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Report of the fact-finding mission to the Czech Republic by Ms Leyla Kayacik Special Representative of the Secretary General on Migration and Refugees 4-6 May 2022

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## I. INTRODUCTION

#### I.1. CONTEXT OF THE MISSION

- 1. The aggression by the Russian Federation against Ukraine which started on 24 February 2022 led to the most important influx of refugees in Europe since World War II. Within days, millions left the country, seeking safety in neighbouring countries, and beyond.
- 2. Following the onset of the crisis in Ukraine, the Special Representative of the Secretary General (SRSG) on Migration and Refugees convened, on 9 March 2022<sup>1</sup>, an extraordinary online meeting of the Council of Europe (CoE) Network of Focal Points on Migration on to obtain information about the civilian population fleeing Ukraine. The meeting provided an opportunity to highlight the need to protect persons in vulnerable situations from abuse, exploitation and trafficking. Further needs in terms of access to healthcare including adequate support for psychological assistance, access to education, linguistic integration and access to the labour market were also emphasised by the Focal Points. Next, the SRSG convened a meeting on 24 March 2022 of the Inter-secretarial Coordination Group of the CoE. in order to address the needs of the refugees as established by the Focal Points and to coordinate CoE's activities with the aim to provide adequate assistance on the ground, within the CoE's mandate, and in line with the Action Plan on Protecting Vulnerable Persons in the Context of Migration and Asylum in Europe 2021-2025 (Action Plan)<sup>2</sup>. The SRSG organised an online meeting with representatives of international organisations such as the UNHCR, IOM UNICEF, OSCE/ODIHR, EU/FRA<sup>3</sup>. The main purpose of this meeting was to exchange information on the actions carried out by these international organisations in the context of the crisis in Ukraine<sup>4</sup> and to determine how best the CoE, within its mandate, can complement the ongoing efforts. The SRSG also exchanged with representatives of the civil society during the Spring Session of the Conference of INGOs on 5 April 2022.
- 3. Based on the outcomes of these meetings and in accordance with her mandate<sup>5</sup>, the SRSG decided to carry out fact-finding missions to those member states most affected by this sudden and unforeseen influx of refugees.
- 4. The martial law prohibiting men (18-60 years) from leaving Ukraine<sup>6</sup> means that around 90% of those who have fled are women, children, the elderly and others in need of urgent assistance. The Action Plan is the best toolbox for the SRSG in her fact-finding missions and enables the CoE to respond to the needs of people fleeing Ukraine.

<sup>&</sup>lt;sup>1</sup> Extraordinary meeting of the Network of Focal Points on Migration regarding the situation of people fleeing Ukraine - News (coe.int)

<sup>&</sup>lt;sup>2</sup> Action plan on protecting vulnerable persons in the context of migration

<sup>&</sup>lt;sup>3</sup> Refugees fleeing Ukraine: exchange of information with international partners..

<sup>&</sup>lt;sup>4</sup> See in this context the <u>Ukraine Regional Refugee Response Plan (RRP)</u> providing a comprehensive response by UN agencies to support countries' efforts to protect and assist refugees coming from Ukraine and <u>EU/FRA report:</u> <u>EU-Ukrainian border check points: First field observations</u>

<sup>&</sup>lt;sup>5</sup> Mandate of the SRSG (coe.int)

<sup>&</sup>lt;sup>6</sup> See <u>https://zakon.rada.gov.ua/laws/show/en/64/2022#Text</u>

#### I.2. DATES AND DELEGATION

- 5. This report was prepared following the visit by the SRSG to the Czech Republic between 4 and 6 May 2022 with a view to seeing first-hand the challenges on the ground and the Czech authorities' response to them. The report gives an overview of the situation of people from Ukraine in the Czech Republic based on the observations of the SRSG's team during the mission. The visit was also aimed at assessing needs and whether the CoE could provide adequate assistance, notably through the Action Plan. The primary focus therefore is on vulnerable groups. Major issues such as access to accommodation, access to health care, access to the labour market, which play significant roles for the protection and inclusion of these people in the long run, are also addressed.
- 6. Considering the heightened risk of trafficking<sup>7</sup>, the SRSG's delegation included a member of the CoE Group of Experts on Action against Trafficking in Human Beings (GRETA), Dr la Dadunashvili. Her role was to provide thematic expertise on this issue identified as a priority. The SRSG's advisers Anne Kayser and Mustafa Uludag also assisted the SRSG, Leyla Kayacik, during the mission to the Slovak Republic.

#### I.3. MEETINGS AND SITES VISITED

- 7. In Prague, the SRSG met with representatives from relevant national authorities: Deputy Minister of Labour and Social Affairs Ms Zuzana Freitas Lopesová; First Deputy Minister of the Interior Mr Jiří Nováček; State Secretary, Ministry of Education, Youth and Sports, Mr Jindřich Fryč; Director of Human Rights and Transition Policy Department of the Ministry of Foreign Affairs Mr David Červenka and Special Envoy for Migration, Ministry of Foreign Affairs, Mr Ivo Šilhavý.
- 8. In view of the key role played by local authorities in the context of the current crisis, the SRSG and her team also met with the member of Prague City Council responsible for social affairs, Ms Milena Johnová. They spoke to a migration expert from the office of the Public Defender of the Czech Republic, Ms Veronika Víchová. They visited the Prague Regional Centre for Help and Assistance to Ukraine (KACPU), the Prague train station information point and the Prague Integration Centre (ICP).
- 9. The SRSG also talked to representatives of civil society NGOs OPU, Iniciativa Hlavak, Caritas, the Association for Integration and Migration and international partners (UNHCR, IOM, UNICEF).
- 10. The support of the authorities, especially the Ministry of Foreign and European Affairs, was essential when it came to planning and organising the visit to Prague which was carried out at very short notice.

