

Czech Republic

Extended Migration Profile

2010

Building Migration Partnerships (BMP)

Czech Republic

Extended Migration Profile



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Table of Contents

ACRONYMS AND ABBREVIATIONS.....	4
BACKGROUND.....	5
GENERAL COUNTRY INFORMATION	6
A. INTRODUCTION. RECENT MIGRATION PATTERNS: A BRIEF SUMMARY.....	7
B. ANALYSIS OF SOCIO-ECONOMIC CONTEXT OF MIGRATION.....	9
B1. DEMOGRAPHIC CHANGES	9
B2. ECONOMY AND ECONOMIC CLIMATE.....	12
B3. LABOUR MARKET ANALYSIS.....	14
B4. HUMAN CAPITAL	16
C. ANALYSIS OF THE MIGRATION SITUATION IN THE COUNTRY	18
C1. IMMIGRANTS	20
C1.1 TOTAL NUMBER OF IMMIGRANTS	20
C1.2 TYPE OF IMMIGRANTS	23
C1.3 IRREGULAR IMMIGRANTS.....	30
C2. EMIGRANTS	36
C2.1 TOTAL NUMBER OF EMIGRANTS	36
C2.2 TYPE OF EMIGRANTS.....	37
C2.3 IRREGULAR EMIGRANTS	37
C3. DIASPORAS ABROAD	37
C4. REMITTANCES OF NATIONALS LIVING ABROAD	37
D. ANALYSIS OF THE FACTORS DRIVING MIGRATION IN THE COUNTRY.....	39
D1. MAIN CHARACTERISTICS OF CURRENT MIGRATION TRENDS.....	39
D2. IDENTIFYING THE KEY PUSH AND PULL FACTORS OF MIGRATION	42
D3. POSSIBLE FUTURE TRENDS IN MIGRATION	43
E. COUNTRY SPECIFIC MODULE, FOLLOWING THE ISSUE OF SPECIAL INTEREST.....	44
F. MIGRATION POLICIES AND PROGRAMMES AND THEIR EFFECTIVENESS IN MANAGING MIGRATION AND DEVELOPMENT CHALLENGES.....	45
F1. OVERVIEW OF THE NATIONAL INSTITUTIONAL AND POLICY FRAMEWORK GOVERNING MIGRATION.....	45
F1.1 AN OVERVIEW OF RECENT MIGRATION POLICY DEVELOPMENTS.....	45
F1.2 AN OVERVIEW OF KEY DOMESTIC LEGISLATION.....	46
F1.3 A BRIEF DESCRIPTION OF KEY INSTITUTIONAL ACTORS INVOLVED IN MIGRATION MANAGEMENT AND DIASPORA	49
F2. AN ANALYSIS OF POLICY COHERENCE ISSUES.....	54
F3. REGIONAL AND INTERNATIONAL CO-OPERATION	56
F4. OVERALL ASSESSMENT OF THE MIGRATION POLICY CONTEXT	58
G. EVALUATING THE IMPACT OF MIGRATION AND MIGRATION POLICY ON THE SOCIO-ECONOMIC DEVELOPMENT	59
G1. IMPACT OF MIGRATION ON THE SOCIO-ECONOMIC DEVELOPMENT OF THE COUNTRY OF ORIGIN	59
G2. THE SOCIO-ECONOMIC DEVELOPMENT EFFECTS OF MIGRATION POLICIES AND OTHER FORMS OF INTERVENTIONS TARGETING MIGRATION.....	59

H. CONCLUSIONS..... 60
H1. MAIN FINDINGS ON CURRENT MIGRATION TRENDS 60
H2. IMPROVEMENT OF MIGRATION STATISTICS 61
H3. RECOMMENDATIONS REGARDING MIGRATION MANAGEMENT 61
STATISTICAL ANNEX FOR ADDITIONAL TABLES AND FIGURES 62

Acronyms and Abbreviations

CIS	Commonwealth of Independent States
CR	Czech Republic
CZSO	Czech Statistical Office
DAMP	Department for Asylum and Migration Policy of the Ministry of the Interior
DFPS	Directorate of Foreigners Police Service
EU	European Union
FPS	Foreigners Police Service
IO	International Organisation
MLSA	Ministry of Labour and Social Affairs
MFA	Ministry of Foreign Affairs
Mol	Ministry of the Interior
NGO	Non-governmental Organisation
VoT	Victim of Trafficking or Smuggling

Background

This Extended Migration Profile has been prepared in the framework of the “Building Migration Partnerships” initiative funded by the European Union’s Thematic Programme and running between January 2009 and December 2010. The overall objective of this initiative is to contribute to the implementation of the Joint Declaration agreed at the Prague Ministerial Conference, "Building Migration Partnerships" (27-28 April 2009).

The “Building Migration Partnerships” initiative is jointly implemented by the Czech Republic (Ministry of the Interior), Hungary (Ministry of Interior), Poland (Ministry of Interior and Administration), Romania (Ministry of Administration and Interior), Slovakia (Ministry of Interior) and the International Centre for Migration Policy Development (ICMPD).

The beneficiaries of the initiative are the migration authorities of Armenia, Azerbaijan, Georgia, Kazakhstan, Kyrgyzstan, Moldova, the Russian Federation, Tajikistan, Turkmenistan, Ukraine and Uzbekistan as well as Belarus (observer); specifically, ministers and Heads of Departments of ministries and migration services of participating beneficiary countries holding main responsibilities in migration management as well as officials of these ministries at senior working level.

This Extended Migration Profile has been elaborated on the basis of a template prepared by the European Commission. It contains different statistical and analytical information, which aims to evaluate the overall migration situation in a given country. The objective is to facilitate co-operation between countries in the field of migration management: on the one hand by providing information on the migration situation in a given country, and on the other by providing a sound empirical and statistical basis for policy planning and development.

Part A of this Extended Migration Profile outlines how migration has evolved during the last years. Furthermore, it gives a brief summary of key migration trends and issues in the last decade. Part B of the Profile provides an overview of the socio-economic conditions of the country in order to understand possible push/pull factors regarding migration.

Part C analyses, on the one hand, migration patterns and recent trends and, on the other, provides an overview of existing data such as number and types of immigrants/emigrants, irregular immigrants/emigrants as well as diasporas abroad and remittances. Part C also identifies data gaps.

Based on the information and data presented in Parts A, B and C, Part D summarises the key migration trends, indicating main push and pull factors driving migration. Furthermore, the connections between different demographic and socio-economic factors and their implications for migration are explored and indications on future migration developments are elaborated upon.

Part E of the Profile describes special interests and priorities of the country. Migration policies and programmes and their effectiveness in managing migration and development challenges are described in Part F, while part G aims to provide an overview of the impact of migration on the socio-economic development and the effectiveness of related migration policies.

The main findings and analyses are presented in Part H of the Profile. This final part also indicates existing data gaps and suggests possible strategies to improve migration statistics. Furthermore, it proposes ways of making the migration Profile updateable, and presents key recommendations for policy makers to improve upon current migration management.

General country information¹



Capital:	Prague
Area:	total: 78,867 sq km (land: 77,247 sq km, water: 1,620 sq km)
Land boundaries:	total: 1,989 km (border countries: Austria 362 km, Germany 815 km, Poland 615 km, Slovakia 197 km)
Population:	10,201,707 (July 2010 est.)
Ethnic groups:	Czech 90.4%, Moravian 3.7%, Slovak 1.9%, other 4% (2001 census)
Languages:	Czech (official) 94.9%, Slovak 2%, other or unspecified 0.8% (2001 census)
President:	Vaclav KLAUS
Head of Government:	Petr NECAS
Government type:	Parliamentary democracy

¹ European Union's Map, copyright is owned by the European Commission but reproduction is authorised (http://europa.eu/abc/maps/members/czech_en.htm)

General country information: CIA World Fact Book (<https://www.cia.gov/library/publications/the-world-factbook/geos/cz.html>)

A. Introduction. Recent migration patterns: a brief summary

In the last decade the migration perspective of the Czech Republic has undergone significant development. The Czech Republic has become increasingly attractive for foreigners and its migration profile has changed from that of a transit country into one of destination. As a result of this, the increasing importance of migration has led to a more conceptual and coherent migration approach, bringing in much needed legislative and policy changes and development. Legislative, policy and institutional support for legal migration and integration, as well as for the systematic fight against all forms of illegal migration, have become the two main pillars of migration policy.

On the 1st January 2000 two central and significantly amended legal instruments, the Act on Asylum and the Act on the Residence of Foreigners, came into force. Compared to pre-existing laws, these acts become more restrictive and resulted in a substantial though temporary reduction of immigration. At the same time, however, the new Act on the Residence of Foreigners allowed, for the first time, all foreigners legally residing in the country for more than ten years to obtain a permanent residence permit.

The new Act on Asylum (in force since 2000) provided asylum seekers with more benefits, such as the right to work as soon as they had submitted their applications. This new rule led to a significant increase in the number of asylum applications in 2001, reaching the highest number (more than 18,000 applications) in the asylum history of the Czech Republic. Most of the applications were lodged by migrants working illegally in the Czech Republic attempting to legalise their status and thus to avoid falling foul of the law in order to be able to continue their work. An amendment to the Act on Asylum from 2002 banned all applicants from entering the labour market during the first year of the asylum procedure. This led to a substantial decrease in the number of asylum applications in 2002 compared to the previous year. Since then (except for 2003) the number of immigrants has been continually decreasing. Despite the fact that the countries of origin of asylum applicants, as well as the number of applicants from individual countries, have been changing over the decade, most of asylum applicants have originated from the countries of the CIS region.

In March 2000 a new Department for Immigration and State Border Protection was created at the Ministry of the Interior. In July of the same year this merged with the Department for Refugees and Integration of Foreigners of the ministry and the Department for Asylum and Migration Policy was created. The newly created department became the main body responsible for asylum and migration in the Czech Republic.

The Policy of Integration of Foreigners was developed in 1999. From then the policy was developed and its implementation managed by the Ministry of the Interior up until 2004. During the period from 2004 – 2008 this role was taken over by the Ministry of Labour and Social Affairs. Due to the significant security factors related to the issue of integration, the Ministry of the Interior resumed its position as the main co-ordinator of integration of foreigners in the Czech Republic, and has since maintained that responsibility.

After three years of preparatory work the pilot Project of Selection of Foreign Qualified Workers was launched for a five-year period in 2003. The project gave opportunity to foreign qualified workers to work legally in the Czech Republic under more favourable conditions. Selected participants can obtain the permanent residence permit after a shorter period than five years, as is the standard period for other foreigners. The project is based on a score system and is open to applicants from selected countries.

In 2003 the Czech Government adopted the **Principles of the Czech Government Foreigners Immigration Policy**², a fundamental document and a basis for building towards the modern and more fully addressed immigration strategy of the Czech Republic.

The principles, in general, expressed the determination of the Czech Republic to actively and responsibly deal with immigration whilst respecting commitments arising from relevant international conventions, as well as agreements made with and recommendations from international organisations. The above-mentioned principles provide a basis for tackling specific migration issues, and taking into account existing national priorities, the operational development of these principles includes the following aspects and considerations:

- Consistent development of migration management regarding obligations stemming from EU membership;
- Establishing a national immigration policy through a co-ordinated approach with all state administrative bodies and institutions, as well as co-operation with other entities dealing with immigration (such as non-governmental and other civic society organisations);
- A focus on the elimination of all forms of illegal migration and other related illegal activities by adopting measures based both on national priorities as well as on international co-operation;
- The support of legal immigration according to the priorities of the country on the basis of its long-term interests;
- The involvement of the Czech Republic in global and EU activities aimed at tackling the consequences of humanitarian crises as they relate to migration, and eliminating their causes.

The last decade saw two key events in the field of migration that had major consequences on national migration and asylum legislation and practice. The first was the accession of the Czech Republic to the EU in 2004 and the second was accession to the Schengen area at the end of 2007.

The first step towards realizing the aforesaid principles was the 2004 adoption of the **Action Plan on Combating Illegal Migration**³ developed by the Ministry of the Interior and based on Principle No. 3. Its main objective is to find and implement measures to reduce illegal migration in the Czech Republic and to promote foreign immigration into the Czech Republic by legal means. Measures adopted to combat illegal migration have been divided into five fundamental areas (prevention; control and sanctions; legislation; inter-ministerial co-operation and international co-operation).

A major turning point in the national asylum (international protection) and migration policy was the accession of the Czech Republic to the European Union on the 1st May 2004. As a result of this, the Dublin mechanism was introduced into the asylum system. The application of the Dublin regulation had an impact on the numbers of applicants for international protection.

At the end of the 2007 the country accessed the Schengen area. Land border controls were abolished and remained only at international airports, which became the only external borders in the Czech Republic.

The economic growth of recent years, which ceased with the onset of the economic crisis, weakened the labour force in certain industries and businesses. This lack of labour was addressed by major recruitment of foreign labour. In addition, new legislation, valid since January 2009, has reflected this economic need and introduced a Green Card system. The Green Card incorporates a work and residence permit in one document, and therefore simplifies the application process for migrants.

² Resolution No. 55/2003 of 13 January 2003, point II/I the Principles of the Czech Government Foreigners Immigration Policy

³ The Action Plan on Combating Illegal Migration was discussed and subsequently adopted by Czech Government Resolution No. 108 of 4 February 2004.

B. Analysis of socio-economic context of migration

B1. Demographic changes

- Population volume (by sex) in millions⁴

	2006	2007	2008
Total Population⁵	10 287 189	10 381 130	10 467 542
Male	5 026 184	5 082 934	5 136 377
Female	5 261 005	5 298 196	5 331 165

- Population by national and/or ethnic group⁶

National/ethnic group		Total population		M		F	
		total	%	total	%	total	%
Total population		10 230 060	100.0	4 982 071	100.0	5 247 989	100.0
National / ethnic group	Czech	9 249 777	90.4	4 475 817	89.8	4 773 960	91.0
	Moravian	380 474	3.7	203 624	4.1	176 850	3.4
	Silesian	10 878	0.1	6 578	0.1	4 300	0.1
	Slovak	193 190	1.9	94 744	1.9	98 446	1.9
	Polish	51 968	0.5	21 571	0.4	30 397	0.6
	German	39 106	0.4	18 391	0.4	20 715	0.4
	Romany	11 746	0.1	6 149	0.1	5 597	0.1
	Hungarian	14 672	0.1	7 711	0.2	6 961	0.1
	Ukrainian	22 112	0.2	9 943	0.2	12 169	0.2
	Russian	12 369	0.1	4 634	0.1	7 735	0.1
	Ruthenian	1 106	0.0	529	0.0	577	0.0
	Bulgarian	4 363	0.0	2 711	0.1	1 652	0.0
	Romanian	1 238	0.0	667	0.0	571	0.0
	Greek	3 219	0.0	1 671	0.0	1 548	0.0
	Vietnamese	17 462	0.2	10 775	0.2	6 687	0.1
	Albanian	690	0.0	500	0.0	190	0.0
	Croatian	1 585	0.0	886	0.0	699	0.0
	Serbian	1 801	0.0	1 138	0.0	663	0.0
Other	39 477	0.4	23 588	0.5	15 889	0.3	
Not established/ not indicated	172 827	1.7	90 444	1.7	82 383	1.6	

- Internally Displaced Persons

NOT APPLICABLE

⁴ http://www.czso.cz/cz/cr_1989_ts/0101.xls

⁵ Nationals and long-term migrants.

⁶ Source: Czech Statistical Office, Population census from 2001, Czech Statistical Office. Numbers of national/ethnic groups is based on affiliation declared by members of these groups.

