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ORGANISATION OF MIGRATION AND ASYLUM SYSTEM IN THE CZECH REPUBLIC

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INTRODUCTION

This document provides an overview of how asylum and migration policies are organised in the **Czech Republic**, including the organisation of the institutional and regulatory context and framework for dealing with third-country nationals coming for the purpose of legal immigration or for international protection. It is based on the information provided by Czech Republic in January 2024.

- integration of beneficiaries of international protection, European and international cooperation,
- assistance to compatriots,
- emergency foreign aid,
- Schengen cooperation,
- free movement of persons within the EU,
- returns,
- irregular migration.



OVERVIEW OF ORGANISATION OF LEGISLATIVE AND INSTITUTIONAL FRAMEWORK

THE INSTITUTIONAL CONTEXT

The **Ministry of the Interior (Moi)** is the main body responsible for asylum and migration policy in the Czech Republic (CR) on legislative as well as a strategic level. **The Department of Asylum and Migration Policy (DAMP)** is responsible for carrying out these tasks within the Ministry of the Interior. It executes public administration in field of:

- international protection,
- entry and residence of foreign nationals,
- integration of foreign nationals,

DAMP is supported by the **Analytic Centre for Border Protection and Migration (ANACEN)**, which was established in order to bring together experts of the state administration from different policy areas that may have an impact on migration issues. Its activities are managed by the **Coordination Body for Managing the Protection of State Borders and Migration**. The analyses are used to provide proposals for measures and solutions to specific problem areas.

An operator of the reception and accommodation asylum centres and centres for support of integration of foreign nationals is the **Refugee Facilities Administration of the Ministry of the Interior**.

Other key actors are: the Directorate of the **Foreign Police Service**, the **Ministry of Foreign Affairs**, the **Ministry of Labour and Social Affairs**, other ministries, the **National Central Unit for Combating Organised**

Crime, international organisations such as IOM or UNHCR and NGOs.

THE LEGAL SYSTEM

On 29 July 2015, the Government of the Czech Republic adopted a comprehensive **Migration Policy Strategy of the Czech Republic** (in its Resolution No. 621), which defines seven elemental principles which the migration policy of the Czech Republic is based on in accordance with its international legal obligations. National security is defined as a leading element of the document.

Asylum and migration are 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;
- **Act No. 191/2016 Coll., on the Protection of the State Borders of the Czech Republic** and on amendments to certain related Acts;
- **Act No. 325/1999 Coll., on Asylum**, as amended;
- **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 the Citizenship of the Czech Republic** and on amendments to certain Acts.

In 2023, several important amendments were made to key migration laws in the Czech Republic. On 7 July 2023 amendment to the Asylum Act came to force. This amendment includes an improvement in the transposition of the so-called Qualification Directive (Cat.11), Directive 2011/95/EU.

The two amendments also concerned the Act on the Residence of Foreigners in the Czech Republic. The first amendment, which came into force on 1 July 2023, concerns the transposition of the new EU Blue Card Directive, but also regulates changes to the requirements for issuing employee cards and changes to the categories of persons who can apply for long-term residence for the purpose of family reunification.

The second amendment to the Act on Residence of Foreigners, which came into force on 20 September 2023, abolished the monopoly of commercial insurance of foreigners with long-term residence for the General Health Insurance Company of the Czech Republic.

The Czech migration and asylum system was also largely affected by the Russian military invasion of Ukraine in February 2022. As regards the refugees fleeing the war in Ukraine, the Czech Republic provides temporary protection according to the Council Implementing Decision and Temporary Protection Directive. There have been issued several special laws called “Lex Ukraine” regulating the field of temporary protection. The last of this series of bills the “Lex Ukraine VI”, which extends temporary protection for one year until the end of March 2025 entered into force on 1 January 2024. In addition, the amendment proposes some changes in the field of education or healthcare. Since the Czech Republic has one of the highest numbers of Ukrainian refugees per capita, all fields of migration and integration were affected.

In view of low unemployment rate and high demand for a workforce from abroad, implementation of economic migration programmes in the Czech Republic continued for workers from selected third countries and their employers. In 2023 several changes were adopted to the government's economic migration programmes aimed at implementing measures to further strengthen labour migration to the Czech Republic with a focus on skilled workers.

As regards the integration, the position of the Czech Republic on integration policy is defined in the **Policy for the Integration of Foreign Nationals in the Czech Republic – In Mutual Respect (updated and valid since 2016)**.

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)**.

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. 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. The Czech Republic prefers the option of a voluntary return to a forced return.