<sup>&</sup>lt;sup>7</sup> States must act urgently to protect refugees fleeing Ukraine from human trafficking - News (coe.int)

## **II. ACCESS TO PROTECTION PROCEDURES**

#### **II.1. FIGURES AND DATA**

- 11. While it does not have any common border with Ukraine, the Czech Republic is amongst the countries currently welcoming the largest number of persons fleeing the conflict zone. At the time of the visit, official figures showed that 323 000 Ukrainian refugees were officially registered and had been granted temporary protection status in the Czech Republic, and around 100 asylum applications had been submitted by Ukrainian nationals. This figure represents 3% of the Czech population and puts the Czech Republic amongst one of the most popular countries for persons fleeing Ukraine. The fact that there was already a large Ukrainian community (200 000 people) in the Czech Republic explains, in part, its appeal for persons fleeing Ukraine.
- 12. Amongst those who arrived after 24 February, around 130 000 minors (accounting for 40% of the total) have been registered. Fewer than 9 000 of the newcomers (3%) are over the age of 65. In terms of regional distribution, while most refugees want to stay in big cities, a quarter of them have found accommodation in Prague (61 000), 15% in the Central Bohemian Region (37 000), and 10% in the South Moravian Region<sup>8</sup>.
- 13. After peaking at 17 000 arrivals per day between 7 and 10 March, the influx of refugees levelled off somewhat to between 2 500 5 000 people per day towards the end of March. Civil society reported shortcomings in the collection of disagregated data and difficulties in accessing exhaustive data.
- 14. Arrivals were decreasing at the time of the SRSG's visit. The Czech authorities on 13 April adopted new strategic priorities outlining medium and long-term priorities to address further developments and impacts of influx of refugees. It is based on three scenarios<sup>9</sup> according to what happens in the case that people continue to seek refuge in the Czech Republic, due to the length or escalation of the conflict.
- 15. Figures show that the Czech Republic is as impacted by the conflict in Ukraine as those countries directly neighbouring it. They should therefore receive the same international support as those countries having a border with Ukraine. This was the rationale adopted by the SRSG when deciding to carry out this visit.

<sup>&</sup>lt;sup>8</sup> The figures were communicated by the authorities during our meetings. <u>Official UNHCR data</u> on the situation of refugees fleeing Ukraine do not monitor the number of refugees in the Czech Republic as it is not a neighbouring country.

<sup>&</sup>lt;sup>9</sup> "Establishment of strategic priorities of the government of the Czech Republic to cope with the refugee wave related to the invasion of Ukraine by the Russian federation", Prague, 13 April 2022

#### **II.2. LEGISLATIVE FRAMEWORK AND ACCESS TO TEMPORARY PROTECTION**

- 16. Citizens of Ukraine holding a valid biometric passport are entitled to stay in the Czech Republic, without a visa, for up to 90 days. They are however required to register with the Alien and Border Police within 30 days of their entry into the Territory. As of 22 March, long-term visas for stays over 90 days have been replaced by a simplified regime implementing the EU Temporary Protection (TP) Directive<sup>10</sup>, enacted by "Lex Ukraine"<sup>11</sup>. It allows people to remain in the country for up to 1 year (or until 31 March 2023 at the latest) and takes a broad approach to applying the EU Directive. It applies to citizens of Ukraine who were resident in Ukraine before 24 February as well as to those who arrived in the Czech Republic after 24 February and to those who are staying there lawfully without a visa or on a short-term visa and to those who do not yet have a long-term EU residence permit. It also applies to third-country nationals, stateless persons and foreigners who were granted some form of international protection in Ukraine and who resided in Ukraine before 24 February and to for TP<sup>12</sup>.
- 17. The Ministry of the Interior acts as co-ordinator and oversees the Central Crisis Unit. With the support of the fire-rescue service, it was extremely efficient in setting up an integrated rescue system. In practice, persons fleeing Ukraine are directed to one of 16 registration centres that opened across the country and which serve as one-stop-shops for all services. When visiting the Prague Regional Centre for Help and Assistance to Ukraine (KACPU) serving Prague and the Bohemian region, the SRSG's team witnessed the swift processing of applications in a centre that was being managed by the fire-rescue service. Thanks to a 30-minute procedure, 1 000 persons a day were able to submit applications<sup>13</sup>. Applicants are first screened at the entrance to the centre and admitted if they are deemed eligible to apply for TP. They complete the asylum-application form with the support of Ukrainian-speaking staff; register with the public health insurance system; consult social services in case of special needs; receive an initial humanitarian allowance (around €200 per person per month)<sup>14</sup> and information on how to enter the labour market and open a bank account (there are several bank branches present in the centre); apply for emergency accommodation (if necessary) and obtain support from Ukrainian consular services if they do not have the necessary identity papers.

<sup>12</sup> Information for Ukrainian Citizens - Ministry of the Interior of the Czech Republic (mvcr.cz)

<sup>13</sup> At the time of our visit, we were informed that the KAPCU was registering an average of 800 applicants, and 80 000 in total had transited through this centre since it opened on 14 April.

<sup>&</sup>lt;sup>10</sup> Council Directive 2001/55/EC of 20 July 2001, referred to as 'the Temporary Protection Directive'

<sup>&</sup>lt;sup>11</sup> "Establishment of strategic priorities of the government of the Czech Republic to cope with the refugee wave related to the invasion of Ukraine by the Russian Federation", Prague, 13 April 2022

<sup>&</sup>lt;sup>14</sup> Assistance in material need (mpsv.cz)

- 18. The SRSG recognised the efficient response to an unprecedented situation, the result of which led to the swift setting-up of well-run registration centres where national, local and non-governmental actors work together closely to provide Ukrainian nationals with temporary protection. The SRSG did, however, observe a lack of systematic vulnerability assessments to identify special needs. Procedures should be put in place to facilitate prompt identification of heightened vulnerability<sup>15</sup>, prioritise those most vulnerable and refer women in need of protection, single parents with small children, unaccompanied children, elderly persons, persons with disabilities, LGBTI+ persons<sup>16</sup> and other groups with specific needs.
- 19. The SRSG also noticed that access to the procedure is restricted to those who strictly meet the criteria for entering the registration centres. NGOs pointed to the lack of safeguards for those who fall outside the system: neither free legal aid nor state-funded counselling is available to them nor is there any information on how to proceed in exceptional cases other than what is posted on the Ministry of the Interior website in Czech, English and Ukrainian<sup>17</sup> and whatever information is provided by NGOs.
- 20. As a result, certain groups who do not fit into the predefined boxes cannot apply for TP. These are mainly Roma people arriving in large families or holding a passport other than a Ukrainian one. Finding accommodation was set as a criterion to be allowed to register. If they cannot find their own accommodation, they cannot submit an application request for temporary protection (see part IV.3).
- 21. Even though some applications may need more time to be processed and countries can decide on the entry and residence of foreigners, access to asylum procedures and to fair procedural safeguards should be accessible to all those seeking protection<sup>18</sup>. Authorities should ensure that adequate legal information and assistance is available from asylum lawyers.