- **Population age distribution (by sex)⁷**

Percentage of population	2006	2007	2008
Under 15 years (total)	14,4	14,2	14,1
15 - 64 years (total)	71,2	71,2	71,0
65 + (total)	14,4	14,6	14,9

- **Urbanisation rate (by sex and age)**

0,4 - Urban growth rate (2005 – 2010)⁸

- **Population growth rate:**

Fertility rate (number of births per 1000 middle-class citizens)⁹:

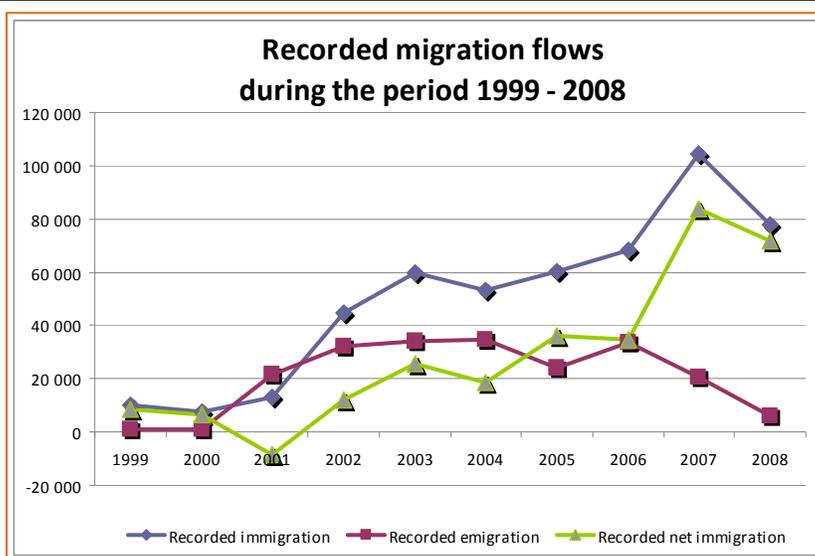
2006	2007	2008
10,3	11,1	11,5

Mortality rate (number of deaths per 1000 middle-class citizens)¹⁰:

2006	2007	2008
10,2	10,1	10,1

- **Net migration (annual flows, total and annual increase)¹¹**

	2006	2007	2008
Immigration	68 183	104 445	77 817
Emigration	33 463	20 500	6 027
Annual increase	34 720	83 945	71 790
Increase per 1000 middle-class citizens	3,4	8,1	6,9



⁷ http://www.czso.cz/cz/cr_1989_ts/0101.xls

⁸ <http://www.unfpa.org/swp/>

⁹ http://www.czso.cz/cz/cr_1989_ts/0101.xls

¹⁰ http://www.czso.cz/cz/cr_1989_ts/0101.xls

¹¹ http://www.czso.cz/cz/cr_1989_ts/0101.xls

- **Naturalisations as percentage of foreign population (by sex and age)**

	2006	2007	2008
Foreigners naturalised	1 355	1 027	1 087
Applications rejected	617	577	633
Foreigners naturalised by countries of origin (top 5)	Romania (131)	Ukraine (418)	Ukraine (388)
	Kazakhstan (129)	Russian Federation (98)	Kazakhstan (116)
	Russian Federation (106)	Poland (50)	Romania (82)
	Russian Federation (73)	Vietnam (40)	Russian Federation (73)
	Poland (53)	Belarus (29)	Poland (53)

B2. Economy and economic climate

- Main macroeconomic indicators:

Real GDP (level, growth rate)¹²:

	2006	2007	2008
Real GDP level (in billions of CZK)	2 809,3	2 981,6	3 055,0
Real GDP growth rate (in %)	6,8	6,1	2,5

GDP per capita (level in US Dollars, growth rate)¹³:

2006	2007	2008
13 882	18 865	20 736

Inflation rate¹⁴:

2006	2007	2008
2,5	2,8	6,3

Public debt (level in US Dollars, growth rate):

2006	2007	2008
2,5	2,8	6,3

- Investment climate:

Fiscal/taxation policy:

Representative Indicators of State Budget, 2009 (GFS methodology)¹⁵

Indicator	Absolute number millions of CZK	% of total revenue/expenditure
Total revenue	974 615	100,0
Tax revenue	832 972	85,5
- corporate income tax	83 338	8,6
- individual income tax	85 651	8,8
- VAT	176 717	18,1
- excise taxes	123 838	12,7
- social contribution	347 918	35,7
- property taxes	8 059	0,8
- customs	1 397	0,1
- administrative charge	2 468	0,3
- other taxes and contributions	3 586	0,4
Non-tax revenue	141 643	14,5
- interests	10 759	1,1
- repayments of loans	n.a.	
- capital revenues	2 095	0,2

¹² Source: Czech Statistical Office

¹³ Source: Czech Statistical Office

¹⁴ Annual inflation rate in percent; Source: Czech Statistical Office

¹⁵ Structure of revenues and expenditures of state in last couple of years has remained more or less stable.

- received transfers/grants	108 072	11,1
Expenditure	1 167 009	119,7
Current expenditure	1 032 780	106,0
- non-investment purchases	75 871	7,8
- wage expenditure	100 194	10,3
- transfer to enterprises	18 327	1,9
- transfer to public budgets - central	90 488	9,3
- transfer to public budgets - local	125 354	12,9
- transfer to allowance organisations	50 608	5,2
- pensions	339 788	34,9
- unemployment benefit	15 078	1,5
- other social benefits	33 340	3,4
- state social welfare	41 168	4,2
- payments to EU budgets	31 387	3,2
- state debt	53 064	5,4
Capital expenditure	134 230	13,8
- investment purchases	28 428	2,9
- transfer to enterprises	3 239	0,3
- transfer to public budgets	1 892	0,2
- transfer to allowance organisations	8 904	0,9
Deficit/Surplus	-192 394	-

Source: Czech National Bank

Foreign Direct investments (per capita in US Dollars)

2006	2007	2008
7,800.44	9,881.37	

- **Informal economy:**

According to the numbers of illegally employed foreigners detected by labour-inspection controls in 2008, the manufacturing and construction industries, as well as administrative and support services, are the main sectors for illegal employment.

- **Trade:**

	2007	2008	2009
Trade balance in millions of CZK (current prices)	86 094	67 246	153 191
Imports of goods – total in millions of CZK	2 380 002	2 406 489	1 971 913
Imports of goods – EU in CZK	1 677 748	1 611 350	1 330 911
Export of goods – total in millions of CZK	2 466 096	2 473 736	2 125 104
Export of goods – EU in millions of CZK	2 099 215	2 107 915	1 829 371

Source: Czech Statistical Office

	2005	2007	2008
Imports of goods and services (% of GDP)	69	75	72
Export of goods and services (% of GDP)	72	80	77

B3. Labour market analysis

- Labour force growth rate

	2006	2007	2008
Total employment of foreigners	250 797	309 027	361 709
Total labour force in the CR	5 495 811	5 544 625	5 621 070
Share of foreigners on total workforce in the CR (in%)	4,56	5,57	6,43

Source: Ministry of Labour and Social Affairs

- Employment rate

	2006	2007	2008
Total employment – native population (in thousands) ¹⁶	4 828	4 922	5 003

Source: ILO

	2006	2007	2008
Total employment of foreigners (in thousands) ¹⁷	250 797	309 027	361 709
Employed	185 075	240 242	284 551
Self-employed	65 722	68 785	77 158

Source: Czech Statistical Office

- Unemployment rate (by native/foreign-born, sex, age, level of education and region)

	2006	2007	2008
Total unemployment (in %) ¹⁸	7,1	5,3	4,4

- Level of income

Average Gross Monthly Income by Activity (in CZK, full time equivalent)¹⁹

Indicator	2006	2007	2008
Czech Republic, total	19 546	20 957	22 691
Activity			
A Agriculture, forestry and fishing	14 828	16 164	17 524
<i>B+C+D+E Industry, total</i>	18 953	20 293	21 915
B Mining and quarrying	24 055	25 722	29 284
C Manufacturing	18 472	19 833	21 350
D Electricity, gas, steam and air conditioning supply	28 949	31 178	35 239
E Water supply; sewerage, waste management and remediation activities	18 689	19 703	21 433
F Construction	17 873	19 022	21 107
G Wholesale and retail trade;	18 300	19 905	21 759

¹⁶ Data cover the whole population including foreigners.

¹⁷ Data cover foreigners only.

¹⁸ Data cover the whole population including foreigners.

¹⁹ The figures only refer to employees under an employment contract with a reporting unit. Excluded are persons performing public office, such as members of Parliament, senators, councillors at all levels, judges, etc. The average wages refer to those charged to be paid in the period given.

	repair of motor vehicles and motorcycles			
H	Transportation and storage	19 300	20 666	22 941
I	Accommodation and food service activities	11 516	12 186	13 036
J	Information and communication	35 682	38 129	41 817
K	Financial and insurance activities	40 077	42 410	45 663
L	Real estate activities	19 434	20 782	21 672
M	Professional, scientific and technical activities	24 712	27 047	30 875
N	Administrative and support service activities	14 496	15 314	16 662
O	Public administration and defence; compulsory social security	23 297	25 046	26 207
P	Education	20 040	21 253	22 080
Q	Human health and social work activities	19 043	20 164	21 317
R	Arts, entertainment and recreation	16 816	17 890	18 766
S	Other services activities	16 447	17 318	18 557

B4. Human Capital

- **Levels of education:**

	Year	Net enrolment ratio / Number of people with tertiary education ²⁰	
		Female	Male
Primary education	2001/2002	88	88
Secondary education	2001/2002	90	89
Tertiary education	2001/2002	35	32

- **Opportunity to access the educational system**

The official language of educational instructions is Czech. Only the Polish minority is so populous and concentrated to require its own schools. In 2009/10 there were 25 nursery schools, 21 basic schools (providing comprehensive compulsory schooling) and 3 upper secondary schools (1 general and 2 technical) teaching in Polish.

School attendance is compulsory for nine years, usually from the ages of 6 to 15. All pupils start in a comprehensive single structure institution, i.e. primary school (*základní škola*). During the second stage it is possible to proceed to grammar school (*gymnázium*) providing general education – or to an eight-year dance conservatory (*taneční konzervatoř*).

Compulsory education

Although target areas are defined, the choice of schools is free. Pupils can leave the single structure primary school after successfully completing the fifth year (for the eight-year grammar school) or the seventh year (for the six-year grammar school). The enrolment proceeding usually includes an entrance examination set by the school head. 11 % of pupils between the ages of 11 and 15 attend grammar school (2009/10). To study at a conservatoire requires the taking of an entrance examination. There are only 0.07 % of pupils between 11 and 15 fulfilling their compulsory school attendance at eight-year dance conservatoires (1).

Education (institution)	Typical age	ISCED level
<i>Primary school</i> (single structure) – primary education – lower secondary education	first stage: 6-11; second stage: 11-15	1+2 1 2
Lower stage of multi-year <i>grammar school</i> (general lower secondary education)	11/13-15	2
<i>Dance conservatory</i>	11-15	2

Post-compulsory education/upper secondary and post-secondary level

Prerequisites for acceptance in upper secondary education include the completing of compulsory education and successfully meeting the entrance requirements set by the school head of the primary school, who also decides on the admission of a pupil. The requirement may also include an entrance examination (possibly the aptitude test) organised by the school. The enrolment proceeding for education at a conservatoire is held in the form of an examination to prove particular abilities of an applicant. Pupils can apply for three schools of their choice. Those who were not enrolled may apply to other schools that have a free capacity. Prerequisites for acceptance in a post-secondary programme

²⁰ <http://unstats.un.org/unsd/demographic/products/indwm/indwm2.htm>

include completing a secondary programme (depending on the education pathway chosen) and successfully meeting entrance requirements.

Secondary education	Levels of education	Length (years)	ISCED level	Theoretical age
Secondary education completed with <i>school-leaving examination</i>	Upper secondary general education at <i>grammar school</i> secondary school	4	3A	15-19
Upper secondary technical education at secondary school	Art education at conservatory	4	3A	15-19
Secondary education leading to apprenticeship certificate	Upper secondary vocational education at secondary school	2/3	3C	15-17/18
Secondary education	Upper secondary general and vocational education at secondary school	1-2	2C/3C	15-16/17

Tertiary education

Tertiary professional schools provide students with advanced technical knowledge. Their curricula are prepared by the school and accredited by the MEYS. Higher education institutions are either of university (24 public, 2 state, and 3 private institutions in 2010) or non-university types (2 public, 42 private institutions). The study programmes are prepared by individual institutions/faculties and approved by the MEYS on the affirmative standpoint of the Accreditation Commission.

The school-leaving examination certificate is the minimum entrance qualification for all tertiary education. Each institution determines its own admission criteria and the content of the entrance examination, if also required.

Institution	ISCED level	Length (years)	Theoretical age
<i>Conservatory</i> – art education	5B	2 2	17-19 19-21
<i>Higher professional school</i> (tertiary professional school)	5B	3 (3.5)	19-22
<i>University/College</i> (higher education institution, university and non-university type) – Bachelor and Master's studies	5A	3-4/5/6/7	19- 22/23/24/25/26
<i>University/College</i> (university type) – Doctoral studies	6	3-4	-

C. Analysis of the migration situation in the country

Statistical data regarding foreigners are primarily collected and further analysed by a number of state institutions and bodies, mainly including Foreigners Police, Ministry of the Interior, Ministry of Foreign Affairs (visa), Ministry of Labour and Social Affairs (labour migration) and Ministry of Industry and Trade (labour migration).

The Foreigners Police maintains a Foreigners Information System (CIS) which is a database containing information related to the residence permits of foreigners in the Czech Republic, entered into the system by relevant authorities.

The Act No. 326/1999 Coll., on the Residence of Foreigners in the Territory of the Czech Republic (hereinafter referred to as "the Foreigners Act") lays down two types of residence titles in the Czech Republic:

- temporary residence
- permanent residence

For the purpose of this report the temporary residence means a stay on the basis of a short-stay visa for up to 90 days or a long-stay visa for a period exceeding 90 days.

Transposing relevant EU directives and other documents, the Foreigners Act recognizes two basic categories of foreigners in relation to conditions of entry and residence in the Czech Republic:

- 1) EU nationals and nationals of other states which are parties to the Treaty on the European Economic Area (hereinafter referred to as 'EU nationals')
- 2) nationals of other states generally referred to as 'third countries'

Whilst foreigners falling into the first category are entitled to free movement and residence in accordance with the Treaty establishing the European Community, third country nationals are obliged to apply for a permit to enter and to reside in the country, unless a bilateral agreement with their home country exists on the revocation of visa obligations. In all other cases third country nationals are obliged to obtain a short-term residence permit (for up to three months) in the Czech Republic. For long-term residence they must obtain a visa (for periods exceeding three months.) Those states whose citizens are obliged, when crossing the Czech national border, to be in possession of a visa, as well as those states for which visa obligations have been abolished, are specified within the single visa policy of the European Union.

Foreigners falling into the first category are permitted to enter into and to reside in the Czech Republic for an indefinite period on the basis of a travel document only, which may also be, in this case, their identity card, without being obliged to apply for any type of residence permit. However, the Act stipulates a residence provision even for this category of foreigners – a special residence certificate – which is further divided into a permit for temporary residence and a permit for permanent residence. EU nationals do not have any obligation to apply for any of the aforementioned types of residence, but it is their right to do so. If an EU national intends to stay in the Czech Republic for a period longer than three months he/she has the right, though not the obligation, to apply for a confirmation of temporary residence. Any family member of an EU national who is not him/herself an EU national, and who intends to reside in the Czech Republic on a temporary basis for a period exceeding three months together with an EU national, is obliged to apply to the police for a temporary residence permit.

Foreigners coming from third countries may enter the country for the purpose of short-term residence only on the basis of a valid passport together with a visa, unless the visa obligation in relation to the

country concerned has been revoked. The period of short-term residence is specified as being for a maximum of three months. If the purpose of residence (for example, employment, business undertaking or study) requires the presence of a foreign national in the country for a period longer than three months, then that foreign national must be in possession of a visa for over 90 days. If the purpose of residence exceeds a year, the foreign national may apply for a long-term residence permit.

In 2008, as a result of accession to the Schengen area, the Czech Republic changed its definitions of illegal migration. The change was accordingly reflected in the statistical methodology used to monitor illegal migration. It is not possible therefore to compare statistical data on illegal migration in 2008 and 2009 with that of previous years.

Since 2008 two basic categories of illegal migration in the Czech Republic have been recognized:

- Illegal crossing of the external Schengen border of the Czech Republic – this category monitors persons who illegally cross or attempt to illegally cross the external Schengen border (airport) of the Czech Republic, and includes both foreign and Czech nationals.
- Illegal residence – this category is divided into two subcategories differing in the reasons for illegal residence (this category records foreigners only).

