposal was made and approved to extend the implementation of the project until April 2022. Distance learning of languages was carried out; proposals for collection of statistical data on common activities and the share in detecting crime were created and a common regional analysis of illegal migration was completed. A common helpful instrument is about to be completed, which is designed for carrying out joint patrols, and a part of the foreign educational stays took place (for example, in Poland and Switzerland). In November 2021, the “Tripoint Security Conference” was held in Liberec and attended by regional leaders of security forces and the project administrators.

**Common centres of police and customs cooperation** play a crucial role in cooperation with the neighbouring countries. Cooperation takes place particularly with the aim of obtaining information on specific foreign nationals, with whom proceedings are conducted (checks in the registers of the given state carried out to verify the identity of a person), mediating offers to transfer and receive persons and coordinating joint patrols.

**Direct operational cooperation with the authorities of the neighbouring states** plays an important role in combat against illegal migration, cross-border crime, the trafficking of women, etc. The Department of Crime Investigation and Documentation of the DFPS is actively trying, to the extent possible, to cooperate with the security forces of Germany, Austria, Slovakia, Poland and Hungary because this cooperation is very important for effective and quick action in combat against illegal migration. This cooperation is established depending on the current need and situation. Besides focusing on illegal migration and detection of cross-border crime, the cooperation also involves documenting legal migration of third-country nationals carried out through sham marriages, sham paternity, misuse of work visas, etc..

## **COOPERATION WITH OTHER STATES**

Besides the neighbouring states, close cooperation has also been established with those states, across which the main migration routes crossing the territory of the CR lead, specifically with Hungary and Serbia.



In the period from 1 January to 31 December 2021, there were **11,170 persons** identified as perpetrators of **illegal migration into the territory of the Czech Republic**. In comparison with the year 2020, there was a marked increase in their number, specifically by 4,077 persons (i.e. +57.5 %). From the total number of such perpetrators, **10,835 persons (i.e. 97 %) were detected as illegally staying and 335 persons were detected when they were perpetrating illegal migration** across the external Schengen border of the CR. In total, **779 persons were detected as perpetrators of illegal migration multiple times** (i.e. 7 % of the total number of persons detected as perpetrators of illegal migration). This means an increase of 484 persons on a year-on-year basis.

In the context of illegal migration across the external Schengen border, the detained persons were most often citizens of Ukraine (132), the Russian Federation (48) and the United Kingdom (33). Irregular travel documents were used at the external Schengen border by 11 persons; most often by citizens of Georgia (4 persons) and Iran (4 persons).

### 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”** (this sub-category has been statistically monitored since 2015 and contains 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).

The trend in illegal migration after the year 2008 (major changes occurred on 27 December 2007 as a result of the Czech Republic's accession to the Schengen Area) showed gradual increase in annual numbers after a sharp decline in the year 2010. The year-on-year increases in the period 2011-2014 were between 7 and 16 %. A significant change occurred in the year 2015 when there was a marked increase of 78 % in comparison with the year 2014. As a result, the highest annual number of persons identified as persons who arrived illegally was recorded in the year 2015 since the year 2008. In the year 2016, there was a sharp decline of 39 %. In 2017, the decline, albeit more moderate, continued and there was a year-on-year decrease of 10 %. In 2018, the trend reversed and the number of persons detained for illegal migration started to rise again. There was a significant increase in 2020 (+25 %), which was affected by the situation relating to the measures taken to prevent the spreading of Covid-19, and this increase continued more steeply in 2021 (+58 %). **If we evaluate the annual numbers since the year 2008 (i.e. over a period of 14 years), the number for the year 2021 was the highest.**

**Transit illegal migration<sup>44</sup> across the territory of the CR** is associated with illegal entry into the country mainly from Slovakia and Austria or via air travel, with Germany and other states of Western and Northern Europe being the destination. In 2021, many circumstances influenced transit illegal migration and, consequently, people smuggling. High migration pressure along the eastern Mediterranean migration route and its continuation, the west Balkan migration route, persisted and impacted the trend in transit illegal migration across the territory of the Czech Republic. Turkey remained the main place of concentration of migrants who then mostly use two main routes. The first route leads to Greece and then across North Macedonia/Albania and Serbia to Hungary, and continues across Slovakia/Austria and the Czech Republic to Germany and other western or northern European countries. The second route leads to Bulgaria through Romania to Hungary, and continues across Slovakia/Austria and the Czech Republic to Germany and other western/northern European countries. Individually, there are aberrations where the route leads across more countries (such as Albania – Serbia, Bosnia and Herzegovina – Croatia) but the direction is still the same. In the territories of Romania, Hungary and Austria, various apartments or hotels labelled as “safe houses” are used as temporarily hideouts of illegal migrants. Since mid-2021, the eastern migration route increased in importance, specifically the route leading from Belarus to Lithuania and then continuing to Latvia and Poland; however, this route has not yet had any impact on the migration situation in the Czech Republic (increased numbers of migrants with asylum applications filed in Lithuania, Poland or Latvia have not yet been observed in our territory; however, it cannot be ruled out that migrants from the refugee camps newly set up in these countries will

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<sup>44</sup> This has been reported separately as a sub-category of illegal migration since 17 June 2015.

continue to travel to Western European countries across the Czech Republic with the help of people smugglers in the future). Another factor impacting illegal migration, specifically the illegal migration of citizens of Afghanistan, was certainly the phased withdrawal of US Army troops from Afghanistan, which was completed in July 2021, and the subsequent seizure of control of most of Afghanistan's territory by the Islamist movement Taliban. Also, the ongoing civil war in the territory of Syria, which broke out in March 2011, has resulted in the permanent interest of some of Syria's citizens to leave their homes and settle in one of the states, which are a part of the Schengen Area. Same as in the previous years, in 2021, most transiting persons used the two main migration routes, meaning the eastern Mediterranean route (Turkey-Greece across both sea and land borders) and the western Balkan route (Albania and North Macedonia remain the main points of entry into the region from Greece; the migration routes then go north, particularly across Serbia and, to a lesser extent, across Bulgaria and Romania, and then to Hungarian borders; or the route across Bosnia and Herzegovina, Croatia and Slovenia is used).