<sup>&</sup>lt;sup>15</sup> See case-law of the European Court of Human Rights on the obligation to take measures to detect vulnerabilities at the earliest stage possible through effective vulnerability assessment procedures, and to ensure that individuals are informed about such procedures: ECtHR, *Rahimi v. Greece*, No. 8687/08, 5 April 2011; *Thimothawes v. Belgium*, No. 39061/11, 4 April 2017; *Abdi Mahamud v. Malta*, No. 56796/13, 3 May 2016 – <u>Note CoE/FRA</u> on the fundamental rights of refugees, asylum applicants and migrants at the European borders.

<sup>&</sup>lt;sup>16</sup> The particular vulnerability of LGBTI who need be protected from discrimination and stigmatisation, prejudice and violence based on sexual orientation and gender identity was underlined by: the CoE Secretary General <u>IDAHOT: LGBTI persons fleeing war face specific risks and need protection</u>, the Commissioner for Human Rights LGBTI people affected by the war in Ukraine need protection; and Christophe Lacroix (Belgium, SOC), the Assembly's General Rapporteur on the rights of LGBTI people <u>General rapporteur expresses deep concern for the</u> <u>rights of LGBTI people in or fleeing Ukraine (coe.int)</u>

<sup>&</sup>lt;sup>17</sup> Information for Ukrainian Citizens - Ministry of the Interior of the Czech Republic (mvcr.cz)

<sup>&</sup>lt;sup>18</sup> See judgments of the European Court of Human Rights concerning cases where a person present on the territory was unable to lodge an asylum application (*A.E.A. v. Greece*, Application No 39034/12, judgment of 15 March 2018) or where such application was not seriously examined (M.S.S. v. Belgium and Greece [GC], Application no. 30696/09, Judgment of 21 January 2011).

22. The CoE took immediate action in response to this need by setting-up new Asylum/Migration HELP e-Desks for a number of countries including the Czech Republic<sup>19</sup>. Their aim is to facilitate access by legal professionals and migration officials to information and training about effective handling of cases related to refugees and displaced persons, with an immediate focus on refugees from Ukraine. They complement the national HELP online courses on issues such as "Asylum and Human Rights", and "Combating Trafficking in Human Beings"<sup>20</sup>, available in Czech. They aim to raise awareness about assessing vulnerability and identifying special needs. The authorities should encourage all relevant actors to take part in these free courses, and disseminate them further afield. The HELP courses on Refugee and Migrant Children and Alternatives to Immigration Detention<sup>21</sup>, available in English and several other languages, could also be translated into Czech if there is an interest on the side of the domestic authorities to implement them in institutional cooperation.

## **III. RECEPTION AND INCLUSION**

## III.1. ACCESS TO ACCOMMODATION

- 23. Thanks to an extraordinary and unprecedented outpouring of support in the Czech Republic, some 85% of the refugees are believed to be in private accommodation, either with Czech families, with relatives or friends within the Ukrainian community, in hotels or other private structures. 14 000 applicants have been accommodated by the authorities (half of them in Prague, with the rest distributed across the various regions). The state reception capacities of 5 000 places are fully occupied. The bulk of this assistance is provided by local authorities, NGOs and individuals. The government supports and encourages individual accommodation by financially supporting host families (CZK 3 000 per person hosted per month, up to a maximum of CZK 12 000 per month), with the aim of avoiding tent camps and collective housing. Regrettably, there are no exact figures available concerning the number of persons in private accommodation, apart from families applying for financial assistance. A dedicated platform was created in order to have a pool of available accommodation, but there is no monitoring or screening of host families or checks to ensure compliance with minimum standards, which is an issue of concern (see under 3.3 Protection from trafficking).
- 24. Although arrivals are decreasing, such spontaneous and generous support is not sustainable. Individuals will not be able to continue providing food and services, despite the financial assistance given. With the upcoming holiday season, hotels will be increasingly solicited by tourists who they may wish to accommodate, particularly in light of the restrictions due to the COVID-19 pandemic, rather than to house the refugees.

<sup>&</sup>lt;sup>19</sup> <u>New Council of Europe HELP e-Desks on asylum/migration for lawyers assisting people fleeing the war in</u> <u>Ukraine - All news (coe.int) See in particular the course for Czech Republic</u>

<sup>&</sup>lt;sup>20</sup> See courses on Asylum and Human Rights, and Combating Trafficking in Human Beings

<sup>&</sup>lt;sup>21</sup> See courses on <u>Refugee and Migrant Children</u> and <u>Alternatives to Immigration Detention</u>

- 25. Most refugees tend to remain in cities. According to the Mayor of Prague, in May 2000, there were four times more refugees from Ukraine in Prague per 1 000 inhabitants than there are in other regions. Prague was already short of housing before the refugee crisis and cannot accommodate large numbers within such a short timeframe. While the authorities are exploring possible scenarios to accommodate the current number and even bigger numbers of refugees, more contingency planning and long-term solutions are needed. This includes redistribution of refugees across the country and giving appropriate support to local authorities to house and integrate newcomers. The infrastructure (water, waste, transportation, schools and kindergartens) is usually not designed to cope with so many newcomers and needs to be upgraded, which involves major costs. Employment opportunities outside big cities are scarce and pose an additional obstacle. Moreover, refugees who have attempted to move to another region seem to face excessive administrative difficulties when it comes to registering with another Regional Registration Centre. More should be done to increase the already limited appeal of the regions, such as the observed good practice of helping small villages to refurbish properties donated by individuals. Simply closing the KACPU registration centre, as announced by the Mayor of Prague<sup>22</sup>, is not an advisable means of encouraging redistribution across the regions.
- 26. Accommodation was observed to be a major challenge, especially for persons of Roma origin fleeing Ukraine (see IV.3). As underlined by many of those spoken to, it is advisable to put in place a nationwide system of redistribution and to deploy efforts to expand housing options throughout the country, including for Roma refugees.
- 27. The SRSG welcomes the strategic priorities<sup>23</sup> adopted by the Czech Government to adapt to the refugee influx. It identifies 13 priority areas of action, including all the relevant aspects of refugee integration: housing, education, health, social affairs and security. The total estimated costs associated with the wave of refugees amounts to CZK 54 billion. It is stated that the majority of the funds will be invested in social affairs, education, housing and healthcare.
- 28. To cover these costs, funding was allocated by the European Union to its member states most affected, mainly under the AMIF programme. In addition, since March 2022, the CoE Development Bank (CEB) approved, among others, a €400.000 grant to finance the provision of accommodation, information, employment, health, legal and social services, and an initial €200 million humanitarian aid loan, allowances for housing, and hiring of temporary staff recruited to provide reception support<sup>24</sup>.
- 29. The substantial financial support provided by the CEB to the Czech Republic can be used to meet the vital need for more social housing that was highlighted by all the partners encountered. In so doing, ghettoisation should be avoided and local populations' needs duly taken into account to maintain social cohesion in the country.