Migration balance of the Czech Republic - total number

Migration to and from the Czech Republic - flows	2006	2007	2008	2009 ²¹
Immigration	68 183	104 445	77 817	39 973
Emigration	33 463	20 500	6 027	11 629
Annual increase	34 720	83 945	71 790	28 344
Increase per 1000 middle-class citizens	3,4	8,1	6,9	NA

SOURCE: CZSO

²¹ Preliminary statistical numbers.

C1. Immigrants

"Immigration" means the action by which a person establishes his or her usual residence in the territory of a Member State for a period that is, or is expected to be, of at least 12 months, having previously been usually resident in another Member State or a third country.

C1.1 Total number of immigrants

- **Total population of the Czech Republic by country of citizenship – TOP 5**

Total Population number refers to the "population usually residing in the territory" when "usual residence" means the place at which a person normally spends the daily period of rest, regardless of temporary absences for purposes of recreation, holiday, visits to friends and relatives, business, medical treatment or religious pilgrimage or, in default, the place of legal or registered residence, i.e. nationals and long-term migrants.

	2006 (as of 1 Jan 2007)	2007 (as of 1 Jan 2008)	2008 (as of 1 Jan 2009)	2009 (as of 1 Jan 2010)
Total Population – stocks	10 287 189	10 381 130	10 467 542	10 506 813
Nationals	9 999 953	10 033 481	10 061 911	10 074 310
Foreigners total	296 236	347 649	405 631	432 503* ²²
Other EU(27) Nationals	109 868	131 516	145 830	137 017
Non-EU (3rd country) nationals	186 368	216 133	259 801	294 878
<i>TOP 5 third country nationals:</i>				
Ukraine	86 739	103 405	123 106	131 932
Vietnam	38 454	42 313	52 918	61 115
Russian Federation	17 216	20 062	23 349	30 297
Republic of Moldova	4 658	6 235	8 417	10 042
Mongolia	2 502	3 458	6 874	5 745
Others (third country nationals except for TOP 5)	36 799	40 660	45 137	55 747

SOURCE: CZSO

- **Immigration flows to the Czech Republic by country of citizenship – TOP 6**

Immigration - flows	2006	2007	2008	2009
Ukraine	30 150	39 572	18 731	8 084
Vietnam	6 433	12 332	13 368	2 306
Slovakia	6 781	13 931	7 592	5 609
Russia	4 675	6 695	5 763	4 115
Mongolia	1 549	3 319	3 500	USA 2 464
Moldova	2 377	3 419	3 319	1 338
Other	16 218	25 177	25 544	16 057

SOURCE: CZSO

- **Number of permanent residence permits granted by country of citizenship – TOP 5**

Permanent residence permits TOP 5 countries - flows	2008	2009
Total	18 302	9 509

²² This number also includes 608 foreigners without citizenship which are excluded both from the number of EU citizens and from the number of third country nationals.

Ukraine	8 724	3 611
Vietnam	2 721	1 096
Slovakia	1 435	1 786
Russia	1 483	722
Mongolia	385	284

SOURCE: DFPS

- **Development of the total number of foreigners with permanent residence permits at the end of respective year**

Number of permanent resident permits - stocks	2005	2006	2007	2008	2009
Permanent residence permit	110 598	139 185	158 018	172 927	181 161
<i>annual change</i>	<i>11 131</i>	<i>28 587</i>	<i>18 833</i>	<i>14 909</i>	<i>8 234</i>

SOURCE: DFPS

- **Development of the total number of foreigners with permanent residence permits by country of citizenship at the end of respective year – TOP 10**

	2006	in %	2007	in %		2008	in %	2009	in %
Foreigners with a permanent residence permit - Total	139 185	100,0	158 018	100,0	Foreigners with a permanent residence permit - Total	172 927	100,0	181 161	100,0
Vietnam	30 538	22,0	32 766	20,7	Ukraine	40 674	23,5	43 727	24,1
Ukraine	25 408	18,2	32 619	20,6	Vietnam	34 795	20,1	35 779	19,7
Slovakia	22 472	16,1	24 444	15,5	Slovakia	25 408	14,7	26 734	14,8
Poland	11 320	8,1	11 288	7,1	Russia	12 138	7,0	12 977	7,2
Russia	8 896	6,4	10 897	7,0	Poland	11 137	6,4	10 966	6,1
Germany	4 220	3,0	4 423	2,8	Germany	4 728	2,6	4 416	2,4
Bulgaria	2 781	2,0	3 032	2,0	China	3 185	1,8	3 281	1,8
China	2 223	1,6	2 880	1,8	Bulgaria	3 066	1,8	3 076	1,7
Serbian and Montenegro	2 675	1,9	2 686	1,7	USA	2 642	1,5	2 680	1,5
USA	2 275	1,6	2 544	1,6	Belarus	2 178	1,3	2 502	1,4

SOURCE: DFPS

- **Foreigners living in the Czech Republic on the basis of a long-term residence permit at the end of respective year – TOP 10**

	2006	in %	2007	in %		2008	in %	2009	in %
Foreigners with a long-term residence permit - Total	182 271	100,0	234 069	100,0	Foreigners with a long-term residence permit - Total	265 374	100,0	252 144	100,0
Ukraine	77 186	42,3	93 907	40,1	Ukraine	91 291	34,4	88 250	35,0
Slovakia	35 912	20,0	43 436	18,6	Slovakia	50 626	19,1	46 712	18,5
Vietnam	10 241	5,6	18 189	7,8	Vietnam	25 463	9,6	25 347	10,1
Russia	9 666	5,3	12 404	5,3	Russia	15 038	5,7	17 416	6,9
Germany	5 889	3,2	11 278	4,8	Germany	13 068	5,0	9 376	3,7

	2006	in %	2007	in %		2008	in %	2009	in %
Poland	7 574	4,2	9 319	4,0	Poland	10 573	4,0	8 277	3,3
Moldova	4 971	2,7	6 308	2,7	Moldova	8 522	3,2	7 678	3,0
Mongolia	2 504	1,4	4 870	2,1	Mongolia	7 104	2,7	4 009	1,6
United Kingdom	1 783	1,0	2 577	1,1	Bulgaria	2 856	1,1	3 327	1,3
Austria	1 826	1,0	2 164	1,0	USA	2 630	1,0	3 261	1,3

SOURCE: DFPS

C1.2 Type of immigrants

- Refugees/asylum-seekers

Applications for international protection in the Czech Republic and refugee status recognition rate

Indicator	2006	2007	2008	2009
Applications for international protection - Total	3 016	1 878	1 656	1 258
Applications by country of origin – TOP 10	Ukraine (571) Egypt (422) Kazakhstan (236) Belarus (174) Russia (171) Vietnam (124) China (114) stateless (100) Nigeria (96) Mongolia (95)	Ukraine (293) Turkey (213) Mongolia (160) Belarus (130) Vietnam (100) Russia (99) Cuba (94) Nigeria (69) stateless (65) Kyrgyzstan (63)	Ukraine (321) Turkey (251) Mongolia (193) Vietnam (108) Belarus (79) Russia (79) Kazakhstan (73) Nigeria (39) Georgia (38) Afghanistan (36)	Ukraine (203) Kazakhstan (196) Mongolia (159) Turkey (66) stateless (65) Vietnam (63) Russia (57) Belarus (54) Syria (46) Nigeria (41)
Recognised refugees total	268	191	157	75
% of recognised refugees from the total number of applications	8,8	10,1	9	5,9
Recognised refugees by country of origin – TOP 10	Belarus Russia Kazakhstan* Ukraine* stateless Iraq Afghanistan Kyrgyzstan Pakistan* Azerbaijan*	Belarus Russia Ukraine Iraq Uzbekistan Cuba Afghanistan Armenia* Kazakhstan* Georgia*	Belarus Russia Kazakhstan Ukraine stateless Armenia Iraq Somalia Afghanistan Kyrgyzstan	Ukraine Kazakhstan Mongolia Turkey stateless ²³ Vietnam Russia Belarus Syria Nigeria

* Equal number of recognised refugees

Source: DAMP

	2007	2008	2009
Percentage of follow-up (repeated) asylum applications from the total number of asylum applications	17.9	36	49.7

Applicants for international protection by age and gender - 2007 - 2008

Country of Citizenship	Adults			Children (0-17)			Total
	Male	Female	Total	Male	Female	Total	
2007							
Turkey	153	25	178	20	15	35	213
Mongolia	78	71	149	2	9	11	160

²³ The number of stateless asylum applicants includes Kurds originating from Syria without Syrian citizenship.

Belarus	79	35	114	6	10	16	130
Vietnam	66	29	95	3	2	5	100
Russia	44	32	76	9	14	23	99
Cuba	68	23	91	2	1	3	94
Nigeria	48	11	59	4	6	10	69
stateless	33	14	47	9	9	18	65
Kyrgyzstan	25	23	48	9	6	15	63
Iraq	20	12	32	10	7	17	49
2008							
Turkey	153	26	179	47	25	72	251
Mongolia	100	71	171	10	12	22	193
Vietnam	70	31	101	4	3	7	108
Belarus	55	12	67	8	4	12	79
Russia	42	19	61	9	9	18	79
Kazakhstan	21	12	33	21	19	40	73
Nigeria	26	11	37	2	-	2	39
Georgia	32	3	35	2	1	3	38
Kyrgyzstan	7	23	30	4	2	6	36
Afghanistan	17	4	21	6	9	15	36
Syria	15	7	22	6	8	14	36
2009							
Ukraine	119	51	170	20	15	34	203
Kazakhstan	49	49	98	44	44	88	186
Mongolia	88	53	141	5	13	18	159
Turkey	36	9	45	10	11	21	66
Stateless	24	6	30	17	18	35	65
Vietnam	40	19	59	3	-	3	62
Russia	25	11	36	13	8	21	57
Belarus	29	16	45	7	2	9	54
Syria	24	5	29	7	9	16	45
Nigeria	23	15	38	2	1	3	41

- **Labour migrants**

Citizens of the EU/EEA countries and Switzerland (and their dependants) are not considered foreigners and have free access to the labour market in the Czech Republic. Employers or legal or natural persons of the above-mentioned categories of foreign citizens are obliged, on the first day of the employment of these persons, to inform the employment office.²⁴ Aside from this, work permit requirements are waived for various categories of foreign citizens such as artists, teachers, academics at universities, employees of universities, members of research or development teams attending scientific events, athletes etc. Persons granted asylum status (recognised refugees) or subsidiary protection, their family

²⁴ Section 85 of the Employment Act.

members as well as persons with permanent residence permits and their family members are also exempt from the work permit obligation.²⁵

Other foreigners can work on the territory of the Czech Republic on condition that they obtain a work and residence permit, provided that the Employment Act does not stipulate otherwise. Labour migrants coming to the Czech Republic are initially granted a temporary residence and a work permit. After five years of stay they can be granted a permanent residence permit.

For the purpose of the following tables the "temporary residence permit" includes a short-stay visa (up to 90 days), a long-stay visa (over 90 days) and a long-term residence permit (over 1 year) for those staying in the territory of the Czech Republic over one year.

The table below indicates the total number of foreigners working in respective years, both on a "temporary" and "permanent" residence permit basis.

Employment of foreigners in thousands (stocks) – state as of 31 December of each year:

	2006	2007	2008	2009
Total number of working foreigners	250 797	309 027	361 709	318 462
Employed	185 075	240 242	284 551	230 709
Self-employed	65 722	68 785	77 158	87 753

Source: Czech Statistical Office

Employment of foreigners by citizenship and sex; as of 31 December 2009 - stocks²⁶

Country	Employed foreigners, total			Self-employed foreigners			Employed foreigners		
	Total	Males	Females	Total	Males	Females	Total	Males	Females
Foreigners, total	318 462	214 257	104 205	87 753	62 364	25 389	230 709	151 893	78 816
EU/EEA/EFTA, total	156 385	107 757	48 628	17 070	13 604	3 466	139 315	94 153	45 162
Belgium	345	276	69	76	67	9	269	209	60
Bulgaria	5 555	3 818	1 737	977	764	213	4 578	3 054	1 524
Denmark	181	140	41	34	30	4	147	110	37
Estonia	56	28	28	10	6	4	46	22	24
Finland	138	98	40	18	16	2	120	82	38
France	1 866	1 467	399	258	187	71	1 608	1 280	328
Ireland	283	234	49	65	52	13	218	182	36
Iceland	13	11	2	1	1	-	12	10	2
Italy	1 456	1 244	212	455	411	44	1 001	833	168
Cyprus	38	27	11	12	10	2	26	17	9
Liechtenstein	-	-	-	-	-	-	-	-	-
Lithuania	637	315	322	157	68	89	480	247	233
Latvia	109	34	75	56	17	39	53	17	36
Luxembourg	14	7	7	2	2	-	12	5	7
Hungary	716	521	195	115	89	26	601	432	169
Malta	23	15	8	7	5	2	16	10	6
Germany	4 415	3 521	894	1 426	1 101	325	2 989	2 420	569
Netherlands	803	662	141	178	145	33	625	517	108
Norway	62	41	21	7	3	4	55	38	17
Poland	21 728	16 291	5 437	1 450	955	495	20 278	15 336	4 942

²⁵ The list of foreign citizens to whom the obligation to obtain a work permit does not apply also includes other groups which are, however, not relevant with regard to the numbers provided.

²⁶ For data on employment of foreigners by citizenship for 2006 – 2008 please refer to the Annex of this Profile

Country	Employed foreigners, total			Self-employed foreigners			Employed foreigners		
	Total	Males	Females	Total	Males	Females	Total	Males	Females
Portugal	165	126	39	13	11	2	152	115	37
Austria	1 187	997	190	365	308	57	822	689	133
Romania	4 099	3 023	1 076	319	269	50	3 780	2 754	1 026
Greece	279	233	46	133	115	18	146	118	28
Slovakia	108 057	71 251	36 806	9 865	8 072	1 793	98 192	63 179	35 013
Slovenia	130	87	43	33	25	8	97	62	35
United Kingdom	3 043	2 540	503	866	744	122	2 177	1 796	381
Spain	519	394	125	81	63	18	438	331	107
Sweden	300	228	72	51	38	13	249	190	59
Switzerland	168	128	40	40	30	10	128	98	30
Other countries, total	162 077	106 500	55 577	70 683	48 760	21 923	91 394	57 740	33 654
Afghanistan	93	82	11	52	49	3	41	33	8
Albania	79	63	16	32	30	2	47	33	14
Algeria	275	267	8	165	162	3	110	105	5
Angola	83	78	5	46	44	2	37	34	3
Argentina	32	22	10	11	8	3	21	14	7
Armenia	834	548	286	300	212	88	534	336	198
Australia	188	121	67	45	35	10	143	86	57
Azerbaijan	113	67	46	23	14	9	90	53	37
Bangladesh	81	74	7	8	8	-	73	66	7
Belarus	1 621	753	868	386	193	193	1 235	560	675
Benin	39	33	6	22	17	5	17	16	1
Bolivia	29	19	10	8	7	1	21	12	9
Bosnia and Herzegovina	999	829	170	277	205	72	722	624	98
Brazil	159	97	62	14	10	4	145	87	58
Montenegro	23	18	5	4	4	-	19	14	5
China (including Hong Kong)	1 566	1 045	521	210	128	82	1 356	917	439
Egypt	187	183	4	49	49	-	138	134	4
Ecuador	42	31	11	10	9	1	32	22	10
Ethiopia	23	20	3	7	6	1	16	14	2
Philippines	430	210	220	13	4	9	417	206	211
Ghana	71	64	7	36	34	2	35	30	5
Georgia	222	138	84	67	38	29	155	100	55
Guinea	36	28	8	9	8	1	27	20	7
Chile	39	23	16	13	7	6	26	16	10
Croatia	539	400	139	285	235	50	254	165	89
India	724	639	85	73	68	5	651	571	80
Indonesia	89	31	58	6	3	3	83	28	55
Iraq	92	80	12	52	46	6	40	34	6
Iran	90	71	19	14	10	4	76	61	15
Israel	203	152	51	43	33	10	160	119	41
Japan	739	581	158	50	23	27	689	558	131
Yemen	67	62	5	21	18	3	46	44	2
South Africa	92	54	38	29	17	12	63	37	26
Jordan	57	56	1	28	28	-	29	28	1