Same as in the previous years, the Czech Republic remained primarily a transit country for these illegal migrants in 2021, which was mainly caused by the less lucrative system of welfare benefits and the absence of family ties in the territory of the Czech Republic.

In 2021, **1,330 persons were detected as perpetrators of transit illegal migration**. From among the 1,330 persons, 1,168 persons and 162 persons were detected illegally crossing the land border and the air border, respectively. Based on a year-on-year comparison, there was a high increase of 844 persons (i.e. +173.7 %). In the 1<sup>st</sup> half of the year 2021, 515 persons were detected (i.e. 8.7 %), while in the 2<sup>nd</sup> half of the year 2021, there were 815 persons detected (i.e. 61.3 %). In terms of monthly trends, the highest numbers of illegal migrants were detected in November (222 persons) and December (190); the lowest numbers were in April through June (44, 65 and 53 persons). The trends in transit illegal migration are impacted not only by the measures adopted in the Czech Republic but also by the measures of other EU/Schengen states (particularly Hungary) and the states, which lie along the main migration routes affecting the situation in the Czech Republic (Turkey, Greece, Balkan states, etc.).

Once again, the first position in the statistics was taken by citizens of **Afghanistan** (513 persons, i.e. 38.6 %). Citizens of **Syria** (394, i.e. 29.6 %) ranked second, and in comparison with other citizenships, they had a high share (approximately one third) of illegal migrants detected at the air border (accounting for 75 % of all the illegal migrants detected at the air border. The third position was claimed by citizens of **Morocco** (133, i.e. 10.0 %). These 3 citizenships, which are the same as in 2020, accounted for 78 % of the total illegal transit migration. With somewhat lower statistical numbers, these were followed by citizens of Turkey (50 persons), Algeria

(44), Pakistan (42), Tunisia (31), Iraq (31), etc. The first 3 citizenships also exhibited the highest year-on-year increase: by 374 persons (i.e. +269.1 %) for citizens of Afghanistan; by 311 persons (i.e. +347.7 %) for citizens of Syria; and by 71 persons (i.e. +114.5 %) for citizens of Morocco. Decreases only occurred with some citizenships and were minimal.

**Misuse of asylum procedures** is closely associated with illegal migration. This concerns particularly those cases where third-country nationals, who apply for protection in the form of asylum in a certain state, are not interested in remaining in that country but wish to continue to travel to another country without authorisation to do so. As a rule, the state, in which such a person applies for asylum, is the first state of the Schengen Area. Or it is the state inside the Schengen Area, in which such a person is detained for the first time during his or her illegal stay.

## STATISTICS

In the period from 1 January to 31 December 2021, there were **a total of 11,170 persons** detected when illegally migrating into the territory of the CR. In comparison with the year 2020, **there was a significant increase** of 4,077 persons (i.e. +57.5 %). Among them, **10,835 persons (i.e. 97 %) were detected as illegally staying and 335 persons were detected when they were perpetrating illegal migration** across the external Schengen border of the CR.

In total, **there were 779 persons** (i.e. 7 % of the total number of persons detected during illegal migration) **repeatedly detected as perpetrators of illegal migration**. On a year-on-year basis, this represents an increase by 484 persons.

**Table 7:**  
**Illegal migration in the CR in 2021 – TOP 10 by category**

Illegal migration in the Czech Republic					
Illegal stay	Persons detected	i.e. %	Illegal migration across the external Schengen border	Persons detected	i.e. %
<b>Total</b>	<b>10 835</b>	<b>100,0</b>	<b>Total</b>	<b>335</b>	<b>100,0</b>
<b>of which TOP 10:</b>			<b>of which TOP 10:</b>		
Ukraine	5 844	53,9	Ukraine	132	39,4
Moldova	1 548	14,3	Russian Federation	48	14,3
Afghanistan	529	4,9	Great Britain	33	9,9
Syria	428	4,0	Israel	21	6,3
Vietnam	309	2,9	Turkey	15	4,5
Georgia	271	2,5	Georgia	14	4,2
Russian Federation	180	1,7	Moldova	10	3,0
Uzbekistan	172	1,6	India	7	2,1
Morocco	142	1,3	United States of America	7	2,1
Turkey	113	1,0	Syria	6	1,8

Source: DFPS

As regards **citizenships**, citizens of **Ukraine** have been traditionally the largest group of persons detected as perpetrators of illegal migration since 2008. There was a change in 2015 due to the large migration wave and the top position went to citizens of **Syria**. After the migration wave subsided, citizens of Ukraine returned to the top position in 2016. A total of 5,976 citizens of Ukraine (i.e. 53.5 %) were detected in 2021. The following positions based on the statistics were occupied by citizens of **Moldova** (1,558 persons, i.e. 13.9 %), **Afghanistan** (529 persons, i.e. 4.7 %), **Syria** (434, i.e. 3.9 %) and **Vietnam** (310 persons, i.e. 2.8 %). In comparison with the year 2020, the top two citizenships are the same (Ukraine and Moldova). Citizens of Afghanistan moved up from the 6<sup>th</sup> position to the 3<sup>rd</sup> position and citizens of Syria moved up from the 9<sup>th</sup> position to the 4<sup>th</sup> position. Citizens of Vietnam dropped one place. These 5 citizenships accounted for 79 % of the total number of persons detected as perpetrators of illegal migration.

With respect to structure by gender, the share of illegally staying men (85.6 %) was higher in comparison with women.