<sup>&</sup>lt;sup>22</sup> Prague Mayor tells Czech Govt that if refugees are not redistributed elsewhere in the country by Tuesday, he will close the assistance center - Romea.cz <sup>23</sup> See supra: "Establishment of strategic priorities of the government of the Czech Republic to cope with the refugee

wave related to the invasion of Ukraine by the Russian federation", Prague, 13 April 2022

<sup>&</sup>lt;sup>24</sup> See Czech Republic | CEB (coebank.org): €400.000 grant on 21 April 2022; €200 million loan on 3 June 2022. See also

#### **III.2 ACCESS TO HEALTH CARE**

- 30. In the Czech Republic, every health care provider must provide urgent care to everyone at all times, regardless of insurance or residence status, although there is no requirement to do so free of charge, even though some Czech doctors were doing so for Ukrainian citizens<sup>25</sup>. In addition, under the provisions implementing the EU Temporary Protection Directive, there is to be full and free access to health care and full coverage of costs via the social security scheme<sup>26</sup>. Ukrainian refugees can also apply for the Extraordinary Immediate Assistance scheme when there is a serious risk of injury<sup>27</sup>.
- 31. The incoming refugee population, mainly composed of women and children, elderly persons, disabled persons or persons with health issues, have specific health needs. Hospitals and doctors are struggling with a lack of resources, unable to cope with the sudden increase in the number of patients with chronic and severe illnesses or psychological trauma. The SRSG was informed about the difficulties in securing appointments (often with long waiting times) with specialist doctors, including for ongoing urgent treatment, such as for cancer. Special attention should be given to the need for sexual and reproductive healthcare for women. The CoE is currently working on new standards to ensure equitable access to scarce healthcare resources, which will provide guidance to states in this area<sup>28</sup>.
- 32. Furthermore, the differences in medical treatments prescribed in Ukraine and in the Czech Republic, can be a cause for anxiety for some patients. Language and communication difficulties between doctors and patients were also an issue, one that is being addressed in the CoE's ongoing work on a guide to health literacy for all, including for migrants and refugees, to help empower them to access healthcare on an equitable basis with other groups in society<sup>29</sup>. Licensing Ukrainian doctors in the Czech Republic would also alleviate the problem. Currently they are only allowed to work in Czech hospitals as assistant doctors. A swift and flexible procedure for recognising their qualifications will ease the burden on the Czech health system, already strained by the COVID-19 pandemic (see Chapter III.5 on access to the labour market).
- 33. In the Czech Republic, the higher requirements than in Ukraine regarding children's vaccination in order to attend school has made families reluctant to enrol their children. Cultural mediation and thorough explanations, including by Ukrainian doctors, can help convince reluctant families.

<sup>&</sup>lt;sup>25</sup> For example, the civil initiative Iniciativa Lékaři pro Ukrajinu <u>lekariproukrajinu.cz</u>

<sup>&</sup>lt;sup>26</sup> See Czech <u>public health insurance</u> and <u>Guidelines for new arrivals from Ukraine in the Czech Republic:</u> residence, employment and social support | European Website on Integration (europa.eu)

<sup>&</sup>lt;sup>27</sup> See website on <u>Extraordinary Immediate Assistance</u>

<sup>&</sup>lt;sup>28</sup> See ongoing work on Equitable access in scarce resources (coe.int)

<sup>&</sup>lt;sup>29</sup> See ongoing work on <u>health literacy (coe.int)</u>

#### **III.3 NEED FOR PSYCHOLOGICAL SUPPORT**

- 34. Refugees fleeing Ukraine have been exposed to extreme violence and experienced intolerable levels of fear and anxiety. Children are often isolated from their families and afraid for their fathers in the war zone, and so suffer high levels of stress. Daily lives and routines have been shattered, with added pressure to adapt to new languages and environments. A prompt return to school will help to alleviate psychological stress, giving children a sense of stability and normality and an outlook for the future. That said, schools need to be equipped to identify and address mental health issues, if and when they arise. The Ministry of Education of the Czech Republic has set up a programme for psychological support in schools, but it is difficult to find psychologists and social workers who speak Ukrainian.
- 35. Trauma linked to sexual violence, to the war and/or to the hardship of being alone in a foreign country, is widespread<sup>30</sup>. This has prompted calls for specific care and psychological support to be provided by specialists in trauma rehabilitation. Several organisations and initiatives are offering free psychological help in Ukrainian<sup>31</sup>. The Organization for Aid to Refugees/OPU<sup>32</sup> has a factsheet for volunteers and professionals, based on psychotherapy, on how to talk to people affected by the war. Similarly, the CoE has a memo on how to provide psychological first aid to Ukrainian refugees<sup>33</sup>. The need for support and care remains high, especially the need for Ukrainian-speaking psychologists.
- 36. The SRSG also observed an unprecedented need for support for professionals and volunteers helping refugees. Working in such psychologically demanding conditions brings with it a risk of exhaustion and burn-out.
- 37. The CoE stands ready to support stakeholders in the prompt detection of psychological problems or trauma and in the provision of appropriate assistance. This can usefully contribute to the efforts of teams of psychologists, psychiatrists, social workers, educators and migration specialists conducting emergency interventions with health and social services staff working on psycho-social support and trauma rehabilitation. This would help to support and/or develop capacity building, specific protocols, online seminars and easy-to-use factsheets and checklists for relevant professionals in multiple languages, including Ukrainian.