Country	Employed foreigners, total			Self-employed foreigners			Employed foreigners		
	Total	Males	Females	Total	Males	Females	Total	Males	Females
Cameroon	28	25	3	9	7	2	19	18	1
Canada	302	201	101	107	78	29	195	123	72
Kazakhstan	844	410	434	244	121	123	600	289	311
Kenya	24	13	11	3	-	3	21	13	8
Colombia	71	38	33	14	10	4	57	28	29
Guinea	29	27	2	15	15	-	14	12	2
Republic of Congo	18	14	4	7	6	1	11	8	3
Republic of Korea	456	394	62	20	13	7	436	381	55
Kosovo	113	103	10	-	-	-	113	103	10
Costa Rica	15	11	4	2	1	1	13	10	3
Cuba	127	103	24	41	31	10	86	72	14
Kyrgyzstan	202	99	103	37	17	20	165	82	83
Lebanon	88	81	7	33	33	-	55	48	7
FYROM	1 265	1 125	140	319	304	15	946	821	125
Malaysia	53	32	21	3	3	-	50	29	21
Morocco	80	68	12	43	34	9	37	34	3
Mexico	136	99	37	21	18	3	115	81	34
Moldova	7 265	4 969	2 296	1 559	1 141	418	5 706	3 828	1 878
Mongolia	4 493	1 981	2 512	288	134	154	4 205	1 847	2 358
Nepal	93	89	4	4	3	1	89	86	3
Nigeria	178	162	16	111	103	8	67	59	8
New Zealand	72	57	15	17	16	1	55	41	14
Pakistan	182	177	5	81	81	-	101	96	5
Palestinian Authority	27	27	-	6	6	-	21	21	-
Paraguay	12	9	3	1	1	-	11	8	3
Peru	79	59	20	39	33	6	40	26	14
Ivory Coast	35	32	3	7	7	-	28	25	3
Russia	4 948	2 350	2 598	1 336	641	695	3 612	1 709	1 903
Senegal	20	20	-	9	9	-	11	11	-
Singapore	15	8	7	1	-	1	14	8	6
United States of America	2 310	1 555	755	663	492	171	1 647	1 063	584
Serbia	710	532	178	105	88	17	605	444	161
Serbia and Montenegro	685	597	88	685	597	88	-	-	-
Sri Lanka	47	36	11	9	9	-	38	27	11
Syrian Arab Republic	185	178	7	125	119	6	60	59	1
Tajikistan	137	132	5	-	-	-	137	132	5
Thailand	542	34	508	18	1	17	524	33	491
Venezuela	28	20	8	1	1	-	27	19	8
Tunisia	225	215	10	66	63	3	159	152	7
Turkey	429	372	57	83	79	4	346	293	53
Turkmenistan	28	10	18	2	1	1	26	9	17
Ukraine	83 701	53 624	30 077	26 223	17 824	8 399	57 478	35 800	21 678
Uzbekistan	2 117	1 938	179	145	113	32	1 972	1 825	147
Taiwan	42	29	13	8	7	1	34	22	12
Vietnam	39 260	27 171	12 089	35 590	24 585	11 005	3 670	2 586	1 084

Country	Employed foreigners, total			Self-employed foreigners			Employed foreigners		
	Total	Males	Females	Total	Males	Females	Total	Males	Females
Zambia	11	7	4	2	2	-	9	5	4
Zimbabwe	11	8	3	1	1	-	10	7	3
Other and stateless	383	320	63	172	150	22	211	170	41

Source: Czech Statistical Office

- **Students²⁷**

Postgraduate students - flows

	2006/07	2007/08	2008/09
Number of students (Total/F)	2 167/955	2 417/1 053	609/253
Newly enrolled students (Total/F)	666/299	673/283	2 545/1 111

Foreigners with a residence permit for the purpose of study – stocks at the end of year²⁸

	2005		2006		2007		2008		2009	
	Number	%	Number	%	Number	%	Number	%	Number	%
Third countries	4 508	75,0	5 554	77,1	6 228	73,4	6 435	70,5	7 461	73,2
EU + Norway, Iceland, Lichtenstein, Switzerland	1 502	25,0	1 654	22,9	2 260	26,6	2 692	29,5	2 732	26,8
Total	6 010	100,0	7 208	100,0	8 488	100,0	9 127	100,0	10 193	100,0

- **Tourists and visitors²⁹**

Nationality	2006	2007	2008
Total	6 435 474	6 679 704	6 649 410
Germany	1 617 431	1 549 441	1 475 858
United Kingdom	566 2258	565 470	484 279
Russia			418 184
Poland	273 659	298 621	376 592
Italy	399 023	413 085	374 632
USA.	322 026	322 214	305 057
Slovakia	281 254	309 255	299 278
Spain	220 050	256 722	247 240
The Netherlands	284 499	247 861	236 193
France	240 280	236 790	235 654

- **Family reunification (migrant's family members):**

	2006	2007	2008
Number of family members, reunification of the family (as of 31 December)	99 541	109 029	75 457 ³⁰

²⁷ Source: CZSO

²⁸ Source: DAMP, based on the data provided by the FSP

²⁹ Source: CZSO

³⁰ The data for 2008 indicate third-country nationals only (without EU nationals).

The decline in numbers between 2007 and 2009 is due to the change in methodology. However, it is assumed that the actual total number of foreigners holding residence permits on the basis of family reunification has seen a steady increase.

The 2008 data are collected on the basis of Regulation 862/2007/EC.³¹

³¹ Regulation (EC) No 862/2007 of the European Parliament and of the Council of 11 July 2007 on Community statistics on migration and international protection. More details in section H2.

C1.3 Irregular immigrants

Data on refused, apprehended and removed third-country nationals are collected in accordance with CIREFI³² definitions. The data for 2008 and 2009 were collected on the basis of Eurostat definition of EIL statistics³³.

There are two different changes which influenced these statistics: EU-enlargement on January 1st 2007 and accession of the Czech Republic to the Schengen Area. As a result of the Schengen Area accession, land border controls were abolished on December 21st 2007 and on air borders on 29th March 2008. As a result, international airports remained the only borders of the Czech Republic.

Due to the of the Czech Republic's accession to the Schengen area, it was necessary to radically change the definitions of illegal migration in the Czech Republic. As a consequence, it is not possible to compare statistical data on illegal migration in 2008 with that of previous years.

Since 2008 two basic categories of illegal migration in the Czech Republic have been monitored:

- Illegal crossing of the external Schengen border of the Czech Republic – this category monitors persons who illegally cross or attempt to illegally cross the external Schengen border (airports) of the Czech Republic, and includes both foreign and Czech nationals.
- Illegal residence – this category is divided into two subcategories differing according to the reason for illegal residence (this category records only foreigners).

Illegal residence – inland (for example, illegal employment) – this category includes foreigners detected in the Czech Republic, including the transit zones of airports.

Illegal residence – internal Schengen border (cases of illegal residence which directly relate to crossings of the internal Schengen border).

- **Number of foreigners apprehended inland**

TOP ten nationalities of foreigners apprehended³⁴ inland, 2007-2009

2007		2008		2009	
TOTAL	5 088	TOTAL	3 333	TOTAL	2 889
Ukraine	2 974	Ukraine	1 547	Ukraine	1 075
Viet Nam	360	Vietnam	315	Vietnam	329
Russian Federation	242	Mongolia	269	Russian Federation	227
China	178	Russian Federation	192	Mongolia	169
Belarus	164	Armenia	98	Georgia	124
Moldova	150	Moldova	97	Moldova	112
Romania	138	Georgia	94	Uzbekistan	79
Mongolia	89	Belarus	83	China	83
Unknown	58	China	79	Armenia	48
Bulgaria	57	Serbia	50	Belarus	47
Others	678	Others	509	Others	596

Source: DFPS, EUROSTAT

³² Centre for Information, Discussion and Exchange on the Crossing of Frontiers and Immigration.

³³ Regulation (EC) No 862/2007 of the European Parliament and of the Council of 11 July 2007 on Community statistics on migration and international protection.

³⁴ Third country nationals who are detected by authorities and are found to be illegally present on the territory.

The table above includes third country nationals who were detected and found to be illegally present in the territory of the Czech Republic. This category includes persons who have been found to have entered illegally (for example by avoiding immigration controls or by employing a fraudulent document) and those who may have entered legitimately but have subsequently remained on an illegal basis (for example by overstaying their permission to remain or by taking unauthorised employment). Only persons who are apprehended or otherwise come to the attention of national immigration authorities are recorded in these statistics; they are not intended to be a measure of the total number of persons who are present in the country on an unauthorised basis. Each person is counted only once within the reference period.

- **Number of foreigners refused to entry/apprehended at border**

TOP ten nationalities of refused³⁵ foreigners, 2007-2009

2007		2008		2009	
TOTAL	1 168	TOTAL	256	TOTAL	378
Turkey	238	Russia	70	Russia	85
Ukraine	197	Ukraine	29	Armenia	44
Russia	101	Turkey	20	Ukraine	40
Vietnam	68	Egypt	19	India	15
China	63	Armenia	8	Turkey	13
Serbia	56	Unknown	8	Philippines	12
FYROM	45	Moldova	7	Belarus	11
Bosnia and Herzegovina	30	China	7	FYROM	11
Kazakhstan	23	Chile	6	Nigeria	11
Belarus	17	India	6	Kazakhstan	10
Others	330	Others	76	Others	135

Source: DFPS, EUROSTAT.

"Third-country nationals refused entry" means third-country nationals who are refused entry at the external border because they do not fulfil all of the entry conditions laid down in Article 5(1) of Regulation (EC) No 562/2006 and do not belong to the categories of persons referred to in Article 5(4) of that Regulation.

- **TOP ten - Number of foreigners who left the territory (stocks; by country of birth) - 2007-2009**

2007		2008		2009	
TOTAL	526	TOTAL	587	TOTAL	852
Ukraine	248	Ukraine	296	Ukraine	413
Vietnam	57	Vietnam	101	Vietnam	169
Moldova	38	Mongolia	45	Moldova	55
Belarus	29	Moldova	26	Russian Federation	36
Russian Federation	24	Russian Federation	21	Belarus	15
Georgia	21	Belarus	17	Georgia	14
Mongolia	21	China	14	China	11
China	17	FYROM	10	Turkey	8

³⁵ Third country nationals who are formally refused permission to enter the territory, due to:

- a lack of, or counterfeit/falsified, border documents;
- an existing entry or residence prohibition;
- other grounds for refusal.

Egypt	11	Turkey	9	FYROM	7
Kyrgyzstan	6	Georgia	7	Serbia	4
Others	54	Others	41	Others	120

Source: DFPS, 2010, EUROSTAT.

The table above includes numbers of third-country nationals who have left the territory of the Member State, following an administrative or judicial decision or act.

- **Number of foreign victims of human trafficking /smuggling (VoT)** identified in the Czech Republic

Section 232a of Act No. 140/1961 Coll., the Criminal Code, as amended defines trafficking in human beings as follows:

(1) A person who makes, procures, hires, lures, transports, conceals, detains or conveys a person under the age of 18 years in order to abuse that person for

- a) *sexual intercourse or other forms of sexual harassment or exploitation;*
- b) *slavery or servitude; or*
- c) *forced labour or other forms of exploitation,*

shall be sentenced to a term of imprisonment of between two and ten years.

(2) A person shall be sentenced to the same term of imprisonment if he/she by using violence, a threat of violence, a trick or by using an error, or by abusing another's distress or dependence, makes, procures, hires, lures, transports, conceals, detains or conveys another person in order to be abused for

- a) *sexual intercourse or other forms of sexual harassment or exploitation;*
- b) *slavery or servitude; or*
- c) *forced labour or other forms of exploitation.*

(3) An offender shall be sentenced to a term of imprisonment of between five and twelve years if he/she

- a) *commits an offence referred to in subsection (1) or (2) as a member of an organised group;*
- b) *exposes another person by such offence to aggravated bodily harm or death;*
- c) *commits such offence with the aim of acquiring substantial benefit; or*
- d) *commits such offence with the aim of abusing another person for prostitution.*

(4) An offender shall be sentenced to a term of imprisonment of between eight and fifteen years if he/she

- a) *causes by an offence referred to in subsection (1) or (2) aggravated bodily harm, death, or any other grave consequence;*
- b) *commits such offence with the aim of acquiring a substantial benefit; or*
- c) *commits such offence in relation to an organized group operating in several countries.*

	2008 ³⁶	2009
Numbers of victims of trafficking in human beings identified in the Czech Republic on the basis of the provisions of Sec. 232a of the Criminal Code	119	42

³⁶ Statistics have been collected since 2008.

The increase in human trafficking in the Czech Republic was observed in connection with the specific migration situation after the fall of the iron curtain in the early 1990s, when, in particular, women from Eastern Europe became a major commodity in western European markets, and the Czech Republic was similarly affected.

During 1990s the Czech Republic became less of a principle source and transit country for human trafficking and - thanks to its economic standards and its close vicinity to Germany and Austria – started to become an attractive target country.

It has recently been observed that women coming from eastern European countries (predominantly Ukraine and Slovakia) as well as from Asian countries are forced into prostitution within the Czech Republic. Citizens of other countries are also sometimes involved, last year NGOs provided assistance to, for example, women from Brazil.

The Czech Republic is a destination country for men and women trafficked from Ukraine, Vietnam, Moldova, Romania, Bulgaria and Belarus for the purpose of labour exploitation.

- **Number of foreigners voluntarily returning back home (AVR) from the Czech Republic**

Returns of foreigners		2006	2007	2008
Voluntary	Administrative expulsion with assistance by IOM (detained foreigners)	196	94	60
	Returns of illegally staying foreigners, with assistance by IOM (non-detained foreigners)	x	x	6
	Failed asylum seekers	351	107	96
	Programme of Support and Protection for Victims of Human Trafficking	26	5	10
	Total number of voluntary returns	573	206	172

Note: The number of persons returned under the Programme of Support and Protection for Victims of Human Trafficking also includes EU citizens besides third-country nationals. The information on the number of returnees in 2006 includes the number for the entire first three years of the operation of the programme in 2004-2006.

- **Estimated number of foreigners working irregularly in the Czech Republic**

The table below provides numbers of illegally working (not holding work permits) foreigners identified during controls where the offence was committed by the foreigners themselves. Cases when failures by an employer to report an employed foreigner were detected are not included in the table.

Citizenship	2006	2007	2008	2009 ³⁷
Total	1 701	1 662	2 342	3 170
Algeria	-	-	1	
Armenia	2	9	4	
Belarus	21	10	6	
Bosnia and Herzegovina	-	-	1	
Bulgaria	58	-		
China	52	34	47	
Georgia	-	-	-	
Guiana	1	-	-	
Croatia	1	-	-	
Egypt	-	1	1	
India	-	-	2	

³⁷ Numbers for 2009 by citizenship are not available yet.

Citizenship	2006	2007	2008	2009 ³⁷
Iran	1	-	-	
Israel	-	-	2	
Japan	-	-	1	
Canada	-	1	-	
Kazakhstan	2	-	2	
Congo	-	-	1	
Colombia	-	-	1	
Republic of Korea	-	-	4	
Cuba	1	-	3	
Kyrgyzstan	-	4	5	
Macedonia	8	1	4	
Moldova	60	104	98	
Mongolia	7	19	143	
Nepal	-	-	-	
Nigeria	-	1	-	
Pakistan	-	-	5	
Peru	1	-	-	
Romania	117	-	-	
Russia	3	6	13	
Serbia	-	1	2	
Taiwan	-	-	-	
Turkey	2	1	4	
Ukraine	1 207	1 226	1 109	
United States	21	-	-	
Uzbekistan	6	2	33	
Vietnam	130	242	850	

Source: MLSA

- **Main areas of employment of foreigners working irregularly (by area and gender)**

Area of economic activity	2006	2007	2008	2009
	Total/Females	Total/Females	Total/Females	Total/Females
Manufacturing industry			641/186	492/201
Construction			540/49	572/87
Administrative and support service activities			525/167	1301/477
Wholesale/Sale: repair and service of motor vehicles			248/56	392/157
Accommodation and food service activities			136/30	94/21
Transportation and storage			109/40	39/4
Agriculture and hunting			57/14	41/5
Human health and social work activities			20/11	0
Water supply; sewerage, waste management and remediation activities			12/6	6/0
Real estate activities			10/2	154/43
Professional, scientific and technical			11/1	11/4

activities				
Electricity, gas, steam and air conditioning supply"			1/0	7/0
Mining and quarrying			1/0	2/0
Forestry and fishing			0	20/6
Education			0	1/1
Arts, entertainment and recreation			2/0	3/2
Other activities			29/13	35/22
Total	894³⁸	1 662 / 594	2 342 / 575	3 170 / 1 030

Source: MLSA, CZSO

Note: The table above refers to third-country nationals only. It does not cover EU nationals. The numbers included in the table do not indicate the actual number of illegally employed persons. The number refers only to those illegally working migrants detected during controls. Compared to 2008 and 2009 data for 2006 and 2007 is available to a limited extent only.