After the accession of the CR to the Schengen Area (December 2007), the issues of facilitation of illegal migration across the state border (people smuggling) shifted more to facilitation of illegal stay in the territory of the CR (through sham marriages; misuse of the mechanism for concurring declaration of parents on determination of paternity; procurement of forgeries of various certificates necessary for the stay, etc.). In 2015, in connection with illegal transit migration, the trend changed and the predominant activity was facilitation of illegal migration across the state border, that is, help with the crossing of the border into the CR and with the subsequent movement across our territory to Western European and Scandinavian countries. After the illegal migration wave in 2016 subsided, the main trend in facilitation of migration returned to facilitation of an illegal stay in the territory of the CR. In 2021, the number of persons detected during illegal transit migration rather significantly increased (high degree of assistance from other persons) and facilitators were detained more frequently again.

According to information from the NCOZ, an emergence of new organised groups facilitating illegal migration was observed, including in the Czech Republic. Their members are partly citizens of the Czech Republic who are most often in the age category from 20 to 40 years and come from vulnerable social groups of population. In the hierarchy of the organised groups, they mostly hold the position of the person procuring the vehicles for transport of illegal migrants or the position of the driver for individual transfers. Other members of these organised criminal groups are citizens of Ukraine, Syria and Vietnam with a long-term or permanent residence permit for residence in the territory of the Czech Republic. All these organised groups consist of members operating in several countries.

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.<sup>45</sup> As concerns illegal entry into the Czech Republic,

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<sup>45</sup> These persons get employment with various companies where they pose as EU citizens and present forgeries of mainly Romanian documents, whereby they avoid the lengthy process of obtaining a work permit or the verification of the legality of their stay. They present these forgeries to employers and inspection authorities only when performing their jobs; when they are not at work, they prove their identity with valid passports, often with permitted residence in Poland.

the highest number of cases involved citizens of Syria entering the country who were detected after they flew in from Greece via Schengen flights (they misused mainly Czech, Greek and Bulgarian documents). Besides travel documents, forged/altered residence permits, driving licenses, certificates of accommodation, medical reports on Covid-19 tests, decisions on temporary incapacity to work, medical insurance documents, criminal record certificates, documents on completion of retraining courses, etc. were detected.

In 2021, international foreign-language criminal gangs partially operating in the CR and partially operating abroad continued their activities. These gangs participated in the procurement of forged or altered personal documents used to legalise the stay of migrants (and their subsequent illegal employment) who are already found in the territories of European countries, including the CR; or illegal migrants are trying to get into the Schengen Area countries with the help of such gangs. This activity is the domain of particularly the Ukrainian community.

**Sham marriages** continued to be used to legalise residence in the territory of the Czech Republic. This often involved 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 (Tunisia, Egypt, etc.) with foreign nationals for the pretended purpose of family reunification against financial payment promised to them by the organiser. Based on the marriage, the foreign national applies at an embassy for a permit for temporary residence in the territory of the CR.<sup>46</sup> 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 with him (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). Cases are investigated to expose sham marriages through the police's own search activities as well as based on the findings of other persons and other governmental authorities. The Foreign Police Departments of Regional Directorates of the Police also conduct interviews upon requests from embassies of the Czech Republic in order to verify information for granting residence permits to foreign nationals applying for residence, particularly for the purpose of family reunification, for example, after entering into marriage.<sup>47</sup> In 2021, there were 158 interviews conducted, half of which concerned citizens of Tunisia (80 persons, i.e. 50.6 %), followed

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<sup>46</sup> Within the meaning of Section 26 of Act No. 326/1999 Coll., on the Residence of Foreign Nationals in the Territory of the Czech Republic.

<sup>47</sup> Request for explanation as defined in Section 167(1)(c) of Act No. 326/1999 Coll.

by citizens of Egypt (25 persons), Algeria (12), Turkey (10), Vietnam (10), etc. The family purpose of residence overwhelmingly predominated in those cases where husbands were the residence applicants (155 persons).

The officials of the Documentation Units of the Foreign Police Departments of the RDPs also investigated those persons who facilitated residence through **false paternity** (using the official option of parents' concurring declaration). This involves registering an EU citizen/a foreign national as a parent in a child's birth certificate against payment or organising such operations. The identified forms of misuse of this official option include the method where the foreign national has himself or herself registered as the father or mother, hereinafter referred to as the parent, of a Czech child (whether the child has already been born or is yet to be born) and subsequently applies for residence for the purpose of reunification with a citizen of the Czech Republic. There is also a method where a Czech citizen has himself or herself registered as the parent of the child of a foreign national (whether the child has already been born or is yet to be born) and a method where a foreign national has himself or herself registered as the parent of the child of another foreign national who already has permanent residence status in the territory of the Czech Republic. The amendment (requiring an expert's opinion – a genetic test) made in 2014 to Act No. 186/2013 Coll., on the Citizenship of the Czech Republic, helped mitigate this issue.<sup>48</sup>

Another form of facilitation of an illegal stay in the country is the misuse of a temporary residence permit obtained with **a concurring declaration on the reunification of a male or female partners with a citizen of the CR**. Citizens of the CR make a statutory declaration in the offices of DAMP of the MoI that they live with third-country nationals in the aforementioned partnership and these third-country nationals then, as their family members, apply for a temporary residence permit. With this, such citizens of the CR facilitate the illegal stay of such third-country nationals not only in the territory of the CR but in the entire EU.

The Foreign Police Departments also carried out checks during **the language examinations** in the Czech language taken by foreign nationals. This involved checking those foreign nationals who are applying for a permanent residence permit or for citizenship of the CR; the checks were focused on verifying the authenticity and validity of the submitted foreign identity documents of the participants of the examination and on verifying that the identity document

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<sup>48</sup> Pursuant to Section 7(2) of Act No. 186/2013 Coll., on the Citizenship of the Czech Republic, a child (whose mother is not a citizen of the CR or an EU Member State and does not have a permanent residence status in the Czech Republic and is not a homeless person) will acquire the citizenship of the Czech Republic on the date, on which a concurring declaration is made on determination of the paternity of a citizen of the CR, provided that the parents present evidence of a genetic test in the form of an expert's opinion to the Vital Statistics Office.



is really being submitted and the examination is really being taken by the specific applicant because there was a risk of misuse of identity or another fraud with respect to passing the examination in the Czech language and obtaining the related Certificate.