#### **III.4. LINGUISTIC INTEGRATION**

38. Learning the host country's language is essential for social inclusion. To overcome the language barrier, an information leaflet for employees and employers has been produced in both Czech and Ukrainian<sup>34</sup>. Some of the country's main job portals<sup>35</sup> now allow users to search for vacancies without having any knowledge of the Czech language. Integration centres<sup>36</sup> were set up in each region by the Ministry of the Interior. These centres, which have non-governmental status and are funded by the EU, provide language courses as well as cultural orientation and social and legal counselling. The Prague Integration Centre underlined the existence of numerous paid language courses, while free language courses are scarce. It

<sup>&</sup>lt;sup>30</sup> Ukrainian refugees in Europe: a mental health crisis in the making - InfoMigrants

<sup>&</sup>lt;sup>31</sup> For example the <u>Czech Psychology Network for Global Changes</u>, the <u>National Institute of Mental Health</u> and the <u>Sluchátko</u> helpline

<sup>32</sup> www.opu.cz/wp-content/uploads/2022/03/Jak\_mluvit\_navod\_0304C.pdf

<sup>&</sup>lt;sup>33</sup> Pompidou Group: psychological first aid for Ukrainian people

<sup>&</sup>lt;sup>34</sup> The leaflet for employees and employers is available in both <u>Czech</u> and <u>Ukrainian</u>.

<sup>&</sup>lt;sup>35</sup> See job.cz and práce.cz. Job offers in Ukrainian are also being published on the website of the <u>Ukrainian</u> Initiative in the Czech Republic

<sup>&</sup>lt;sup>36</sup> See Integrační centrum Praha (icpraha.com)

was suggested that there is a need for more free linguistic support. Private companies employing refugees could also put in place free language courses.

- 39. As for children, schools are obviously not used to receiving large numbers of foreign children. They reacted swiftly by organising adaptation groups to enable Ukrainian children to progressively join the mainstream classes and learn the Czech language. These will not suffice, however, to meet the growing needs that will emerge when enrolment in local schools becomes compulsory as of September 2022. Additional efforts are needed throughout the summer, including the provision of more adaptation and language courses and training of language teachers and educators.
- 40. The CoE Education Department provides guidelines and pedagogical support to help professionals providing linguistic support to adult migrants<sup>37</sup>. It has developed a specific website offering dedicated support for the linguistic integration of refugees from Ukraine<sup>38</sup>, including for children. These tools are being translated into the languages of the countries bordering Ukraine. Authorities and organisers of private initiatives can draw on them to support their commendable efforts. The CoE can support the authorities in organising training for educators in pilot schools and communities.

#### **III.5. ACCESS TO THE LABOUR MARKET**

- 41. The Czech Government has estimated that, among the newly arrived refugee population, 137 000 are adults of working age, the vast majority (80%) being women<sup>39</sup>. Holders of temporary protection status can apply for a work permit at a regional branch of the Labour Office depending on their place of residence, after having signed a work contract with an employer. Employment opportunities exist and data from Czech employment offices show that already more than 50 000 people have reportedly found jobs in industries that were previously in dire need of workers<sup>40</sup>. The CEB also approved a loan of €150 million to Czech and Slovak small and medium-sized enterprises to support job creation<sup>41</sup>. The financial assistance of the Bank should be used efficiently with a view to facilitating the access to the labour market for the people from Ukraine.
- 42. The government adopts an encouraging and pragmatic approach to facilitate speedy access to the labour market. A worrying proposal to restrict refugees' acess to welfare benefits and to tie health insurance to employment status is nevertheless on the table<sup>42</sup>. While refugees are in general highly motivated to find work, they still have to overcome major obstacles such as lack of day-care for young children (see IV.1), linguistic difficulties (voir III.4) and the recognition of qualifications.

<sup>&</sup>lt;sup>37</sup> Linguistic Integration of Adult Migrants homepage (coe.int)

<sup>&</sup>lt;sup>38</sup> ECML website on dedicated support for the (linguistic) integration of refugees from Ukraine - (coe.int)

<sup>&</sup>lt;sup>39</sup> Establishment of strategic priorities by the government of the Czech Republic to cope with the refugee wave related to the invasion of Ukraine by the Russian Federation, Prague, 13 April 2022

<sup>&</sup>lt;sup>40</sup> Czech authorities encourage Ukrainian refugees to seek work - or else lose benefits

<sup>&</sup>lt;sup>41</sup> See CEB's website announcing the <u>€150 million loan</u> on 17 March 2022;

<sup>&</sup>lt;sup>42</sup> The right to health and medical assistance provided for by the <u>European Social Charter</u> (articles 11 and 13) complements articles 2 and 3 of the European Convention on Human Rights and applies to non-nationals.

- 43. Recognition of qualifications is reportedly an issue, especially for some regulated professions in the fields of health and education. Given the urgent needs that exist, the government has adopted a pragmatic approach, allowing Ukrainian teachers and doctors to work as assistants in hospitals and schools even if they do not fulfil the language criteria for formal recognition of their diplomas. More flexibility is needed so that, even if they are not proficient in Czech, Ukrainian refugees who are qualified in their own country can be fully recognised as doctors and teachers, enabling them to care for/teach Ukrainian patients/students. It has also been observed that refugees might not work in the field in which they are qualified, often because of a lack of appropriate recognition of their qualifications. A swifter procedure for assessing and recognising qualifications is required.
- 44. The European Qualifications Passport for Refugees (EQPR)<sup>43</sup> is a useful tool on which CoE member states can draw. It supports and complements national recognition and admission schemes by providing fair assessment of the qualifications of refugees, including those with inadequately or insufficiently documented files. A recent evaluation session involved 29 Ukrainian refugees residing in Italy and France. It demonstrated the considerable value of the EQPR for Ukrainian refugees with qualifications in health-related fields, both in terms of access to jobs and in terms of further studies.
- 45. The Czech Republic is encouraged to become an official partner of the EQPR. It is important to emphasise that the national recognition centres remain in the driving seat and decide whether it is necessary to refer applicants to the EQPR. The CoE supports these centres by training credential evaluators with the necessary competence in Ukrainian qualifications and knowledge of the Ukrainian language.

## IV. PERSONS IN VULNERABLE SITUATIONS

## **IV.1 CHILDREN**

## IV.1.1 UNACCOMPANIED AND SEPARATED CHILDREN

46. Children fleeing the war and seeking protection in a foreign country are particularly vulnerable and need special support and guidance. While half of the refugee population fleeing Ukraine is made up of children, only small numbers are unaccompanied (UAM) or separated<sup>44</sup>. Supposedly around 90 unaccompanied children, mostly over 16, were in the Czech Republic at the time of the visit according to the Ministry of Social Affairs. As the Czech Republic does not have an external border with Ukraine, UAM may not be systematically registered, which heightens the risk for them of going missing.