- **Irregular immigration routes**

Illegal migrants have been coming over air borders from international airports such as in Russia, Turkey, Greece, Cyprus etc. and over land borders from neighboring countries such as Slovakia and Poland.

The main migration routes have remained largely the same for some of years. However, after accession to the Schengen area in December 2008, together with neighbouring countries such as Slovakia, Poland and Austria, the scale of illegal migration across land border has decreased, due to the fact that illegal migrants have only been identified when actually being in the territory rather than at non-existent borders.

³⁸ Data is available for first semester of the year only.

C2. Emigrants

"Emigration" means the action by which a person, having previously been usually resident in the territory of a Member State, ceases to have his or her usual residence in that Member State for a period that is, or is expected to be, at least 12 months.

C2.1 Total number of emigrants

- Long-term emigration from the Czech Republic, stocks:

Country	2006 Total/Female	2007 Total/Female	2008 Total/Female
Ukraine	30 150/10 957	39 572/15 416	18 731/7 522
Vietnam	6 433/2 601	12 332/4 345	13 368/3 875
Moldova	2 377/790	3 419/1 107	3 319/1 081
Russian Federation	4 675/2 412	6 695/ 3 495	5 763/3 055
Mongolia	1 549/927	3 319/1 828	3 500/1 809
Emigration of nationals of the Czech Republic³⁹	2 058/836	1 934/808	1 666/718

- Long-term emigration from the Czech Republic, flows:

Emigration - flows	2006	2007	2008	2009
Ukraine	17 157	8 670	156	33
Vietnam	2 350	1 051	69	37
Slovakia	629	802	585	4167
Russia	2 461	930	35	9
Mongolia	474	440	3	USA 10
Moldova	1 234	964	6	0
Other	9 158	7 643	5 173	7 373

- Long-term emigration from the Czech Republic, flows, by gender:

Country	2006 Total/Female	2007 Total/Female	2008 Total/Female
Ukraine	17 157/5 874	8 670/2 598	156/66
Vietnam	2 350/1 006	1 051/427	69/18
Moldova	1 234/412	964/324	6/1
Russian Federation	2 461/1 266	930/481	35/15
Mongolia	474/309	440/250	3/2
Emigration of nationals of Czech Republic⁴⁰	2 075/1 157	2 076/1 194	2 206/1 311

SOURCE: CZSO

³⁹ For nationals of the Czech Republic no legal sanction for failing to register/deregister one's residency in the Czech Republic exists. Therefore the data provided do not indicate real number of nationals – immigrating or emigrating. The data are estimates only.

⁴⁰ See a footnote above

C2.2 Type of emigrants

N/A

C2.3 Irregular emigrants

N/A

C3. Diasporas abroad

There is no obligation for members of diaspora to register with the embassy of the Czech Republic in the country she/he lives in. Thus the number of Czech diaspora members around the world is based on estimates and population censuses carried out in the country of the diaspora, provided that the data are registered in such a census.

Country of diaspora – top 10	Number of Czech compatriots
USA	1 637 513 (+327 522) ⁴¹
Canada	79 910 (+39 760) ⁴²
Austria	54 627
Germany	cca 50 000
Slovakia	46 801
United Kingdom	ca 40 000
Australia	cca 27 000 – 35 000
Argentina	cca 30 000
France	cca 20 000 – 30 000
Switzerland	12 000 – 15 000

C4. Remittances of nationals living abroad

Remittances have been a relatively new subject of study in the Czech Republic. Systematic and comprehensive surveys and statistics are still lacking. With respect to remittances, the Czech Republic became a sending country in 2006, where the amount of remittances being sent abroad exceeded the amount received from abroad.

- **Total amount of incoming migrant remittances (in US\$ million/annually; by country of destination, sex and age)**

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009e
Inflows	297	257	335	499	815	1 026	1 190	1 332	1 415	1 395
Outflows	605	718	898	1 102	1 431	1 677	2 030	2 625	3 826	-

Source: World Bank staff estimates based on the International Monetary Fund's Balance of Payments Statistics Yearbook 2008.

- **Remittances as % of GDP**

Inflow of remittances as a share of GDP in 2008 was 0.7%.

Source: World Bank staff estimates based on the International Monetary Fund's Balance of Payments Statistics Yearbook 2008

Inflow of remittances by sending country	Numbers per year (mil. EUR)	Annual change (%)
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⁴¹ Nationals of former Czechoslovak Federation prior to 1993.

⁴² Nationals of former Czechoslovak Federation prior to 1993.

	2006	2007	2008	2007	2008
Germany	35,6	38,2	40,3	7,3	5,5
Austria	25,0	26,8	26,4	7,2	-1,5
United Kingdom	22,8	24,5	25,3	7,5	3,3
Ireland	6,0	6,4	7,5	6,7	17,2
United States	5,1	5,4	6,2	5,9	14,8
Switzerland	3,8	4,0	3,9	5,3	-2,5
Others (except for top 6)	3,2	3,7	4,6	15,6	24,3
EU27	89,4	96,0	99,5	7,4	3,6
Non EU27	12,1	13,0	14,8	7,4	13,8
All countries in total	101,5	109,0	114,2	7,4	4,8

Source: Eurostat

Outflow of remittances by receiving country	Numbers per year (mil. EUR)			Annual change (%)	
	2006	2007	2008	2007	2008
Ukraine	102,6	115,7	143,6	12,8	24,1
Vietnam	50,4	72,1	105,7	43,1	46,6
Slovakia	125,8	169,6	32,5	34,8	-80,8
Russian Federation	14,3	19,1	25,6	33,6	34,0
Moldova	5,8	6,5	16,9	12,1	160,0
Poland	29,2	38,2	8,2	30,8	-78,5
Belarus	3,2	3,6	6,5	12,5	80,6
Bulgaria	5,7	2,6	5,5	-54,4	111,5
China (except for Hong Kong)	1,7	3,1	5,1	82,4	64,5
Croatia	1,9	2,9	4,9	52,6	69,0
Other (except for top 10)	26,5	23,8	21,6	-10,2	-9,2
EU27	163,1	213,7	51,9	31,0	-75,7
Non-EU 27	204,0	243,5	324,2	19,4	33,1
All countries in total	367,1	457,2	376,1	24,5	-17,7

Source: Eurostat

D. Analysis of the factors driving migration in the country

D1. Main characteristics of current migration trends

Two important events contributed sharply to the development of the migration situation in the Czech Republic. In 2004 the Czech Republic joined the European Union. The other important event was its accession to the Schengen Area at the end of 2007 when land borders were de facto abolished. Land border controls with neighbouring countries ceased on 27 December 2007. International airports, which became the main focus for border control procedures, have remained the only external Schengen borders in the Czech Republic. When considering trends in illegal migration, the statistics for 2009 should mainly be seen in comparison with those for 2008 in order to preserve an unbiased perspective. .

The development of the migration situation during the last decade was characterized by a gradual shift in migration trends. The Czech Republic has changed from a transit to a destination country. Taking this development into account, there was a substantial decline in the number of immigrants during 2008 and 2009, a complete reversal of the trend lasting up until 2007.

The global economic crisis also had a noticeable influence on the migration situation in the Czech Republic, affecting particularly the number of foreign labour migrants from third countries in 2009.

The percentage of female migrants in the Czech Republic has remained more or less the same, accounting for about 40 percent out of the total number. . The age ratio of foreigners holding residence permits, as well as the total number of foreigners in the CR, substantially differs from the age ratio of the general population. This discrepancy is mainly due to economic reasons, the migrants having arrived to earn their living. The age group most widely represented is the more readily employable group between 20 and 39 years old, accounting for over 50% of foreigners. Children and those above optimum working age are far less widely represented compared with the general population. The highest proportion of foreign migrants lives in Prague (the capital) and in the Central Bohemian Region. Despite this, the growth rate in the number of foreigners legally residing in the territory of the Czech Republic is one of the fastest compared with other EU Member States. Currently, foreigners account for about four percent of the total population of the Czech Republic.

Legal migration

The continuous immigration increase to the Czech Republic that had been registered during the last decade stopped in 2009. In the last two years legal immigration decreased considerably. The number of immigrants in 2009⁴³ compared to 2008 decreased by 49 percent. The decrease in the number of foreigners with residence permits began in May 2009 and has since continued. For a number of years Ukraine has been the country from which most of immigrants coming to the Czech Republic originated. The number of Ukrainian immigrants in 2009 dropped by 57 percent compared to 2008. Immigration from Vietnam, which held second position for the number of immigrants to Czech Republic originating from there, dropped in 2009 by almost 83 percent compared to the preceding year. A decrease, though much lower, was also registered in the number of foreigners living in the Czech Republic on the basis of a long-term residence permit. Though the number of foreigners with permanent residence permits granted in 2009 compared to 2008 rose, the percentage of its annual increase fell. In addition, the number of applications for permanent residence permits in 2009 dropped by about 39 percent compared to 2008. This drop is attributed to, among other factors, the requirement for knowledge of the Czech language that applicants have been expected to demonstrate since 1 January 2009. Despite

⁴³ According to preliminary numbers provided by CZSO.

this, the monthly increase in the number of applications for permanent residence rose in 2009, and this trend is believed to be continuing as before, due amongst other things a large number of foreigners with long-term residence permits.

At the same time the number of Ukrainian immigrants with a permanent residence permit fell in 2009 by 49 percent compared to 2008. This decrease is to a large extent attributed to the impact of the global economic crisis.

Labour migration

In the last couple of years the highest numbers of labour migrants to the Czech Republic have originated from Ukraine, Slovakia and Vietnam. The total number of foreign labour migrants working in the Czech Republic was increasing until 2008. This annual increase accounted for about 50 thousand workers per year. Due to the impact of the global economic crisis a substantial drop in the total number of foreign labour migrants compared to the preceding year was registered in 2009. This decrease in 2009 almost reached the level of the annual increase of previous years, and it was registered in the number of employed migrants. The number of self-employed migrants rose by about 13 percent in 2009 compared to 2008, up until when the number was constantly rising by about 12 percent. As a result of the economic crisis many foreign labour migrants in the Czech Republic lost their jobs and changed their purpose of stay from an "employed person" status to a "self-employed person" status. A high increase in the number of self-employed persons was recorded amongst Vietnamese migrants, followed by Ukrainians and Slovaks. The lower numbers of labour migrants registered in 2009 was to some extent also attributed to a restriction imposed on applications for visas for the purpose of work (including employment, self-employment, and membership in a legal entity) at certain foreign diplomatic representations of the Czech Republic.

Illegal migration

The highest numbers of illegal migrants, both with regard to illegal crossings of the external border as well as to illegal residence in the territory, includes citizens of Ukraine, followed by Vietnam and Russia. This trend corresponds to the number of foreign migrants in the Czech Republic, with the exception of Slovakia which ranks third highest position for the total number of foreign migrants living in the Czech Republic. As a consequence of the accession of the Czech Republic to the Schengen area at the end of 2007, both smugglers as well as victims of smuggling were less frequently apprehended in the process of smuggling. Instead, smuggling has become more of a method for making illegal residence easier (fictitious marriages, declaring paternity, procuring false documents required for residence and so forth) in the territory of the Czech Republic. However, cases of organising or facilitating illegal crossings of the state border have continued to be recorded.

International protection (asylum)

A general decrease in the number of immigrants could also be registered in the field of international protection. A decline in the number of applicants for international protection, continuously recorded since 2004, (accession to the EU) was also noted in 2009. This decrease was 24 percent compared to 2008. The number of recognized refugees also decreased accordingly. When comparing the source continents of asylum seekers, it is clear that Asia dominated (56 percent). The proportion of Europeans was 30 percent and those from Africa made up 8 percent. At the same time the number of repeated (follow-up) applications for international protection has been rising since 2007. This trend could also be attributed to the fact that it has been two years since the two-year term ceased to be applied; during that period applicants were not allowed to file a repeated application unless substantially new grounds were made available for consideration. The cessation of this rule was a consequence of the

implementation of so called Procedural Directive⁴⁴ of the EU. Therefore, foreigners are currently allowed to file a new application immediately after a negative decision on granting international protection comes into force. In 2009 the number was almost 50 percent compared to 2008, when it had been 36 percent. The applications were not submitted by newly arriving applicants but by people who had lived in the Czech Republic for a longer period of time and whose applications had been previously rejected by the relevant authorities due to a lack of applicable reasons for granting international protection.

It was established that the main reason for the applications was to legalise residence in the territory of the Czech Republic; this is the most frequent reason stated by applicants for international protection. Similarly to the trend in legal and illegal migration, the most numerous group of applicants for international protection have continued to be citizens of Ukraine. This group was followed by Mongolian and Turkish nationals. While the statistics for of Ukrainian applicants have followed the general trend for applications for international protection (a continuous decline since 2003) the numbers of Mongolian applicants has shown a fluctuating development. Continued growth has been registered since 2006. A substantial rise in the number of applicants from Kazakhstan was registered throughout 2009. Compared to the previous year, it more than doubled. Nonetheless, almost 90 percent of the Kazakh cases concerned applications re-submitted by persons that arrived in the Czech Republic and filed their first applications for international protection in 2006 and whose applications were rejected at least once. International protection in the form of asylum was granted in a total of 75 cases, the most common reasons being defined by the Geneva Convention (28). The highest number of positive decisions on asylum concerned nationals of Myanmar (21) who were relocated to the Czech Republic, asylum being granted them on political grounds. Asylum was further granted to 9 nationals of Ukraine (the majority for humanitarian reasons) and 8 nationals of Vietnam (either due to family reunification or humanitarian reasons). In 7 cases, asylum was granted to nationals of Afghanistan (due to the threat of persecution) and of Kazakhstan (for family reunification reasons).

Trafficking and smuggling in human beings

In general it can be said that the main trends and tendencies in the field of trafficking and smuggling has remained the same for last few years. The most noticeable trend observed since 2004 (accession to the EU) is a continuing rise in the various forms of trafficking in human beings, i.e. forms other than that for the purpose of sexual exploitation. This includes trafficking forms defined by Czech criminal legislation as "slavery", "bonded labour", "forced labour" or "other forms of exploitation".

⁴⁴ Council Directive 2005/85/EC of 1 December 2005 on minimum standards on procedures in Member States for granting and withdrawing refugee status.

D2. Identifying the key push and pull factors of migration

In general it can be said that push factors of migration vary depending on any individual migrant's country of origin, however certain common patterns and characteristics may appear. At the same time some push factors can also be considered as pull factors. An unsatisfactory economic situation, lack of jobs and inadequate level of social security and healthcare and, to some extent, unstable or unsatisfactory political and/or security situation and lack of freedoms and the rule of law – in short "a search for a better life" are generally recognized as the most common motives of immigration to the Czech Republic. Inadequate, biased or misinterpreted information obtained or shared on economic and living opportunities in potential countries of destination also play a role in a migrant's deliberations. This is particularly so with Vietnamese or Mongolian migrants, as well as with the many applicants for international protection from various countries that lack reliable information of a kind sufficient to advise on possible eligibility for refugee status. As far as can be established, most migrants coming to the Czech Republic originate from CIS countries, particularly Ukraine and Russia.