The police officers from the Foreign Police Departments' Documentation Units also investigated findings relating to the activities of groups of persons **facilitating illegal employment**. These are mainly cases where such persons mediate jobs to foreign nationals who do not have valid employment permits, or where such persons, in order to make it easier for the foreign nationals to start a job, procure forged or otherwise altered identity documents for these foreign nationals with the intention that such documents will be used later as authentic documents.

## STATISTICS

In 2021, there were 52 persons detected who facilitated illegal migration. In comparison with last year, there was an increase by 15 persons (i.e. +40.5 %). As concerns the form of facilitation, there were 34 persons (i.e. 65.4 %) whose cases involved smuggling across the border, 8 persons whose cases involved arranging a sham marriage, 6 persons whose cases involved false paternity and 4 persons whose cases involved sham cohabitation with a male partner/a female partner. In terms of citizenships, the exposed perpetrators were most often citizens of the Czech Republic (18 persons), Romania (8), Serbia (4) and Ukraine (4).

**Table 8:**  
**Facilitation of an illegal stay or crossing of a border – comparison between the years 2020 and 2021**

Year	2020	i.e. %	2021	i.e. %	Change as compared with the previous period	
					in %	Absolute figure
<b>Total number of persons</b>	<b>37</b>	<b>100,0</b>	<b>52</b>	<b>100,0</b>	<b>40,5</b>	<b>15</b>
persons who facilitated illegal migration:						
sham marriage and organisation thereof	15	40,5	8	15,4	-46,7	-7
paternity fraud and organisation thereof	0	0,0	6	11,5	+100,0	6
facilitation of an illegal crossing of the state border	22	59,5	34	65,4	54,5	12
sham cohabitation (male partner/female partner) and organisation thereof**	0	0,0	4	7,7	+100,0	4

Source: DFPS

\*\* such as procurement of visas, forged documents, etc.



In 2021, a total of **6,155 administrative return decisions** were registered. From among them, a total of **5,050 enforceable decisions on administrative expulsion** were registered. There were also **1,105 decisions on imposition of the obligation to leave the country** issued in 2021, which meant there was a year-on-year increase by nearly a quarter (23.1 %).

The largest groups of foreign nationals who were issued an enforceable decision on administrative expulsion were citizens of Ukraine, Moldova and Syria.

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 2021, a total of **513 voluntary returns of third-country nationals** were carried out. This number included 361 assisted voluntary returns of foreign nationals carried out by the MoI CR, 133 voluntary returns of foreign nationals carried out by the IOM and 19 assisted voluntary returns of applicants for international protection carried out by the SUZ. The largest groups among these returnees in terms of citizenship consisted of citizens of Ukraine (172), Moldova (83), Mongolia (63) and Uzbekistan (42).

The return policy forms an integral part of the migration policy as a whole. It aims to reduce and deal with the consequences of illegal migration through close cooperation with third countries in accordance with the readmission policy. The readmission policy, the transfer/readmission of illegally staying persons, needs to be addressed in a broader context of international cooperation, which goes beyond the field of migration.

A return of a foreign national can be either voluntary or forced. A voluntary return provides for a safe and dignified return to the foreign national's country of origin or another state, which allows the foreign national to enter its territory. The returnee travels as an ordinary tourist, without the assistance of the police or other governmental authorities. The return is carried out by air or possibly by land, depending on the destination and the preferences of the returnees. Governmental institutions in the country of return are notified neither of the arrival of the returnees nor of the circumstances of their stay in the country, from which they are returning. A forced return concerns those foreign nationals who are staying illegally in the country or who were

sentenced to expulsion by a court and are obliged to leave the country. If they do not take advantage of the opportunity to apply for a voluntary return, a forced return must be carried out. In the Czech Republic, the option of a voluntary departure from the country is always preferred to a forced return, which is also reflected in the statistics.

## 9.1 Administrative Decision on Return

# 9.1

In 2021, a total of **6,155 administrative return decisions** were issued. An administrative return decision may have the form of a decision on an obligation to leave the country or a decision on administrative expulsion.

### DECISION ON AN OBLIGATION TO LEAVE THE COUNTRY

In 2021, a total of **1,105 decisions on imposition of an obligation to leave the Czech Republic** were issued.<sup>49</sup> According to a year-on-year comparison, there was an increase by nearly a quarter (+207 persons, i.e. +23.1 %). In the statistics, citizens of **Ukraine** once again significantly predominated (318 persons, i.e. 28.8 %), with nearly half of them having been reported by the Prague Regional Directorate of the Police. On a year-on-year basis, there was an increase with citizens of Ukraine by nearly a quarter (+60 persons, i.e. +23.3 %). They were followed by citizens of **Afghanistan** (167 persons, i.e. 15.1 %) for whom the highest year-on-year increase in numbers was reported (+145 persons, i.e. +659.1 %). Citizens of **Vietnam** ranked third (108 persons, i.e. 9.8 %, +11 persons). These three citizenships accounted for 54 % of the total.

In 2020, a decision was made in 40 cases (-46 cases) on an appeal against a decision on an obligation to leave the Czech Republic. In 16 cases, the appeal was dismissed; in 8 cases, the appeal was granted; in 13 cases the decision was overturned and returned; and in 3 cases the statement of the decision was changed. In 202 cases (+115 cases), a decision was made on an appeal against a decision on an obligation to leave the territories of European Union Member States; in 122 cases, the appeal was dismissed; in 29 cases, the appeal was granted; in 42 cases the decision was overturned and returned; and in 9 cases, the decision was changed.

<sup>49</sup> The legal concept of a decision on an obligation to leave the country was introduced in connection with the Return Directive in Section 50a of Act No. 326/1999 Coll., on the Residence of Foreign Nationals, in January 2011.