<sup>&</sup>lt;sup>43</sup> European Qualifications Passport for Refugees (EQPR) (coe.int)

<sup>&</sup>lt;sup>44</sup> Unaccompanied minors (UAMs) are children who have been separated from parents or other legal or customary caregivers, as well as other adult relatives. Separated children may include those in the care of adult siblings or other adult family members.

- 47. According to UNICEF, if and once children are identified, the effective referral system for UAM that existed prior to the crisis enables a quick response through hotspots in each municipality. UAM are offered accommodation (including through foster families and community care), guardianship, social support and schooling. The Czech authorities explained that the Ukrainian authorities prefer that UAM are not placed in foster families as the latter would subsequently be considered as adoptive parents. The best interest of the child and the recently adopted CoE standards on prioritising family-based care<sup>45</sup> should prevail. The SRSG's Office publication on Promoting child-friendly approaches in the area of migration<sup>46</sup> may also help to apply legal standards through practical, procedural guidance and real-life examples.
- 48. Many children arrived with a non-legal guardian (uncle or aunt, grandparents, friend, neighbour). The authorities explained that they take a flexible approach in an effort to keep the group together following full registration and monitoring of the person accompanying the child. If children arrive on their own, the authorities try to find a close relative to take on guardianship responsibility<sup>47</sup>. Such flexibility is to be welcomed as long as the guardian is carefully monitored and the standards set in the Committee of Ministers' Recommendation on an effective guardianship for unaccompanied and separated children in the context of migration system<sup>48</sup> are fully respected.
- 49. United Nations (UN) agencies also underlined the large number of institutions or boarding schools that sought protection outside Ukraine for their pupils, half of whom have disabilities<sup>49</sup>. Private initiatives or non-governmental organisations usually assisted such evacuations. The issue of legal guardianship for these children was flagged up as an issue although the authorities pragmatically assigned the schools the responsibility of caring for the children. There should be thorough monitoring of these institutions.
- 50. Specific challenges are identified regarding unaccompanied children over 16 years of age. The Ukrainian legislation gives them the right to free independent travel outside Ukraine, without requiring the consent of their parents<sup>50</sup>. They therefore consider themselves autonomous and are reluctant to enter foster care or guardianship. They sometimes intentionally avoid registration as they are uncertain in which country they want to stay and do not necessarily wish to be reunited with relatives abroad. Specially trained social workers should identify and liaise with these children at high risk of abuse, violence and human trafficking, including being present at registration.
- 51. Family reunification should also be a priority for unaccompanied children<sup>51</sup>. Active efforts should be made to track down family members in other countries, a systematic assessment conducted to establish what is in the best interest of the child, parental consent sought, and information shared with the relevant authorities concerning any moves to neighbouring countries<sup>52</sup>.

<sup>&</sup>lt;sup>45</sup> See guidance on <u>Family-Based Care for Unaccompanied and Separated Children</u>

 <sup>&</sup>lt;sup>46</sup> Promoting child-friendly approaches in the area of migration - Standards, guidance and current practices (2019)
<sup>47</sup> For further details, see the UNICEF/EUROCHILD Policy & Legal review for children in alternative care & unaccompanied and separated children from Ukraine arriving in: CZECHIA

<sup>&</sup>lt;sup>48</sup> <u>Recommendation on effective guardianship for unaccompanied and separated children in the context of migration</u> (2019)

<sup>&</sup>lt;sup>49</sup> Protect unaccompanied children fleeing Ukraine: UN agency chiefs | | UN News

<sup>&</sup>lt;sup>50</sup> Civil Code of Ukraine, article 313.

<sup>&</sup>lt;sup>51</sup> See CoE publication "Family reunification for refugee and migrant children - Standards and promising practices"

<sup>&</sup>lt;sup>52</sup> Protect unaccompanied children fleeing Ukraine: UN agency chiefs | | UN News.

## **IV.1.2 ACCESS TO EDUCATION**

- 52. According to information shared by the Ministry of Education, at the time of the SRSG's visit, out of the 29 000 pre-school age children, 3 310 Ukrainian children had been placed in kindergartens and of the 57 000 children subject to compulsory school attendance (aged 6-15 years), 23 204 were enrolled in schools. A web portal<sup>53</sup> set up by a civilian initiative allows Ukrainian families in the Czech Republic to find a kindergarten, primary or secondary school. The map shows schools that have vacancies, and which are ready to accept Ukrainian children. Capacities are reported by the Ministry of Education to be sufficient for full enrolment throughout the country<sup>54</sup>. Big cities (mainly Prague) are however stretched, and families are being encouraged to move to the regions (see III.1).
- 53. Ukrainian children can follow online classes run by the Ukrainian authorities and schools<sup>55</sup>. In practice, few of them seem to do so consistently. Their minds are too busy coping with the situation and adapting to their new lives. By September 2022, inclusion in the Czech schooling system will be compulsory. The Ukrainian authorities are advocating for continued online schooling or separate classes for Ukrainian children taught by Ukrainian teachers and following the Ukrainian curricula, in the hope that there will be a swift return to normality in Ukraine. The efforts to keep the link with Ukrainian students are indeed important to facilitate their reintegration in Ukrainian pupils in the host system. This is compliant with the best interests of the child, given the uncertainty of the situation in Ukraine. It will facilitate children's integration, their socialisation and their psychological relief. Flexibility on both sides is therefore required. Pragmatic solutions should be sought, such as the possibility for Ukrainian children to complement their official education with after-school classes in Ukrainian, including on school premises, with Ukrainian teachers employed by the Czech Government.
- 54. As regards care for children under school age, the Ministry of Education underlined that there are 12 896 free places in kindergartens nationwide. In big cities (especially Prague), care facilities for children 0-3 years were reported to be insufficient for Czech children even before the influx of refugees. Welcome efforts were made to create places for younger refugee children. There are now however signs of uneasiness amongst the Czech population as their own children remain on waiting lists. While preserving social cohesion and not discriminating against the local population, it is important to alleviate the pressure on single refugee mothers and enable them to access the labour market, to integrate into society and become self-reliant. More kindergartens should be opened to cater to this urgent and growing need. The CEB's financial support<sup>56</sup> could also be used to this end.

<sup>&</sup>lt;sup>53</sup> The project <u>Shkola</u> is a spontaneous initiative by ScioŠkola and the tech company Ximilar.