A strong incentive for many migrants is an intention to join family members or friends already living in the Czech Republic. Cultural and/or language proximity therefore make it easier to establish a foothold, which is a serious consideration for migrants from CIS. This fact, however, can also be seen as a pull factor. A certain familiarisation with, or a former stay in the Czech Republic, such as studies or study-and-work programs, can also be considered as an important stimulus for migration. Some of the applicants for international protection studied in the Czech Republic in 1980s. Many Vietnamese nationals stayed in the Czech Republic in 1980s on the basis of work or study programs. This "knowledge" was maintained over generations and is, despite considerable cultural and language differences, considered a strong push stimulus for this immigrant community.

The geographical location of the Czech Republic in Europe, which in general has been a migration destination for decades, gives relatively easy accessibility, and the consequent low travel costs, particularly for the CIS region, is another important aspect to be considered in the context of migration. Accession by the Czech Republic to the European Union, and later to the Schengen area, noticeably increased the attractiveness of the country for migrants from further afield. Well established communities and elaborate social ties and networks of expatriates, such as the Vietnamese, constitute a key pull factor for migration. Familiarity with the cultural environment, mental outlook and, to a certain extent, common language roots (Slavonic language family), enabling greater adaptability in the hosting society, have a strong effect the migration considerations of citizens of the CIS region, in particular Russians, Ukrainians and Moldovans. This also applies to Slovak citizens, who benefit from having no cultural, societal and communication barrier (close language similarities) common history and ensuing special legal status as well as the advantage of the free movement of its labour force within EU.

Political stability and societal opportunities provided by a democratic government, sound social system and good and generally accessible health-care are also values that are widely sought by migrants. A relatively good economic situation (especially compared to the situation in the countries from which migrants originate), including a demand for less qualified workers and wide business opportunities, has been providing attractive living conditions for foreign migrants from various countries. Compared to many other EU countries, such conditions are enhanced by highly liberal legal and practical conditions for entry for the purpose of pursuing business activities (self-employment). It should be noted that certain pull factors, such as a close cultural environment and language, can be considered as push factors also.

D3. Possible future trends in migration

As the global economic crisis has considerably affected the migration situation in the Czech Republic, any further developments of the economic situation will necessarily effect future migration movements, as well as have repercussions on those migrants already present in the territory, both legally and illegally.

It is therefore expected that, simultaneously with economic revival, migration pressures will resume and perhaps rise with the country becoming increasingly attractive to foreign migrants, inter alia due to the rising awareness of any potential migrants of its membership to Schengen.

It is also to be presumed that migration trends and patterns that have been noticed in recent years will continue. These trends include a decrease in the use of the standard means of illegal migration as registered in the past, and the wider use of legal means, i.e. visas for the purpose of studies, family reunification or business activity, means which are later abused by changing the purpose for which they were issued. It seems likely that the development of the migration phenomenon will reflect or adapt legislative and practical changes made to the instruments of migration management, which are aimed at the prevention of illegal migration. Therefore the number of visa applications for purposes of employment or economic business activity may decrease, giving rise to others having less strict conditions and being used more frequently.

E. Country specific Module, following the issue of special interest

Since the Czech Republic joined the Schengen area certain new trends and phenomena in the field of illegal migration in the Czech Republic have been registered. Foreign migrants have less and less use of the traditional ways and means of illegal migration, such as illegal border crossings. Instead, legal means of entry to the Czech Republic, turning later on into an illegal stay, have been used more frequently. Migrants apply for visas for the purpose of conducting business activities (self-employment), studies and family reunification. These means have been registered both in entry visa applications as well as for visa prolongation while already in the territory.

The abuse of visas for the purpose of conducting business activities became especially noticeable as a consequence of the economic crisis when foreigners, having lost their employment, applied for a visa for the purpose of conducting business activities. In very many cases they used this newly declared ground for visa application to legalise their stay in the territory without actually conducting any business activity or fulfilling their obligations related to the new residence status, such as paying social security, insurance and taxes.

The abuse of visas for the purpose of studies has also been seen as increasing. Having obtained a visa, foreigners often do not pursue any studies but instead engage in other activities or use their residence status to travel to other countries of the Schengen area.

Visas granted for the purpose of family reunification are most often abused by foreigners engaging in fake marriages or a falsely acknowledged paternity by a foreigner to a Czech citizen or vice versa. In the last two years a rise in this phenomenon of almost 180 percent has been registered. It has also been noticed that the whole procedure is becoming more sophisticated and organised.

In some cases foreigners whose applications were still pending presented forged or falsified documents or knowingly declared false purposes of stay in order to obtain an entry visa, while failing at a later date to meet the already granted visa conditions. At the same time, it has become more evident that circumventing conditions set for the conduct of work could also be partly attributed to the information gap, there being a lack of information on the legal system, as well as a lack of ability by foreigners to exercise their right in this regard. Quite frequently therefore foreigners have been, in a sense, abused by recruitment agencies or employers. In this context the current role and activities and effectiveness of non-governmental agencies are to be reviewed.

As the above mentioned trends and phenomena have become more evident since the economic crisis, certain measures have already been adopted in order to address the issue. Further, more comprehensive policies and measures reflecting future developments in this field are to be adopted in order to halt the increase in illegal migration using these channels and means.

F. Migration policies and programmes and their effectiveness in managing migration and development challenges

F1. Overview of the national institutional and policy framework governing migration

F1.1 An overview of recent migration policy developments

- **Ongoing policy initiatives to further improve the migration policy framework**

Several conceptual framework documents outlining migration policy and practise in the long-term perspective have been adopted in the last few years. Activities and initiatives in the field of migration policy are driven both by initiatives and development on an EU level, such as common EU visa policy, as well as by national policies and needs reflecting specific elements of migration in the Czech Republic.

Most of activities and initiatives undertaken in 2009 in the field of migration policy were related to the influence of the global economic crisis, and included complex monitoring of its security-related repercussions. A targeted response to migration development was outlined by two decrees of the Government of the Czech Republic addressing the impact of the economic crisis on foreigners within its territory, and on the policy of the Czech Republic in the combat and prevention of illegal migration, adopted in 2009 and 2010 respectively. The initiatives consisted of a series of measures involving all relevant national actors such as the Ministry of Labour and Social Affairs, Ministry of the Interior, Ministry of Finance, Ministry of Industry and Trade, Ministry of Foreign Affairs and Ministry of Health.

As a reaction to the decreased demand for labour it was decided to halt, from 1 April 2009, the issuing long-term visas for the purpose of employment and conducting business activities at certain foreign embassies of the Czech Republic. An amendment to the Foreigners Act implemented Government Decree No 171 of 9 February 2009 calling for the development of adequate instruments to address the impact of the global economic crisis on the migration situation in the Czech Republic, namely the consequences of large-scale dismissal of foreign workers. As part of the measures aimed at addressing the consequences of the economic crisis in the area of migration, including the ensuing security risks, two projects for the voluntary repatriation of foreigners were developed by the Ministry of the Interior. The first, elaborated by the Ministry at the end of 2008, and lasting from February 2009 till December 2009, made it possible to deal more effectively with the situation of legally residing foreigners dismissed from their jobs due to the economic crisis. This project was complemented by another, focused on foreigners in the same situation who were, however, residing in the territory illegally. Both projects reflected the migration priorities of the Czech Republic based on the prevention of illegal migration and promoting the voluntary returns of foreigners rather than forced returns. In January 2009 a system of Green Cards was introduced. The Green Card includes a work permit and a long-term residence permit in one document. The aim of the system is to remove administrative and procedural barriers for foreigners intending to apply for a vacancy on the labour market registered by the Ministry of Labour and Social Affairs. The applicant is required to comply with a set of criteria such as education, qualification level etc. The system is being applied to twelve selected countries including Australia, Bosnia and Herzegovina, Montenegro, Croatia, Japan, Canada, the Republic of Korea, FYROM, New Zealand, USA, Serbia and Ukraine. Due to the economic crisis and the decline of available jobs, the system was not used as anticipated in 2009. It is considered a modern, flexible instrument addressing the needs of the labour market in the Czech Republic, as well as a "user-friendly" tool for foreign migrants, and having considerable potential for the future once the economic situation provides

adequate conditions. Applicants from Ukraine were granted about 80 percent from the total number of Green Cards issued.

The Ministry of the Interior in co-operation with other relevant national stakeholders is furthering work on the preparation of a set of measures to develop a new management system for labour migration in the Czech Republic, as well as a new system of return policy to be finalised by the end of 2010. This initiative includes a comprehensive legislative review of the Foreigners Act. Beside all this, another recent development in the area migration has led to an evaluation and additional work on the amendment to the Concept of Integration of Foreigners. The results should be submitted to the Government at the beginning of 2011.

Aiming at an improvement of migration management, two main changes were adopted in the field of permanent residence permits. A long-term policy plan for the transfer of competencies in the field of residence permit from the Police to a civilian body also continued in 2009. As from January 2009, all responsibilities related to the permanent residence permit agenda were transferred from the Foreigners Police to the Department for Asylum and Migration Policy of the Ministry of the Interior. A discussion is also under way on further steps to be taken on the way towards implementation in the coming years. The introduction of an obligatory Czech language test⁴⁵ as one of the requirements for a permanent residence permit in the Czech Republic was introduced on 1 January 2009 as a second innovation in this field.

As a result of legislative development in the EU the Czech Republic carried out the transposition of relevant EU legal instruments into national legislation in 2009. At the end of 2009 work on the amendment to the Act on the Residence of Foreigners (hereinafter called Foreigners Act) as well as to the Act on Asylum and other related legal norms, began. The draft amendment to the Foreigners Act aimed at the transposition of the Council Directive providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals. The transposition into the Foreigners Act introduces, beside others, an obligation of the employer to cover expenses incurred by the expulsion of the illegally residing worker he/she employed.

F1.2 An overview of key domestic legislation

- **Legislative Framework**

In previous years, attention had been directed towards achieving full harmonisation of national legislation with EC law. Several amendments to the legislation mentioned below were adopted in order to ensure compatibility with national law and to ensure the transposition of Council Directives. Since then the legislation has been modified in order to reflect practical needs as well as further requirements of EU

Act on the Residence of Foreigners

The legal regulations on immigration conditions are basically included in the Act⁴⁶ on the Residence of Foreigners on the Territory of the Czech Republic, as amended (hereinafter referred to as “the Foreigners Act”).

The Foreigners Act lays down rules for:

- entry into the territory of the Czech Republic, border checks and refusal of entry;

⁴⁵ Testing knowledge of Czech language according to the Common European Framework of Reference for Languages.

⁴⁶ The Act on the Residence of Foreigners on the Territory of the Czech Republic (Act No. 326/1999, Coll.)

- temporary stay on the territory;
- permanent residence on the territory;
- special provisions on the stay of EU citizens and their family members on the territory;
- foreigners' duties;
- travel documents (possession by foreigners only; the legal regulation of Czech travel documents is included in the Travel Documents Act);
- administrative expulsion;
- detention of foreigners;
- administrative offences;
- powers of the competent authorities.

Border and immigration issues are regulated to a large extent by the EU law. The Foreigners Act thus reflects the EU legislation and/or refers to it.

On the basis of Act No. 326/1999, on Residence of Foreigners victims of trafficking in human beings can be granted different kinds of residence permits in the Czech Republic such as:

- Visa for the purpose of toleration of residence up to 90 days
- Long term residence permit for the purpose of protection in the Czech Republic (§ 42e) - (for considerable reasons up to 6 month)
- Permanent residence

Act on Asylum

International protection in the form of asylum and subsidiary protection, and their proceedings are governed by the Act on Asylum⁴⁷. The Act on Asylum encompasses issues that relate to persons who applied for international protection in the Czech Republic.

The Act on Asylum provides for:

- conditions of entry and stay of a foreigner, who expresses his/her intention to apply for international protection in the Czech Republic,
- the procedure of granting international protection (asylum and subsidiary protection),
- rights and duties of applicants for international protection,
- definition of competencies of other institutions related to asylum issues,
- administration of asylum facilities.

Act on Temporary Protection of Foreigners

The Act on Temporary Protection of Foreigners⁴⁸ stipulates conditions of entry and stay of Foreigners for the purpose of temporary protection, the procedure for granting temporary protection, the legal status of persons granted temporary protection and of the institutions involved.

The Czech Republic grants temporary protection to foreigners who left their country of citizenship or country of last residence on a mass scale, and who cannot return. This law is used when temporary protection is pronounced by the Council of the European Union.

Act on the Police of the Czech Republic

The Act on the Police of the Czech Republic⁴⁹ defines the organization of the Police, its competencies, procedures, etc. In relation to international migration it is chiefly concerned with state border

⁴⁷ The Act on Asylum (Act No. 325/1999, Coll.)

⁴⁸ The Act on Temporary Protection of Foreigners (Act No. 221/2003, Coll.)

protection, identification, detention, expulsions and other procedures concerning foreigners. It also regulates relations between the Police and the Ministry of the Interior with regard to sharing information from registers.

On the 1st of January 2009 the new Act on the Police⁵⁰ will come to force. With regard to foreigners, the most important change is a shift in competencies concerning the issuing of residence permits. The administration of residence permits will gradually shift from the Police to the civil body – the Department for Asylum and Migration Policy of the Ministry of the Interior.

Act on Protection of the State Borders

The Act on Protection of the State Borders⁵¹ governs the protection of the state borders from illegal crossings, and ensures the fulfilment of obligations resulting from Schengen agreements. Further, it governs the competences of the Police when securing borders. The Act also describes offences violating this law.

Labour Code and Act on Employment

The new Labour Code⁵² came to force on the 1st of January 2007. Along with the Act on Employment these two acts constitute the most important laws regarding the employment of foreigners.

The Act on Employment⁵³ defines the conditions of employment in the Czech Republic. In relation to foreigners, it sets out principles for the employment of foreigners, and work permit or green card duties. Furthermore, it also assesses the duty of employers to inform the Employment Office about the employment of foreigners. Following the accession of the Czech Republic to the European Union, EU-nationals⁵⁴ are not considered foreigners for the purpose of this act and have the same legal status as Czech nationals.

Employment Offices are responsible for keeping records of foreigners working in the country and their relatives, including EU-nationals. The Act on Employment and the Foreigners Act stipulate control activities in the field of employment. These acts authorise the Police along with other bodies to enter the premises and facilities of employers.

According to the amendment of the Act on Employment, since the beginning of 2009 the Ministry of the Interior will be the issuing authority when any person or company needs to apply for a permit to arrange employment for third country nationals.

Act on Acquisition and Loss of the Citizenship of the Czech Republic

The Act on Citizenship⁵⁵ provides for the possibility of a grant of citizenship to foreigners under specified conditions, such as 5 year of uninterrupted permanent residence in the territory of the Czech Republic.

⁴⁹ The Act on the Police of the Czech Republic (Act No. 283/1991, Coll.)

⁵⁰ The Act on the Police of the Czech Republic (Act No. 273/2008, Coll.)

⁵¹ The Act on Protection of the State Borders (Act. No. 216/2002, Coll.)

⁵² The Labour Code (Act No. 262/2006 Coll.)

⁵³ The Act on Employment (Act No. 435/2004 Coll.)

⁵⁴ Along with nationals of Norway, Switzerland, Lichtenstein and Iceland

⁵⁵ Act on Acquisition and Loss of the Citizenship of the Czech Republic (Act No. 40/1993, Coll.) as amended.

F1.3 A brief description of key institutional actors involved in migration management and diaspora

Main government institutions and bodies dealing with migration in the Czech Republic include:

- Ministry of the Interior
- Police
- Ministry of Foreign Affairs
- Ministry of Labour and Social Affairs
- Ministry of Industry and trade
- Ministry of Education, Youth and Sports
- Ministry of Health
- Ministry of Finance
- Ministry for Regional Development
- **Ministry of the Interior**

Pursuant to Act No. 2/1969 Coll. on the Establishment of Ministries and other Institutions of Central Government of the Czech Republic, as amended, the Ministry of the Interior is the party responsible for international migration and asylum, both at legislative and strategic levels (international migration and asylum), and the level of implementation (asylum, residence permits, and travel documents).