In the area of international cooperation there are two main humanitarian projects aimed at providing assistance to countries affected by the mass inflow of

refugees and to vulnerable persons: **Programme of the Ministry of the Interior for the Assistance to Refugees in Regions of Origin and Prevention of Large Migration Flows (also known as “Aid in Place” Programme) and the MEDEVAC Programme.**

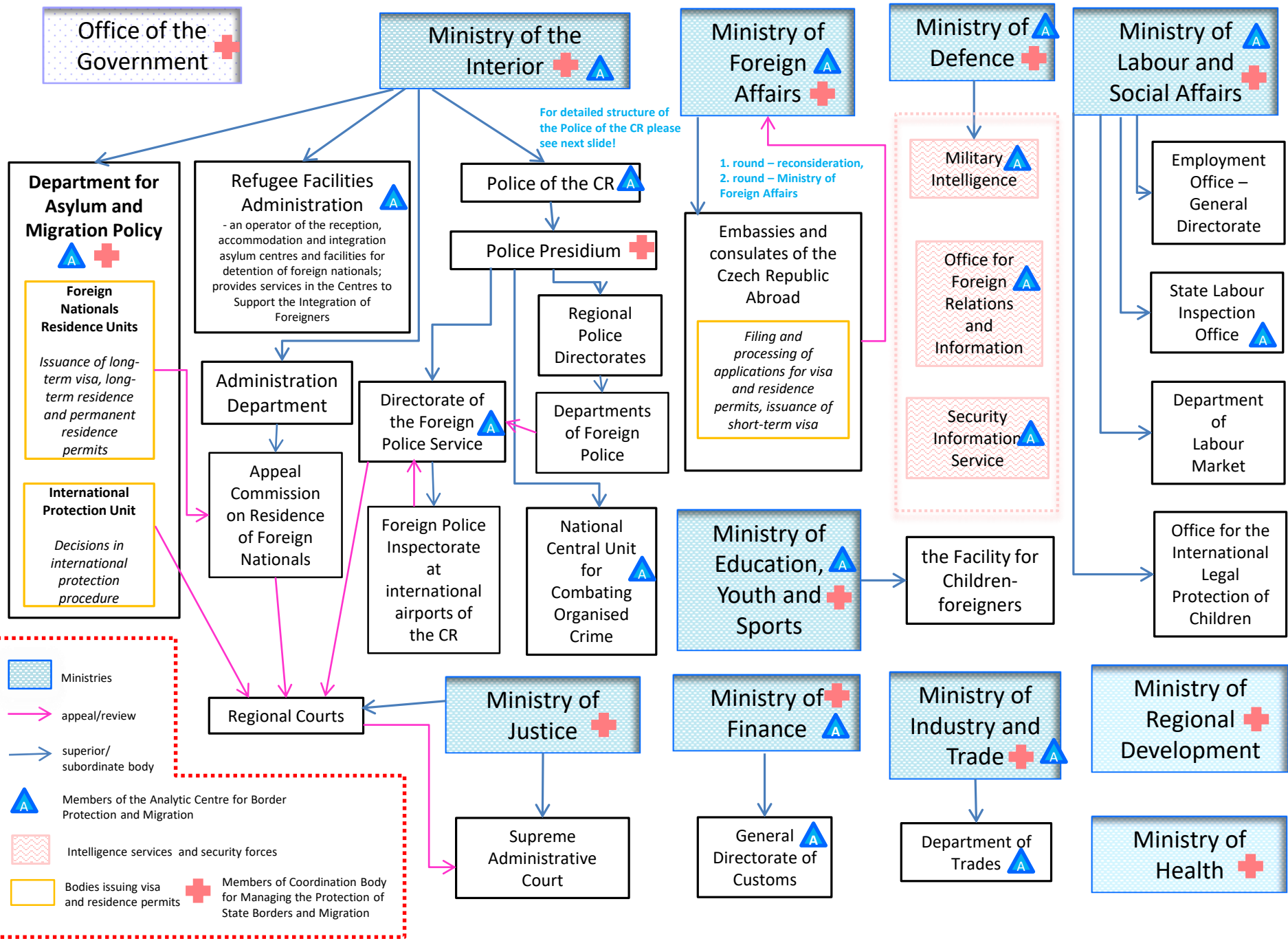
Within **Aid in Place Programme**, the assistance and support, which is complementary to the provision of humanitarian aid abroad within the competence of the Ministry of the Foreign Affairs is directed particularly to third countries with the purpose of providing refugees with direct support as well as providing support for building capacities for dealing with issues of refugees and migration in the host states.