## 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 the precise conditions defined by the law.

In 2021, a total of **4,987 foreign nationals with an issued enforceable decision on administrative expulsion** were registered, which, in comparison with the previous year, represents a decrease of 1,398 persons (i.e. -21.9 %). In terms of citizenships, the largest group of foreign nationals with an issued enforceable decision on administrative expulsion who were registered in 2021 consisted of citizens of **Ukraine** (2,718 persons), same as in the previous years. They account for more than half (54.5 %) of the total number of such persons and, on a year-on-year basis, there was the largest year-on-year decrease among them, specifically by 1,515 persons (i.e. -35.8 %). After a large gap, they were once again followed by citizens of **Moldova** (984 persons, i.e. 19.7 %) in the second position with whom a slight decrease was seen (-66 persons, i.e. -6.3 %). The third position was claimed by citizens of **Syria** (245 persons, i.e. 4.9 %) who saw the highest year-on-year increase (+213 persons, i.e. 665.6 %) and who, as a result, became one of the TOP 5 citizenships after several years (last time, they were among the TOP 5 during the large wave of illegal migration). Citizens of **Georgia** (123 persons, i.e. 2.5 %) ranked fourth and there was no significant year-on-year change in this citizenship group (an increase by mere 2 persons). The fifth position was claimed by citizens of **Morocco** (104, i.e. 2.1 %) for whom the second highest year-on-year increase was reported (+70 persons, i.e. +205.9 %) and they ranked among the TOP 5 citizenships for the first time. In total, these 5 citizenships accounted for 84 % of the total number of persons with an issued enforceable decision on administrative expulsion; the remaining 16 % were spread among 57 other citizenships.

In 2021, **there were 5,050 enforceable decisions on administrative expulsion registered.**<sup>50</sup>

As concerns the reasons (a total of 6,562 reasons for issuing a decision on administrative expulsion were registered in 2021), once again the category of illegal stay accounted for the largest share (4,661 reasons, i.e. 71.0 %), followed by the category of violation of the Employment Act (1,094 persons, i.e. 16.7 %). Other reasons were failure to obey a decision on expulsion (304 reasons, i.e. 4.6 %), attempt to prove one's identity with an irregular document (210, i.e. 3.2 %) and miscellaneous reasons (293 reasons, i.e. 4.5 %).

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<sup>50</sup> Multiple decisions can be issued to a single person over a given period of time.

## 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. The Ministry may also bear the costs associated with the voluntary return of a foreign national who is detained for the purposes of administrative expulsion or who was given a time limit for leaving the country in a decision on administrative expulsion to leave the country and who is staying in the country without a valid residence permit. DAMP is responsible for examining an application filed by a foreign national and for possibly approving and implementing his or her application. Voluntary repatriation is also governed by the Asylum Act, which provides that under its provision in Section 54a, the Ministry of the Interior may bear the costs associated with a voluntary return, if this is in the public interest.

In the context of the issues of voluntary returns and returns in general, the EU's legislation is also important with respect to the legislation governing these issues. This specifically includes Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning irregularly staying third-country nationals.

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

From 1 April 2019 to 31 May 2022, the International Organisation for Migration (IOM) implements a project titled "Assisted Voluntary Returns and Integration", which is funded under the national programme of the Asylum, Migration and Integration Fund (AMIF) and from the budget of the Ministry of the Interior of the Czech Republic. The main goal of this project is to contribute to effective migration management through comprehensive support of the concept of assisted voluntary returns and reintegration and to support sustainable reintegration of returnees in their countries of origin.

Under all these programmes of voluntary returns, the Ministry of the Interior, SUZ and the IOM carry out not only the actual voluntary return but they also provide all the related consultancy and assistance, which are necessary for effective, 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 in facilities for detention of foreign nationals as well as the provision of consultancy concerning returns, which is provided to foreign nationals with an obligation to leave the territory of the CR who have not been detained. In connection with the consultancy concerning returns, the foreign nationals concerned are 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 his or her country of origin.

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

During the year 2021, **a total of 513 voluntary returns of third-country nationals** were carried out. This included **361 assisted voluntary returns** of foreign nationals carried out by the Ministry of the Interior of the Czech Republic, 133 voluntary returns carried out by the IOM and 19 assisted voluntary returns of applicants for international protection carried out by SUZ. In terms of citizenship, the largest groups among these returnees consisted of citizens of Ukraine (172), Moldova (83), Mongolia (63) and Uzbekistan (42).

### **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 voluntary returns since January 2017. The DAMP 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 law, the current target group of the programme consists of foreign nationals who were issued a decision on administrative expulsion.

As part of the implementation of voluntary returns, the Ministry of the Interior not only carries out the actual voluntary return but also provides all the related consultancy and assistance, which are necessary for effective, fast and successful implementation of a return. With the support of the Asylum, Migration and Integration Fund (AMIF), the Ministry of the Interior is implementing a project titled *Building Return Capacities of the MoI CR* from 1 April 2020 to 31 December 2022. The goal of the project is to strengthen the capacity and improve the quality of the return mechanisms of the MoI CR so that maximum availability of this service is ensured throughout

the country in order to significantly increase the number of implemented returns and improve the efficiency of the entire return process. In 2020, a total of 4 field offices of the Voluntary Returns Unit of DAMP were set up in regions, specifically in facilities for detention of foreigners (ZZC Balková, ZZC Bělá-Jezová, ZZC Vyšní Lhoty) and as part of the DAMP Brno office. The actions ensured by the Voluntary Returns Unit include mainly the provision of information on voluntary return to foreign nationals placed in facilities for detention of foreigners. Return-related consultancy is also provided to those foreign nationals with an issued decision on administrative expulsion, with terminated residence, with an expulsion sentence or with a decision on an obligation to leave the country who have not been detained. In connection with return-related consultancy, the foreign nationals concerned are also provided with assistance in communication with the embassies of their countries of origin, most often in connection with procurement of an emergency travel document. If a foreign national decides to take advantage of the option of a voluntary return, the Ministry ensures implementation of the return, while taking into account the needs and preferences of individual foreign nationals, for example, as concerns their requirements for the final destination.