Pursuant to the Act on the Residence of Foreigners, the Ministry executes state administration in the field of migration. To this end it closely co-operates with other ministries, and governmental as well as non-governmental organisations, including international organisations.

In addition to the extensive powers vested in it by the Act on the Residence of Foreigners, the Ministry of the Interior was given, under the Act cited above, the position of superior body of the Police of the Czech Republic, the Directorate of the Foreigners and Border Police Service and thus, when carrying out state administration activities, the Ministry supervises the police. As a first instance administrative authority the Ministry decides on long-term residence permits for the purpose of protection in the Czech Republic. The Ministry originally made decisions on permanent residence permits only within a defined scope. However from 1 January 2009 it has taken over full responsibility for such decisions. F Since the same date the Ministry has also taken over the agenda of issuing permanent residence permits and ID cards for foreigners who have been granted permanent residence. It also collects biometric data in relation to foreigners' passports and decides, within its competence, on the issuing and withdrawing of travel identity cards. The Ministry also makes decisions concerning the legal status of long-term residents in the Czech Republic.

In addition to the above, the Ministry of the Interior has been responsible, from 1 January 2009, for issuing 'Green Cards', and extending or terminating their validity. To this effect the Ministry of the Interior is entitled to complete data on decisions taken on applications for Green Cards in the central records of vacancies, which can be filled by Green Card holders.

Regarding decisions on administrative expulsion, the Ministry of the Interior issues binding opinions requested by the police.

The Ministry of the Interior establishes and operates detention facilities for foreigners under Chapter XII of the Act on the Residence of Foreigners and takes all decisions on covering costs relating to the residence of detained foreigners in the Czech Republic and their departure from the country, and claims their reimbursement.

In compliance with the Act on the Residence of Foreigners, the Ministry specifies those countries whose citizens are entitled only to remain in the transit zones of international airports provided they are holders of valid airport visas; it also decides and specifies those countries whose nationals are entitled to apply for Green Cards.

The Ministry of the Interior, in accordance with the Act on Employment, has issued, since 1 January 2009, and upon the request of the Ministry of Labour and Social Affairs, opinions on granting licenses for intermediate employment according to the provisions of Section 14 (3) (b). In compliance with the same legal regulation the Ministry of the Interior may revoke an approval for issuing a license for intermediate employment.

The Ministry of the Interior concludes, or participates in the process of concluding, international agreements relating to international migration. It is also responsible for the 'Schengen' chapter and acts as a co-ordinating body for the implementation of the Schengen rules in the national legislative framework and in routine practice.

Under the Act on Asylum and the Act on Temporary Protection the Ministry of the Interior executes state administration competencies in the field of asylum and develops national integration programmes aimed at helping asylum seekers integrate into society.

To this effect the Ministry co-operates closely with other ministries and governmental bodies as well as with non-governmental organisations (NGOs), including international organisations. In co-operation with the police and the International Organisation for Migration, the Ministry takes part in planning repatriation programmes and organises repatriations (voluntary returns) of foreigners to their countries of origin.

According to Government Resolution No. 979 of 23 July 2008, the Ministry of the Interior was delegated the role of main co-ordinator of the Strategy for Integration of Foreigners in the Czech Republic.

Within the Ministry of the Interior issues relating to international migration, asylum, and the integration of foreigners are mainly dealt with by the Department for Asylum and Migration Policy.

The Refugee Facilities Administration of the Ministry of the Interior, as an organisational unit of the state established by the Ministry of the Interior, is responsible for the operation of refugee accommodation facilities (including comprehensive services such as psychological and social services, leisure-time activities etc.) as well as for operating the detention facilities for foreigners.

- **Police of the Czech Republic**

Two bodies of the national Police authority deal with migration issues and foreigners.

Foreigners Police Service

The authority responsible for border control in the Czech Republic is the Foreigners Police Service (hereinafter referred to as FPS). After the Czech Republic joined the Schengen area, the FPS underwent a reorganisation which came into effect on 1 January 2008.

Since the beginning of 2008, the former Foreigners and Border Police Service has been transformed into the Foreigners Police Service, whose structure and duties reflect the new situation arising from the Czech Republic's full participation in the Schengen co-operation, in particular the abolition of border controls along the entire land border with all neighbouring countries.

The new structure of the FPS is focused on border control at international airports and controls of legal residence of foreigners within the territory. The number of organisational units was significantly reduced and the number of staff has decreased proportionately.

As a result of changes to the management of air border control, five inspectorates located at international airports are now directly subordinated to the FBS Directorate rather than the regional headquarters. The FPS still possesses nationwide responsibilities in the field of illegal migration, the entry and stay of foreigners, the control of foreigners' stay, fulfilments of international agreements, and co-operation on the national and international level including possible resumption of border controls at the internal borders.

The Foreigners Police Service consists of the Directorate of the Foreigners Police Service (hereinafter referred to as the Directorate) and Territorial Directorates (hereinafter referred to as TD FPS), inspectorates of the Foreigners Police (hereinafter referred to as IFP), located also at international airport gates, and other units and departments.

The Unit for Accompanying Airplanes which operates within the Directorate mainly accompanies certain airlines due to security reasons, provides airline escorts, and ensures aviation operations and other security measures at the Prague – Ruzyně Airport.

Analytical teams working within the DFPS and different TD FPS regularly evaluate the situation in the field of legal and illegal migration and, if needed, work on adopting adequate measures.

The Foreigners Police is also responsible for security in detention facilities as well as for activities related to admissions.

The activities of the IFP include the verification of applications for visas for stays exceeding 90 days and long-stay residence permits, and checking foreigners' compliance with the relevant rules of residence. . Such checks and inspections are carried out in co-operation with other state administrative bodies such as Labour Offices, Trade Licensing Offices, the Czech Trade Inspection Authority, and the Customs Administration.

As part of the measures aimed at preventing illegal immigration into the Czech Republic, a number of officers of the FPS are deployed at Czech diplomatic representations abroad, where a higher potential exists for abusing the legal means for entering the Czech Republic.

Unit for Combating Organised Crime of the Criminal Police and Investigation Service

The Unit for Combating Organised Crime of the Criminal Police and Investigation Service, having nationwide competence, is actively combating, amongst other things, illegal migration and the trafficking and smuggling of people, as well as focusing on forced labour and labour exploitation.

- **Ministry of Foreign Affairs**

The Ministry of Foreign Affairs , in co-operation with the Ministry of the Interior and other stakeholders of state administration, is responsible for visa policy and practise by issuing visas through embassies and consulates as stipulated by the Act on the Residence of Foreigners. The Ministry also co-ordinates foreign development aid.

- **Ministry of Labour and Social Affairs**

Under Act No. 435/2004 Coll. on Employment, the Ministry of Labour and Social Affairs (the MLSA) specifies the categories of entities which act as employers, and with regard to foreign citizens, sets out criteria for access to the labour market by individual categories of foreigners. With respect to the situation on the labour market, the MLSA lays down conditions for issuing employment permits and is responsible for legal regulations governing the employment of foreigners in relation to relevant EU legal provisions.

In addition to national legal regulations, the area of labour migration is governed by bilateral international agreements regulating social security and employment and also by multilateral conventions on human rights, the status of refugees, and social rights,

all to which the Czech Republic is a party.

Illegal employment remains a problem in the Czech Republic. It is dealt with by the Interdepartmental Agency for Combating the Illegal Employment of Foreigners in the Czech Republic. Co-ordinated by the MLSA, the agency's operations are performed in close co-operation with the Ministry of the Interior and the Ministry of Industry and Trade.

- **Ministry of Industry and Trade**

The responsibilities of the Ministry of Industry and Trade include regulation of the issuing of trade licenses under Act No. 455/1991 Coll. on Trade Licensing, as amended, covering a major part of entrepreneurial activities carried out by natural and legal persons.

Within the framework of its responsibilities the Ministry proposes legal amendments, in particular to conditions for the activities of entrepreneurs, while managing the execution of state administration powers in this sphere and supporting the development of selected entrepreneurial activities. In connection with this, the Ministry also deals with issues concerning business activities of foreigners.

In addition, the Ministry also offers its opinion on the assessment of potentially suitable positions for foreign applicants within the program of so-called Green Cards.⁵⁶

- **Ministry of Justice**

The Ministry of Justice is a central state administration body for courts and public prosecutors' offices. In extradition proceedings, the Minister of Justice decides upon the expediency of the extradition of foreigners for criminal prosecution and/or that of a custodial sentence, but only provided that a regional court or the Supreme Court has decided that such extradition is permissible or where the respective foreign national has agreed to his/her extradition.

The Ministry is also involved in the issue of migration with respect to its competencies relating to legislative activities, drafting bills and other legal provisions regulating the field of justice and prison services, and with respect to its powers concerning monitoring, reviewing and evaluating the efficiency of the judicial system.

The Ministry of Justice of the Czech Republic is responsible for legislation relating to the Registering of Companies, the establishment and status of commercial and co-operative companies, and contractual relationships that are regulated by the Commercial Code.

- **Ministry of Education, Youth and Sports**

The Ministry of Education, Youth and Sports is responsible for learning and teaching at all types of schools, language courses accredited by the Ministry of Education, youth and sports, consultations and exchanges of experience, secondments, art courses and courses for teachers as well as other specialised courses falling under the responsibility of the Ministry. The Ministry of Education, Youth and Sports is also responsible for vocational education and training projects, the purpose of which are to provide foreigners with practical and/or professional skills and experience.

⁵⁶ For details on the Green Cards system see Chapter F1.1

Moreover, the Ministry's competencies include providing access to education for the children of foreigners. The Ministry also organises secondments for foreign experts to work as lecturers or scientific professionals at Czech schools.

The Ministry of Education, Youth and Sports and higher education institutions recognise, on the basis of submitted documents of studies and competences laid down by the Act on Higher Education Institutions, higher qualifications acquired at foreign higher education institutions.

- **Ministry for Regional Development**

The Ministry for Regional Development is, regarding migration, responsible for implementing measures arising from the ADS Memorandum (the Memorandum of Understanding between the National Administration for Tourism of the People's Republic of China and the European Community on Visa and Related Issues Concerning Tourist Groups from the People's Republic of China).

The Ministry for Regional Development is also involved in the execution of tasks concerning the integration of foreigners, recognised refugees and persons enjoying subsidiary protection in relation to assigning flats in order to integrate foreigners.

F2. An analysis of policy coherence issues

- **Policy co-ordination:**

The main body responsible for the development and co-ordination of migration policy in the Czech Republic is the Ministry of the Interior, which co-operates closely with all actors involved in state administration as well as with other relevant organisations such as NGOs, IOs and academia.

Analytical Centre for Border Protection and Migration

The Analytical Centre for Border Protection and Migration (hereinafter referred to as 'Anacen') commenced its activities in compliance with Government Resolution No. 933 of 22 August 2007. It is a joint permanent centre working within the Ministry of the Interior. It not only evaluates ongoing national border protection but pays attention also to the monitoring and analysing of migration in all its aspects. All actors involved in the management of national border protection and international migration management participate in its activities by means of close co-operation and exchange of information.

The activities of Anacen are carried out in the framework of four fora (Migration Forum, Visa Forum, Security and Operations Forum, Strategy Forum). The Migration Forum monitors the situation concerning the residence of foreigners in the Czech Republic; the Visa Forum monitors visa policy and practice; and the Security and Operations Forum focuses on an operative evaluation of security risks related to the protection of the national border and illegal migration. Finally, the Strategy Forum serves as an umbrella body for the other three fora and concentrates on formulating comprehensive opinions concerning border protection and migration in the Czech Republic.

The operations of the Analysis Centre considerably accelerated the mutual delivery of information between the relevant authorities and institutions of the Czech Republic concerned with the current migration situation and the protection of the national border. Apart from exchanging information on the above-mentioned areas and findings on actual developments and measures adopted at the level of the European Union, which were presented at regular meetings of the Strategy Forum, the exchange of security information relating to the entry and residence of foreigners in the Czech Republic was hastened within the Security and Operations Forum (these were mainly findings arising from the inspections of those involved, information concerning violations of the legal acts by foreigners, forms of illegal movement and residence of foreigners, smuggling people, falsifying and forging travel documents etc..) The Migration Forum concentrated, inter alia, on mapping out the situation, exchange and delivery of information pertaining to the area of residence permits, information on the impact of migration on the social and economic situation of the Czech Republic, and the consequences of foreigners entering the Czech labour market more easily. In addition to other assignments, meetings of the Visa Forum evaluated and then forwarded to relevant authorities particular findings and information provided by those Czech embassies and consulates having seats in those countries considered migration risks.

Anacen is gradually developing international co-operation with foreign partner agencies. Anacen also ensures a long-term exchange of statistical data between the Czech Republic, Slovakia, Austria and Poland concerning the migration of nationals from specific countries of origin (for example, numbers of applications for asylum, information on wilful departures from asylum facilities, cases falling under the Dublin Convention and data concerning illegal migration). In 2009 the activities of Anacen primarily focused on the negative impact of the world economic crisis on the migration situation, as well as potential security risks.

Inter-Ministerial Body for Combating the Illegal Employment of Foreigners

The Inter-Ministerial Body for Combating the Illegal Employment of Foreigners in the Czech Republic (hereinafter referred to as the 'Inter-Ministerial Body'), chaired by the Ministry of Labour and Social Affairs, ensures co-ordination and co-operation in the field of combating the illegal employment of foreigners in the Czech Republic.

Co-ordinating Body for State Border Protection

The Co-ordinating body for State Border Protection (hereinafter referred to as the 'Co-ordinating Body') is composed of senior staff members of relevant ministries and the Police, e.g. the Ministry of Foreign Affairs, Ministry of Transport, Ministry of Finance, Ministry of Labour and Social Affairs, and the Ministry of Industry and Trade. The Co-ordinating Body directs measures related to border protection and ensures the effective exchange of key information necessary for the co-ordinated approach and management of border protection. It also controls the activities of Anacen.

- **Migration and development nexus**

When formulating and implementing its migration policy and practice the Czech Republic has paid adequate attention to the migration and development nexus as an important aspect of effective migration management. Foreign development aid programmes that in the last decade have been supported and co-ordinated by the Ministry of the Interior and implemented by a wide range of non-governmental organisations, as well as by the International Organisation for Migration, have always reflected national priorities in the field of migration management concepts. The projects have been driven by both humanitarian considerations and needs and by migration management objectives.

Targeted and tailor-made projects and programmes have been elaborated by taking the potential for positive effects on the development of migration, good governance and security policy in beneficiary countries into account. Therefore the projects have aimed at providing, at the same time, assistance and services considered as inadequate, lacking or requiring enhancement in beneficiary countries. Implemented projects have addressed both the needs of state institutions and bodies and those of the general public.

The projects have focused on the prevention of illegal migration, the stabilisation of potential migrants in their home country, assistance in the building of migration and asylum infrastructure and capacity building of state administrations. An assessment of the general situation and security aspects as well as an analysis of the migration related impact of the targeted countries on Czech migration have been an integral part of the priority country selection process.

Foreign development aid projects supported by the Ministry of the Interior, for example, include supporting a women's community centre, the operation of a protected workshop and requalification centre, a capacity building project for state institutions dealing with migration management, and a project focused on the reintegration of returned migrants etc.

Projects implemented in the last decade in migration source or transit countries have included, among others, the regions of Northern and Southern Caucasus, Central Asia, West Balkan, Mongolia and Moldova.

F3. Regional and International Co-operation

- **Selected International Agreement related to migration:**

The Czech Republic has signed or acceded to the following international instruments:

- Convention relating to the Status of Refugees of 28 July 1951 and its 1967 Protocol
- Convention on the Reduction of Statelessness of 30 August 1961
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 0 December 1984
- European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment of 26 November 1987 and its protocols
- Convention on the Participation of Foreigners in Public Life at Local Level of 5 February 1992
- European Agreement on the Abolition of Visas for Refugees of 20 April 1959
- European Agreement on Transfer of Responsibility for Refugees of 16 October 1980
- Convention against Transnational Organized Crime of 2 November 2000.