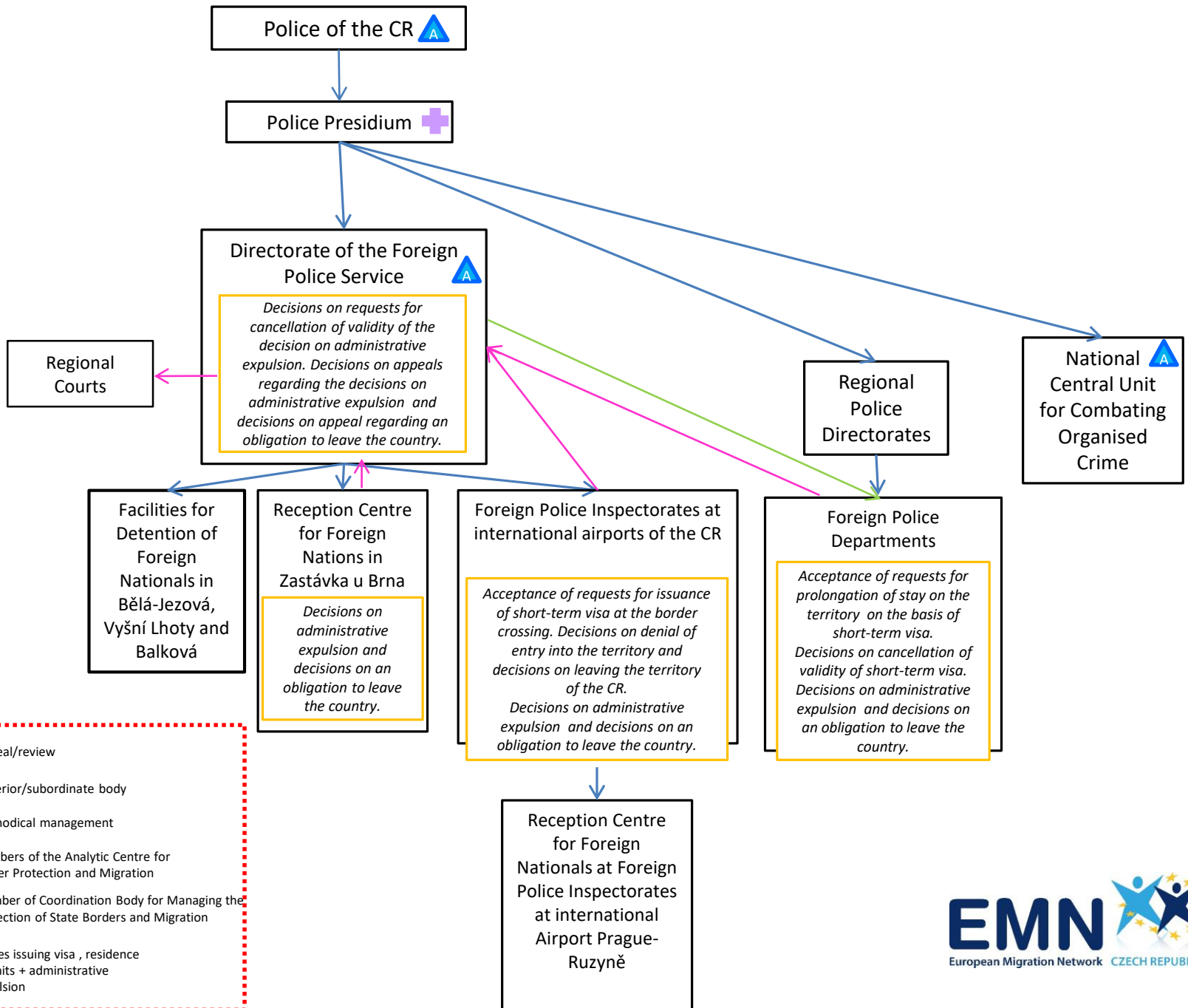
The MEDEVAC Programme is focused on providing professional medical care to vulnerable groups of inhabitants in regions affected by a refugee crisis or a natural catastrophe. The implementation of the **MEDEVAC Programme** takes place through the following activities, which involve sending medical teams abroad, carrying out medical humanitarian evacuations of persons to be treated in the CR, training medical staff and sending financial donations abroad to support and develop medical infrastructure in countries affected by war, humanitarian or natural catastrophes.









INSTITUTIONAL CHART

The most up to date Institutional Chart will be added in as an Annex.





 appeal/review
 superior/subordinate body
 methodical management
 Members of the Analytic Centre for Border Protection and Migration
 Member of Coordination Body for Managing the Protection of State Borders and Migration
 Bodies issuing visa, residence permits + administrative expulsion