**In 2021, the Ministry of the Interior carried out a total of 361 voluntary returns.** This number included 313 persons placed in facilities for detention of foreign nationals. The Ministry of the Interior most often carried out voluntary returns for citizens of **Ukraine (161 persons), Moldova (81 persons), followed, after a large gap, by Albania (21 persons)**. In total, voluntary returns of foreign nationals with 24 different citizenships were successfully carried out.

**In 2021, the implementation of returns continued to be affected by the impacts of the Covid-19 pandemic.** When preparing returns, the Voluntary Returns Department faced mainly problems with the conditions and measures of respective countries for entry into their territories or problems with the availability of flights. In the first quarter of the year 2021, the numbers of returned foreign nationals hovered steadily between 24 and 39 foreign nationals per month in spite of nearly the entire economy having been shut down. Subsequently, in spring and summer months, there was a slight decrease in monthly departures, and in the last quarter, there were once again increases and the monthly numbers of foreign nationals were between 29 and 57, with the highest number of foreign nationals amounting to 57 having been returned in December.

Most returning foreign nationals took a PCR test in connection with the Covid-19 pandemic before their flight departures; this test was often a prerequisite to enter the territories of respective countries. For example, the preparation of returns to China as well as other countries such as the Philippines, Mongolia or Tunisia, was particularly difficult. In 2021, the total number of implemented returns of foreign nationals outside the facility for detention of foreigners increased from 30 to 48.



## **b) Voluntary returns carried out by SUZ of the MoI CR**

Every foreign national meeting the conditions defined in the provision of Section 54a of the Asylum Act is eligible to apply for repatriation – meaning 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 acquired automatically. Each application is examined on a case-by-case basis. 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 financial standing of the applicant, the degree of cooperation on the part of the foreign national; and the foreign national's state of health and mental state, their family and social situation and other factors are also taken into account in the implementation.

When carrying out a voluntary return, 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, SUZ may provide other necessary assistance that will lead to a successful return of a foreign national; this includes, for example, assisting with procurement of a travel document if such a document is absent, paying the costs associated with this, paying the costs of the required Covid-19 tests, 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, 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, SUZ does not come into direct contact with the foreign authorities in the countries of origin. SUZ cooperates with the aforementioned organisations under a contract particularly in the following cases:

- ▶ if it is necessary to procure emergency travel documents or to renew the period of validity of the existing travel documents;
- ▶ if a child is born to an applicant for international protection in the territory of the Czech Republic and, as a result, is not stated in the parent's travel document, and the Police of the CR cannot issue a laissez-passer or such a laissez-passer is not sufficient for the return;
- ▶ if assistance is necessary during a layover (for example, due to a disability);

- ▶ if a layover and a transfer in the countries of the Schengen Area is inevitable;
- ▶ if the returnee is an unaccompanied minor applicant for international protection.

In 2021, SUZ processed a total of **28 applications** for voluntary returns; from among them, a total of **20 persons** were returned to the requested countries, including 1 person returned with the assistance and financial contribution from DAMP of the MoI CR. The most frequent destination countries of return were **Armenia** (5 persons), **Lebanon** (3 persons) and **Kazakhstan, the Russian Federation** and **Ukraine** (2 persons for each country).

### **c) Voluntary returns of third-country nationals with an issued decision on return, carried out through the IOM**

The IOM has also been engaged in voluntary returns for a long time. This organisation ensures not only the actual implementation of a voluntary return but also all the related consultancy and assistance, which are necessary for successful implementation of a return. In the implementation of its own 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 (ZZC) 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 133** voluntary returns, with Mongolia (47 persons), Uzbekistan (22 persons) and Kazakhstan (13 persons) being the most frequent destinations.

**Table 9:****The numbers of persons by their citizenships, who were returned voluntarily under assisted voluntary return programmes in 2021**

Citizenship	Total number of citizens returned under assisted voluntary return programmes		
	Carried out by the MoI CR	Carried out by the IOM	Carried out by SUZ of the MoI CR
Albania	21		
Algeria	1		
Armenia		3	
Azerbaijan		5	5
Bangladesh	1		
Belarus		2	
Stateless			1
Burkina Faso		1	
China	3		
Philippines	7	2	
Georgia	18	7	1
Chile	1		
India		1	
Jordan			2
Kazakhstan	3	13	3
Colombia	1		
Kosovo	2	1	
Cuba		1	
Kyrgyzstan	1	9	
Libya			1
Moldova	81	2	
Mongolia	16	47	
Namibia	1		
Nepal		2	
Nigeria			1

Citizenship	Total number of citizens returned under assisted voluntary return programmes		
	Carried out by the MoI CR	Carried out by the IOM	Carried out by SUZ of the MoI CR
Norway			1
Romania	2		
Russian Federation	1	4	1
North Macedonia	2		
Serbia	5		
Thailand		1	
Tunisia	4		
Turkey	7	1	
Ukraine	161	9	2
Uzbekistan	20	22	
Great Britain	1		
Vietnam	1	1	
<b>Total</b>	<b>361</b>	<b>133</b>	<b>19</b>

Source: MoI

## FORCED RETURNS

Based on a final and enforceable decision on administrative expulsion, the execution of such a decision was carried out for 389 foreign nationals in 2021, which represents a year-on-year decrease by nearly a half (-340 persons, i.e. -46.6 %). The difference between the number of persons who were issued a decision on administrative expulsion (4,987) and the number of persons whose expulsion was carried out (389) results from the fact that only a part of the foreign nationals with an issued decision on administrative expulsion is detained in a facility for detention of foreigners (if there are legal reasons for their detention in a ZZC) with subsequent implementation of administrative expulsion. It is assumed that the other foreign nationals would leave the territory of the CR on their own.