<sup>&</sup>lt;sup>54</sup> The Ministry of Education reports 12 896 free places in kindergartens and 150 458 in primary schools.

<sup>&</sup>lt;sup>55</sup> https://www.ecml.at/Portals/1/documents/events/Ukraine-online\_schools.pdf

<sup>&</sup>lt;sup>56</sup> See supra and <u>Czech Republic | CEB (coebank.org)</u>

#### **IV.2 NON-UKRAINIAN REFUGEES**

55. In principle, temporary protection applies to non-Ukrainians, stateless persons and foreigners who resided in Ukraine before 24 February<sup>57</sup>. Nevertheless, the SRSG was informed<sup>58</sup> that, in practice, non-Ukrainians are encouraged to return to their country of origin and are assisted through voluntary return flights organised by the International Organisation for Migration (IOM). This also includes students with visas allowing them to study in Ukraine. Syrians or Palestinians who have had refugee status in Ukraine and who cannot be returned to their country of origin are required to restart a new and often lengthy asylum procedure in the Czech Republic, as they are not eligible for temporary protection. The welcoming attitude towards Ukrainian refugees has raised hopes of a paradigm shift of the asylum procedure. The Czech authorities are encouraged to build on the positive achievements of this crisis in order to strengthen the asylum system as a whole and in full compliance with CoE standards.

#### **IV.3 ROMA REFUGEES**

- 56. Although there are no official numbers, thousands of Roma refugees (nationals of Ukraine or of other States) are believed to be in the country<sup>59</sup>. As mentioned under II.2 and III.1, the SRSG observed some difficulties in the provision of humanitarian assistance, access to registration and accommodation, as well as concerns linked to the possibility of being returned to Ukraine in cases of statelessness<sup>60</sup>.
- 57. Roma persons fleeing the conflict in Ukraine tend not to profit from spontaneous offers of support from locals because they arrive in intergenerational families of 20-30 persons difficult to accommodate together. An emergency support facility at the main Prague railway station was set up as part of a civilian initiative<sup>61</sup> and was helping up to 7 000 refugees a day at the time of the SRSG's visit. The Railway Administration provided 70 beds in the hall for the most vulnerable ones and 210 people could sleep on the seats of a parked train.
- 58. There were efforts by the government to mitigate the issue, such as using migration detention centres to accommodate Roma families. Shortly after the visit, the authorities opened emergency shelters (tent villages) to accommodate Roma refugees (for up to 30 days) until their screening process and eligibility for protection is finalised. These are valuable attempts to find a quick fix to the issue, but more sustainable solutions need to be found.

<sup>&</sup>lt;sup>57</sup> Information for Ukrainian Citizens - Ministry of the Interior of the Czech Republic (mvcr.cz)

<sup>&</sup>lt;sup>58</sup> This was also underlined by ECRI in general terms in its <u>Statement</u> on the consequences of the aggression of the Russian Federation against Ukraine

<sup>&</sup>lt;sup>59</sup> Czech region accommodating roughly 50 Romani refugees from Ukraine without problems, "benefit tourism" is not their motivation - Romea.cz

<sup>&</sup>lt;sup>60</sup> This was also stated by the Commissioner for Human Rights: <u>Let us fight discrimination and prejudices against</u> <u>Roma fleeing the war in Ukraine</u> and by ECRI in its <u>Statement</u> on the consequences of the aggression of the Russian Federation against Ukraine

<sup>&</sup>lt;sup>61</sup> <u>Initiativa Hlavák</u> (Main Station Initiative) and <u>Organization for Aid to Refugees (OPU)</u> supported by the firefighters who work for the railways, medics from the 3rd Faculty of Medicine in Prague, the Railway Administration and the Czech police mobilise hundreds of volunteers to provide comprehensive assistance, from help with train tickets to legal assistance for people in specific situations.

- 59. Other solutions proposed by the Ministry of the Interior have been met with resistance from local authorities and populations. The positive feedback given by the Hradec Králové Region should be a source of inspiration for others<sup>62</sup>. The SRSG welcomes the latest initiative to set up a working party comprised of representatives of ministries, the ombudsperson of the Czech Republic, municipalities and non-governmental sectors to find further solutions.
- 60. Measures were also taken whereby persons applying for temporary protection must now show that they have secured accommodation. There is a risk that these measures will deter Roma refugees from seeking protection. According to information received by the relevant authorities, some of them also have the citizenship from an EU member state, which automatically denies them the temporary protection in the Czech Republic<sup>63</sup>.

# V. PROTECTION FROM VIOLENCE AND FIGHT AGAINST TRAFFICKING IN HUMAN BEINGS

## V.1. SUPPORT FOR VICTIMS OF WAR CRIMES

- 61. Most of the refugees fleeing Ukraine are children and young women and so are particularly vulnerable to exploitation and abuse. Although no such cases had been formally identified in the Czech Republic at the time of the SRSG's visit, there are mounting allegations of sexual violence and rape perpetrated by Russian soldiers on civilians in Ukraine, including on girls and boys<sup>64</sup>. The SRSG observed a sudden need for additional sexual and reproductive healthcare for women, including healthcare during and after pregnancy and support for victims of sexual violence and rape. In the case of unwanted pregnancy, the SRSG was assured that access to abortion was secured and covered by the health insurance, including in cases of rape. This is to be welcomed, although victims should also receive specific care and immediate and longer-term psychological support provided by specialists in trauma rehabilitation (see III.3).
- 62. Ukrainian refugee victims of violence, including sexual war crimes perpetrated in Ukraine, may file a case with the prosecutor in accordance with the principle of universal jurisdiction. The SRSG underlines the importance of documenting these crimes and appreciates the fact that the Czech police have started investigating suspected war crimes in Ukraine and gathering testimonies from refugees and that the Czech judiciary can sentence perpetrators in absentia<sup>65</sup>.