- **Regional co-operation:**

Migration policy and practice in the Czech Republic as an EU member is also affected by readmission agreements concluded by the EU with a number of third countries including Hong Kong, Macao, Sri Lanka, Albania, Russia, Ukraine, Moldova, Serbia, Montenegro, FYROM, Bosnia and Herzegovina, Pakistan, Georgia.

- **Bilateral Agreements:**

- Bilateral readmission agreements have been signed with: Austria, Germany, Poland, Slovakia, Romania, Hungary, Bulgaria, Canada, Croatia, Slovenia, Moldova, France and Vietnam (and Switzerland and Armenia, both pending ratification).
- Bilateral agreements providing for mutual acknowledgement of social security benefits (pensions, sickness benefits, maternity leave benefits, unemployment benefits etc.) have been concluded between the Czech Republic and Austria, Bulgaria, Bosnia and Herzegovina, Canada, Croatia, Chile, Cyprus, France, FYROM, Germany, Hungary, Israel, Italy, Japan, Kosovo, Lithuania, Luxembourg, Montenegro, Netherlands, Poland, Quebec, Romania, Serbia, Slovakia, Slovenia, South Korea, Spain, Switzerland, Turkey, Ukraine, and the USA. Agreements with Australia, Azerbaijan, Georgia, India, Moldova, Mongolia and Syria are being negotiated. The agreement with Russian Federation became void in 2008 and Russian approval of a new agreement is still pending. The agreements with the above-mentioned individual states address the social benefits to different extents, according to the scope of individual agreements.

Bilateral agreements addressing various labour migration issues have been signed with Austria, Canada and New Zealand. Negotiations on such agreements with Australia and South Korea are underway.

- In the field of migration the Czech Republic concluded the following bilateral agreements with relevant international organisations:
 - Agreement between the Czech Republic and the International Organisation for Migration on Co-operation (amending the agreement from 1997) from 2005.
 - Protocol between the Ministry of the Interior of the Czech Republic and the International Organisation for Migration on implementation of the Program for Assisted

Voluntary Returns of Failed Asylum Applicants in the Czech Republic and foreigners who are liable to leave the territory of the Czech Republic from 2001.

- Agreement between the Czech Republic and the Office of the United Nations High Commissioner for Refugees on the Legal Status of UNHCR in the Czech Republic from 2003
- Agreement between the Czech Republic and the Office of the United Nations High Commissioner for Refugees on Co-operation in Resettlement of Refugees from 2009

After the accession of the Czech Republic to the Schengen area, bilateral agreements on local border traffic signed between the Czech Republic and neighbouring countries were suspended.

- **Migration Partnerships**

The Czech Republic is actively participating in Mobility partnerships with Moldova and Georgia, and plans to sign the Mobility Partnership with Armenia and Ukraine.

Within this framework, a new EC co-funded project called "Support Reintegration of Georgian Returning Migrants and the Implementation of EU-Georgia Readmission Agreement" will be implemented under the leadership of the Czech Republic and in partnership with seven other EU Member States (Belgium, Germany, France, Italy, Netherlands, Poland, Romania and Sweden) in the period of October 2010 - September 2013.

The overall objective of the project is to contribute to the promotion of legal migration, the prevention of illegal migration and enhancement of return and reintegration assistance programmes.

Specific project objectives include:

- Reinforcement of capacities of responsible authorities as regards management of return migration and readmission;
- Supporting social and economic reintegration of Georgian nationals returning voluntarily or involuntarily from the EU MS and other geographic areas;
- Designing and propagating information campaigns for Georgian communities abroad, relevant Georgian organisations and the Georgian general public, aimed at promoting services offered by the Mobility Centre and legal migration.

F4. Overall assessment of the migration policy context

The growing number of foreigners residing in the Czech Republic necessitated the development of a proper migration policy and the adoption of adequate measures. Changing migration patterns and new challenges in all areas of migration require a continuous process of evaluation, reflection and adjustment of the migration policy and practice. As migration has been perceived as one of the instruments contributing to its development, the Czech Republic was one of the first newly acceding countries which, due to its geographical location and economic and social development, enabled foreigners to enter its labour market by adjusting relevant legislation and providing favourable conditions for immigration in general.

The economic needs of the country, including a demand for labour, have been important factors contributing to the liberal character of the migration system. Since 2008 (from 2003 till 2008 in a form of a limited pilot-project) a project called Selection of Foreign Qualified Workers has been in operation. The objective of this project, as an instrument for active immigration, is to bring to the Czech Republic qualified foreign workers who are capable of contributing to the development of the Czech economy, who wish to settle here with their families and who are capable of integrating permanently into Czech society.

The impact of the global economic crisis has provided a sound reflection on the gaps and deficiencies in the migration policy system and practice and led to a number of legislative changes and practical measures adopted during 2009 and 2010 (for more details see Chapter F) in order to address the reduced demand for labour affecting foreign citizens present in the country or intending to immigrate. As a result of this experience as well as of long-term discussions and plans, a new system of labour migration, able to clearly establish conditions for the immigration of foreigners, is being developed. The system should, *inter alia*, be based on the following main principles:

- Structure and quantity of labour migration should be primarily directed by the real needs of the Czech labour market, taking the integration opportunities and capacities of the Czech Republic into account,
- Structure and quantity of labour migration should be flexible in order to enable a speedy reaction to the changing national economy,
- Effective co-operation with countries of origin including return programs should be established,
- Qualified and highly qualified migrants should be considered from a permanent residence perspective; unskilled workers should mainly be considered for temporary stay periods. ,
- Legal or natural persons (recruitment agencies, employers etc.) involved in the immigration process of foreigners should take a share of responsibility for the migrants they invited/recruited,
- Sources of labour migration should be diverse.

G. Evaluating the impact of migration and migration policy on the socio-economic development

Adequate in-depth research has not been made in order to complete this part.

G1. Impact of migration on the socio-economic development of the country of origin

Adequate in-depth research has not been made in order to complete this part.

G2. The socio-economic development effects of migration policies and other forms of interventions targeting migration

Adequate in-depth research has not been made in order to complete this part.

H. Conclusions

H1. Main findings on current migration trends

Amongst the EU Member States, the Czech Republic is one of the countries with the fastest growing number of legally residing foreigners. Currently that number accounts for about four percent of the population.

Accession to the European Union in 2004 as well as to the Schengen Area in 2007 were two important events which played key roles in the migration situation of the Czech Republic. With the exception of applicants for international protection, those two events worked as catalysts for increasing immigration into the country. The last crucial factor influencing migration was the global economic crisis which, in many aspects, modified some of the previous migration trends. As a result of the crisis, some internal migration from the borders and other less economically active regions to large urban areas and cities, mainly to the capital (Prague), was registered in 2009. The main cause of this trend, both for legally resident as well as for illegally resident foreigners, was the hope of improved employment opportunities.

The changing perception of the Czech Republic from a transit country to a country of destination (for long-term or permanent residence) has continued until now; this trend was to a certain extent affected by the impact of the economic crisis, however, and illegal migration flows were also noticed. In recent years the number of applications for residence permits and long-term visas have been decreasing and a new modus operandi in the field of illegal migration has been observed.

Illegal methods of entering the country, including the use of forged documents or falsely declared information, as well as abuse of the asylum procedure have become more widespread, organised and sophisticated. Changing the purpose of a stay to something other than the one for which the visa was granted or overstaying the visa are, as indicated by relevant statistics, the most evident means of illegal migration in the Czech Republic. Most immigrants who continue to arrive and settle come from Ukraine, Russia or Vietnam..

In 2009 the number of migrants residing illegally in the country rose as compared to the previous year. The peak was reached at the end of year which was connected to the project of voluntary repatriation of illegally resident foreigners, which was implemented from September to December, 2009. In mid 2009 an increasing number of illegal migrants originating from Georgia was registered. In most cases the migrants came from asylum centres in Poland, crossed the border into the Czech Republic illegally, and attempted to continue to other EU countries, mainly to Austria. The Georgian migration wave petered out during September 2009.

A different situation, to general migration trends can be observed in the field of international protection (asylum) where the countries of origin differ (with the exception of Ukraine which has been at the top for a number of years). Other important source countries of the last few years include Turkey, Mongolia and Kazakhstan. The growing number of repeated applications for international protection which has been discerned recently is an important phenomenon characterising the current development in the field of asylum in the Czech Republic.

Certain new trends and modus operandi in the smuggling of human beings have been registered since the accession of the Czech Republic to the Schengen area. Smaller support groups are needed and the roles of smugglers crossing the border on foot and persons securing accommodation have become less

important. Smuggling activities are mainly based on using legal entry to the territory on the basis of a visa. Victims of trafficking are increasingly often legally transported by plane to the Czech Republic, as one of entry points of the Schengen Area, and then by vans or trucks to further destination countries.

H2. Improvement of migration statistics

Development in the European Union and in the Czech Republic

The Czech Republic's development in the field of migration statistics is in line with development in the European Union. Harmonised and comparable community statistics on migration and asylum are essential for the development and monitoring of community legislation and policies relating to immigration and asylum, and to the free movement of persons. In particular, it requires conformity to standards of impartiality, reliability, objectivity, scientific independence, cost-effectiveness and statistical confidentiality. There is a need to reinforce the exchange of statistical information on asylum and migration and to improve the quality of statistical community collections and output.

A milestone in migration and asylum statistics mainstreaming is Regulation (EC) No 862/2007 of the European Parliament and of the Council of 11 July 2007 on Community statistics on migration and international protection. The Regulation specifies common definitions, used disaggregation, data sources and quality standards. The Regulation deals with statistics on international migration, usually resident population and acquisition of citizenship; statistics on international protection; statistics on the prevention of illegal entry and stay; statistics on residence permits and residence of third-country nationals and statistics on return.

The first reference year for data collection under the Regulation was 2008. The Czech Republic is fully compliant with the Regulation.

Strategies to improve migration data in the Czech Republic

The usability of administrative sources should be recognised by policy makers and administrations, and should be a priority item on the statisticians' agenda. .

H3. Recommendations regarding migration management

In order to enhance the effectiveness of the national migration system it is advisable to strengthen the link between labour market needs and migration management policy and practices, and to respond to specific developments on the labour market in a flexible and targeted way.

Continuing work on the further enhancement of both the legislative basis as well as of the operational instruments to be used in combating all forms of illegal migration and smuggling and trafficking in human beings is to be strongly recommended.

Sufficient attention should be paid to the building of partnerships with the main countries of origin, addressing all areas of migration, as a necessary prerequisite for continuous improvement of the national migration system.

As the successful integration of legally resident foreigners is seen to be an inevitable part of a well functioning migration system, adequate efforts to address the necessary development in migration trends and in meeting new challenges arising from them should continue.

STATISTICAL ANNEX for additional tables and figures

Employment of foreigners by citizenship; as of 31 December 2006 - stocks⁵⁷

Country	2006		
	Employed foreigners, total	including	
		Employed foreigners	Self-employed foreigners
Total	250 797	185 075	65 722
EU 27, total	159 401	144 594	14 807
including:			
Slovakia	99 637	91 355	8 282
Poland	18 387	17 149	1 238
Germany	3 583	2 383	1 200
United Kingdom	2 173	1 584	589
France	1 243	1 067	176
Austria	891	604	287
Italy	825	461	364
Lithuania	457	365	92
Netherlands	531	393	138
Hungary	353	253	100
Greece	219	88	131
Spain	249	201	48
Belgium	207	156	51
Ireland	193	151	42
Sweden	174	131	43
Denmark	131	107	24
Slovenia	94	70	24
Finland	88	69	19
Latvia	64	31	33
Portugal	59	51	8
Cyprus	24	14	10
Estonia	26	19	7
Malta	16	11	5
Luxembourg	12	9	3
Other countries, total	121 161	68 353	52 808
including:			
Ukraine	67 480	46155	21 325
Vietnam	23 602	692	22 910
Moldova	4 093	3369	724
Russia	3 659	2380	1 279
Mongolia	2 973	2814	159
Bulgaria	2 859	1953	906
USA	1 698	1224	474

⁵⁷ Source: Czech Statistical Office

Romania	1 453	1240	213
Belarus	1 387	1035	352
Serbia and Montenegro	1 372	503	869
China	1 110	876	234
Macedonia	777	596	181
Bosnia and Herzegovina	719	413	306
Japan	635	609	26
Kazakhstan	590	346	244
Armenia	528	236	292
Croatia	527	209	318
India	504	439	65
Democratic People's Republic of Korea	407	399	8
Algeria	276	62	214
Turkey	272	203	69
Canada	265	172	93
Thailand	223	217	6
Syria	174	38	136

Employment of foreigners by citizenship; as of 31 December 2007 - stocks

Country	2007		
	Employed foreigners, total	including	
		Employed foreigners	Self-employed foreigners
Total	309 027	240 242	68 785
EU 27, total	159 401	144 594	14 807
including:			
Slovakia	109 917	101 233	8 684
Poland	24 931	23 642	1 289
Bulgaria	6 319	5 393	926
Romania	4 538	4 313	225
Germany	4 108	2 847	1 261
United Kingdom	2 457	1 804	653
France	1 446	1 250	196
Austria	1 032	720	312
Italy	1 011	615	396
Netherlands	654	509	145
Hungary	559	457	102
Lithuania	513	399	114
Greece	364	312	52
Belgium	265	208	57
Spain	236	105	131
Ireland	212	162	50
Sweden	209	163	46
Denmark	149	122	27
Finland	116	91	25
Slovenia	107	78	29

Portugal	85	75	10
Latvia	83	30	53
Estonia	31	25	6
Cyprus	30	19	11
Malta	19	14	5
Luxembourg	10	8	2
Other countries, total	149 626	95 648	53 978
Including:			
Ukraine	83 519	61 592	21 927
Vietnam	29 862	5 425	24 437
Mongolia	7 057	6 897	160
Moldova	6 433	5 503	930
Russia	3 716	2 488	1 228
USA	1 819	1 316	503
Belarus	1 568	1 209	359
China	1 374	1 074	300
Macedonia	1 201	968	233
Bosnia and Herzegovina	1 145	865	280
Uzbekistan	976	941	35
Japan	800	770	30
Serbia and Montenegro	784	-	784
Kazakhstan	703	479	224
India	692	620	72
Serbia	687	642	45
Armenia	663	382	281
Croatia	521	213	308
Democratic People's Republic of Korea	340	325	15
Thailand	335	327	8
Turkey	316	248	68
Canada	305	208	97

Employment of foreigners by citizenship; as of 31 December 2008 - stocks

Country	2008		
	Employed foreigners, total	including	
		Employed foreigners	Self-employed foreigners
Total	361 709	284 551	77 158
EU 27, total	156 840	140 917	15 923
including:			
Slovakia	109 478	100 223	9 255
Poland	22 044	20 680	1 364
Bulgaria	6 066	5 108	958
Germany	4 135	2 774	1 361
Romania	3 876	3 605	271
United Kingdom	2 846	2 075	771
France	1 727	1 502	225

Italy	1 267	844	423
Austria	1 141	794	347
Netherlands	740	583	157
Hungary	630	524	106
Lithuania	575	439	136
Spain	427	365	62
Belgium	345	275	70
Sweden	282	236	46
Greece	256	126	130
Ireland	231	176	55
Denmark	164	134	30
Portugal	145	134	11
Finland	142	109	33
Slovenia	122	91	31
Latvia	96	39	57
Estonia	46	40	6
Cyprus	27	17	10
Malta	21	15	6
Luxembourg	11	9	2
Other countries, total	204 869	143 634	61 235
including:			
Ukraine	102 285	81 072	21 213
Vietnam	48 393	16 254	32 139
Mongolia	13 157	12 990	167
Moldova	9 748	8 635	1 113
Russia	4 576	3 314	1 262
Uzbekistan	3 656	3 611	45
USA	2 290	1 711	579
China	1 808	1 555	253
Belarus	1 771	1 410	361
Bosnia and Herzegovina	1 740	1 469	271
Macedonia	1 705	1 421	284
Serbia	944	872	72
India	918	848	70
Armenia	873	596	277
Japan	870	835	35
Kazakhstan	869	646	223
Serbia and Montenegro	729	0	729
Republic of Korea	645	628	17
Croatia	552	261	291
Thailand	524	514	10
Indonesia	382	378	4
Philippines	373	363	10