During the year 2021, **rulings were made on appeals against a decision on administrative expulsion in 992 cases**, which is 175 fewer appeals more than in the year 2020 (i.e. -14.9 %). This number includes 505 cases, in which an appeal was dismissed; 134 cases, in which the decision was overturned and the proceedings were discontinued; 223 cases, in which the decision was overturned and returned for a new hearing; and 130 cases, in which the decision statement was changed.

As concerns **hardship relief for a decision on administrative expulsion**, as defined in the provision of Section 122 of Act No. 326/1999 Coll., there were 177 such cases examined (+49, i.e. +38.3 %). In 53 cases, the decision on administrative expulsion was overturned; in 65 cases, the application for revocation of a decision on administrative expulsion was dismissed, and in 59 cases the proceedings were discontinued under the provision of Section 66 of Act No. 500/2004 Coll., the Rules of Administrative Procedure.

In 2021, a total of 325 **legal actions were filed against decisions of the appellate administrative authority**, which represents a year-on-year increase of 43 legal actions (i.e. +15.2 %). In 255 cases, the court dismissed the plaintiff's claim; in 17 cases, the plaintiff's claim was rejected; in 51 cases, the court overturned the decision of the appellate administrative authority and returned the case to the administrative authority for a new hearing; and in 4 cases, the proceedings on the legal action against the decision of the appellate administrative authority were discontinued.

### 9.3 Readmission Agreements

## 9.3

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 interested in negotiating bilateral agreements and arrangements with those countries, which are important to the Czech Republic but have not been selected by the European Union as possible candidates for negotiations at the Union level. The Czech Republic also participates in the work of the European Commission in the negotiations of EU readmission agreements with selected third countries and is actively involved in the Union's return policy by having its representatives attend the relevant meetings of the Council and the Commission and the meetings with specific third countries.

In 2021, the Czech Republic did not start any negotiations about readmission agreements with any new countries. The main reason was that most third countries the CR would be interested in establishing an agreement-based cooperation with have already been contacted and the relevant readmission agreements have already been entered into or are in various stages of preparation. Therefore, the CR tries to finalise the agreements in preparation and to agree on the implementing protocols for the EU readmission agreements, where this is desirable.

At present, the CR has a total of 17 bilateral readmission agreements in place: Austria, Poland, Germany, Slovakia, Romania, Hungary, Canada, Croatia, Bulgaria, Slovenia, Moldova, Vietnam, Switzerland, Armenia, Kazakhstan, Kosovo, and the readmission agreement with Mongolia entered into force on 1 March 2021. A bilateral readmission agreement between

the government of the CR and the government of the Republic of Uzbekistan on the readmission and transit of persons and the protocol for its implementation are also ready to be signed. It will be possible to sign these documents depending on cooperation from the other party to the agreement.

As concerns negotiations of EU readmission agreements, the Commission did not receive a mandate for negotiating a readmission agreement with a new third country. During the year 2021, negotiations were held in the form of videoconferences about readmission agreements/return arrangements with Albania, Armenia, Bangladesh, Bosnia and Herzegovina, Montenegro, Georgia, Moldova, Serbia, Sri Lanka, Pakistan, Ukraine, Afghanistan, Algeria, Iraq, Ivory Coast and Nigeria. As concerns Nigeria, there has been a change of Nigeria's position on the draft readmission agreement and Nigeria withdrew some of the already approved stipulations and, conversely, presented unacceptable demands. A workshop regarding migration with China took place. At the EU level, a document titled *Joint Declaration on Migration Cooperation* was signed with Afghanistan and replaced the document titled *Joint Way Forward*.

During the year 2021, readmission meetings of experts were also held (REM – Readmission Experts' Meeting). At these meetings, the issues of cooperation with particularly African countries (Algeria, Morocco, Tunisia, Egypt, The Gambia, Ivory Coast, Nigeria, Mali, Senegal, Somalia, Ghana, Cameroon, Democratic Republic of Congo, Guinea, Ethiopia) were discussed during the year. At the REM meetings, countries also provided information on cooperation with those countries, with whom the joint readmission committees were planned to negotiate (Armenia, Bangladesh, Ukraine, Georgia, Sri Lanka, Pakistan, Bosnia and Herzegovina, Montenegro, Ivory Coast, Afghanistan).

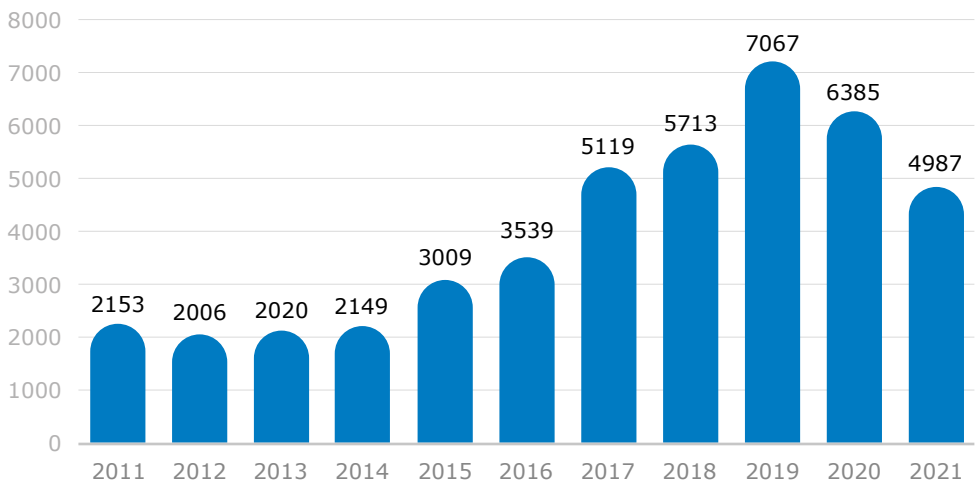
In addition to the aforementioned agreements, **the readmission agreements negotiated by the EU** or the EC are also binding on the Czech Republic. **At present, the EU has a total of 18 readmission agreements in place:** Hong Kong, Macau, Sri Lanka, Albania, the Russian Federation, Ukraine, Moldova, Serbia, Montenegro, North Macedonia, Bosnia and Herzegovina, Pakistan, Georgia, Turkey, Cape Verde, Armenia, Azerbaijan and Belarus. For some of these agreements, the Czech Republic negotiated the bilateral implementing protocols, which govern the technical details of a readmission procedure. The implementing protocol with Azerbaijan is in preparation

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 Czech Republic is imposed by courts on those perpetrators who are not citizens of the Czech Republic as a standalone sentence or alongside another sentence pursuant to Act No. 40/2009 Coll., the Criminal Code, as amended, if the security of people or property or another public interest requires so. An expulsion sentence can be imposed as a standalone sentence, if imposition of another sentence is not necessary in view of the nature and gravity of the perpetrated crime and in view of 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, particularly the Penitentiary Service of the CR, courts and the Ministry of Foreign Affairs (MoFA).

**Chart 7:**  
**The number of persons who were sentenced to expulsion in the period 2011–2021**



Source: PCR

In 2021, there were a total of **1,288 persons registered, on whom courts imposed expulsion sentences in criminal proceedings**, which represented a year-on-year increase of 54 persons (i.e. +4.4 %). This category was once again dominated by citizens of **Ukraine** (496 persons, i.e. 38.5 %), followed by citizens of **Moldova** (152 persons, i.e. 11.8 %) and **Slovakia** (115 persons, i.e. 8.9 %). These 3 citizenships accounted for 60 % of the total number of persons on whom expulsion sentences were imposed. The largest year-on-year increases were seen with citizens of Ukraine (+146 persons; i.e. +41.7 %) and Moldova (+36 persons, i.e. +31.0 %). Conversely, the largest decrease was seen among citizens of Romania (84 persons, -52 persons, i.e. -38.2 %). Among the citizens of Ukraine, the predominating grounds for expulsion were obstruction of execution of an official decision/expulsion and endangerment under the influence of an addictive substance; among the citizens of Moldova, the predominating grounds for expulsion was obstruction of execution of an official decision/expulsion and forgery and alteration of a public document, and among the citizens of Slovakia, it was theft and obstruction of execution of an official decision/expulsion.

The most frequent **grounds** for an expulsion sentence (this concerned a total of 1,709 criminal acts) were obstruction of execution of an official decision and expulsion (364 criminal acts, i.e. 21.3 %); endangerment under the influence of an addictive substance (220 criminal acts, i.e. 12.9 %); theft (198 criminal acts, i.e. 11.6 %); forgery and alteration of a public document (182 criminal acts, i.e. 10.6 %); and unlicensed production and other management of intoxicating and psychotropic substances and poisons (91 criminal acts, i.e. 5.3 %).

**Court-imposed expulsion was carried out for 271 foreign nationals** during the reference period, which represents a year-on-year increase by 64 persons (i.e. +30.9 %). In terms of citizenships, the largest groups consisted of citizens of **Slovakia** (72 persons, i.e. 26.6 %), **Ukraine** (47 persons, i.e. 17.3 %) and **Romania** (35 persons, i.e. 12.9 %). According to a year-on-year comparison, the largest change was seen with citizens of Romania where there was an increase of 21 persons (i.e. +150.0 %).



## ANNEX 1: METHODOLOGY AND DEFINITIONS

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

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

For the most part, information and data from the working version of the Report on the Situation in Migration and the Integration of Foreign Nationals in the Territory of the Czech Republic in 2021<sup>51</sup> and from the reports and studies of the European Migration Network in the areas concerned were used. Particularly the national contribution to the synthesis report titled EMN Annual Report on Migration and Asylum 2021, which the Czech National Contact Point of the EMN prepared in early 2022, was used.

For the purposes of this report, the analysis of press articles concerned with asylum and migration in 2021 was also used.

The terminology was used in accordance with the national practice and legislation. The definitions of terms contained in the 6<sup>th</sup> edition of the EMN Asylum and Migration Glossary were also used.

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<sup>51</sup> This report is prepared by the Ministry of the Interior on an annual basis.

## **ANNEX 2: LIST OF SOURCES AND LITERATURE**

### **SOURCES**

Ministry of the Interior

Ministry of Labour and Social Affairs

Ministry of Education, Youth and Sports

Ministry of Foreign Affairs

Ministry of Finance

Ministry of Justice

Directorate of the Foreign Police Service

Police Presidium

Refugee Facilities Administration

National Central Unit for Combating Organised Crime

International Organisation for Migration

Facility for Children-Foreigners

### **LITERATURE**

MoI CR, the Report on the Situation in Migration and the Integration of Foreign Nationals in the Territory of the Czech Republic in 2021

EMN, 2021 EMN Annual Policy Report, Annex 1, national contribution from the Czech EMN Contact Point

EMN, Specification of Requirements for the 2021 EMN Annual Policy Report

EMN, Asylum and Migration Glossary, 6th edition

### **LEGISLATION**

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

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

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

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

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

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

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

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

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

Act No. 277/2019 Coll., amending certain Acts in connection with adoption of Act on the Collection of Laws and International Agreements

Act No. 165/2020 Coll., amending Act No. 141/1961 Coll., on Judicial Criminal Proceedings (Code of Criminal Procedure), as amended, and certain other Acts

Act No. 285/2020 Coll., amending Act No. 262/2006 Coll., the Labour Code, as amended, and certain other related Acts

Act No. 350/2020 Coll., on the Special Methods of Voting in the Elections to Regional Councils and the Senate in 2020

Ordinance No. 520/2020 Coll., on Implementation of Adaptation-Integration Courses

Act No. 274/2021 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

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 Union 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

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

Resolution of the Government of the Czech Republic No. 1352 of 21 December 2020 on the Procedure for Implementing the Updated Policy for the Integration of Foreign Nationals – In Mutual Respect in the Year 2021

## **INTERNET SOURCES**

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

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

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

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

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

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

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

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

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