<sup>&</sup>lt;sup>62</sup> <u>Czech region accommodating roughly 50 Romani refugees from Ukraine without problems, "benefit tourism" is not their motivation - Romea.cz</u>

<sup>&</sup>lt;sup>63</sup> Czech Republic Tightens Entry Conditions for Ukrainian Refugees

<sup>&</sup>lt;sup>64</sup> See <u>Men and boys among alleged rape victims of Russian soldiers in Ukraine | Ukraine | The Guardian</u>

<sup>&</sup>lt;sup>65</sup> Czech police investigating possible war crimes in Ukraine | Radio Prague International

## V.2. PROTECTION FROM VIOLENCE AND ABUSE

- 63. To prevent violence against refugee women and children in the Czech Republic, reception centres should be adapted to the needs of women with or without children. There should be separate and secure zones dedicated to women and children, supplies suited to their particular needs and appropriate medical and psychological aid, including for experiences of sexual and gender-based violence. As Ukrainian refugees are mostly hosted by private entities, increased monitoring, vetting and screening of private hosts should assess if the safety of women and children is being ensured in private accommodation.
- 64. Ahead of any steps taken towards the ratification of the CoE Convention on Preventing and Combating Violence against Women and Domestic Violence<sup>66</sup> (Istanbul Convention), such efforts could be seen as contributing to aligning Czech Republic's legislation and practice with the standards of this convention.

## V.3. TRAFFICKING IN HUMAN BEINGS

- 65. The risk of trafficking increased in the early days of the aggression, when there were large numbers of unmonitored individuals offering transport and housing. CoE bodies reacted swiftly by calling on states to act urgently to protect refugees fleeing Ukraine from human trafficking<sup>67</sup>.
- 66. Countries bordering Ukraine were quick to take measures (data collection, monitoring of individuals offering support, provision of information to incoming refugees about the risk of trafficking.). As the Czech Republic has only open land borders with neighbouring EU countries it was impossible to establish efficient registration procedures to prevent trafficking. NGOs suspect that the phenomenon is much wider than the small number of officially reported cases would seem to suggest.
- 67. Suspected cases appear to be effectively addressed by the police and the national referral mechanisms. Information on the risks of trafficking is being disseminated, either through official channels or via civil society initiatives. Information material was visible in registration and support centres visited.
- 68. There is a need to intensify and systematise efforts to prevent and combat trafficking in human beings, drawing on the guidance and recommendations made by the CoE's monitoring body, the Group of Experts on Action against Trafficking in Human Beings (GRETA)<sup>68</sup>. Providing clear information in Ukrainian, Russian and English at every stage about the dangers of trafficking should help women identify risk indicators. It should also highlight the risks arising from social media when publishing personal information in order to seek help. The 24/7 helplines should be reinforced.

<sup>&</sup>lt;sup>66</sup> The CoE Convention on preventing and combating violence against women and domestic violence

<sup>&</sup>lt;sup>67</sup> The Secretary General on the occasion of International Women's Day on 8 March, calling for the special protection of women and girls, the Commissioner for Human Rights following her visit to border countries, and the CoE Group of Experts on Action against Trafficking in Human Beings (GRETA) in a statement dated 17 March. <sup>68</sup> <u>GRETA</u> issues Guidance Note on addressing the risks of trafficking in human beings related to the war in Ukraine and the ensuing humanitarian crisis - News (coe.int)

- 69. Adequate registration of all persons fleeing Ukraine is essential, including those who lack papers or proof of residence. The continuity of the registration system in transit and destination countries should be ensured. The SRSG observed that groups of migrants of Roma origin were not allowed to register until they had found accommodation, making them easy targets for traffickers. Those trying to find accommodation by their own means have no guarantee that it is provided by trusted people and in a safe environment. Registration and verification of all vehicles, persons, private companies providing transportation and accommodation services in a mandatory central register listing all offers would go a long way towards preventing the risk of trafficking.
- 70. There should be official and safe-travel routes and free-of-charge public transportation. While free train tickets were distributed at the beginning of the crisis, at the time of the SRSG's visit, onward travel from Prague free of charge is only possible after registering with the Prague KACPU. This measure, which is designed to prevent the system from being abused, increases the risk of refugees being stranded overnight if they arrive after the registration centre has closed or accepting dubious offers from potential traffickers. It also deters refugees to move quickly on to other regions.
- 71. The risk of trafficking is heightened by the low level of awareness among front-line law enforcement officials, legal professionals, humanitarian aid workers and volunteers, including those at train stations, with regard to the risk of trafficking and identification indicators. There is thus a need for increased training, awareness raising and the development of digital expertise to detect potential victims and deter traffickers<sup>69</sup>.

## V.4 RISK OF TRAFFICKING AND ABUSE OF CHILDREN

- 72. Children on the move and without parental care are at greater risk of violence, abuse and exploitation. To prevent the disappearance and abuse of children, GRETA<sup>70</sup> recommends that all unaccompanied and separated children be registered and benefit immediately from effective protective care arrangements, including safe and specialised accommodation, with trained staff alerted to the risks of human trafficking. Special checks are needed in the cases of children travelling with unrelated adults or if there are doubts about the relationship.
- 73. The Lanzarote Committee, while monitoring the implementation of the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, underlined the need to protect children against sexual abuse and exploitation and issued a statement<sup>71</sup> reiterating the declaration and recommendations<sup>72</sup> adopted in response to the 2016 influx of refugee. A recently adopted checklist also indicates the measures states should put in place<sup>73</sup>.

## **V.5 LABOUR EXPLOITATION**

74. Although the numbers are difficult to estimate, undeclared employment, where workers are underpaid and enjoy no social protection, is a challenge. In a country with a large Ukrainian diaspora, the exploitation is sometimes perpetrated by fellow community members. Hosted free of charge in private families or hotels, refugees feel indebted and may come under pressure to accept any job that is offered to them. To prevent this risk, easily accessible

abuse" adopted by the Lanzarote Committee (2017) and the related compliance reports.

<sup>&</sup>lt;sup>69</sup> FRA bulletin: The war in Ukraine - Fundamental rights implications within the EU

<sup>&</sup>lt;sup>70</sup> See GRETA's Guidance Note

<sup>&</sup>lt;sup>71</sup> See Lanzarote Committee statement on the <u>Urgent need to protect Ukrainian children in migration from sexual</u> abuse (25 March 2022) <sup>72</sup> See special report on "Protecting children affected by the refugee crisis from sexual exploitation and sexual

<sup>&</sup>lt;sup>73</sup> CHECKLIST - Protection of children affected by the refugee crisis from sexual exploitation and sexual abuse

information on labour rights and employment procedures in the host country should be provided and an official employment contract drawn up in a language which can be easily understood by the employee<sup>74</sup>. Labour inspectors should step up their monitoring of high-risk sectors (such as hospitality, agriculture, couriers, domestic work, massage studios, etc.) and carry out more inspections in locations where people fleeing Ukraine are liable to be exploited. They should also develop digital expertise and screen job advertisements online in order to better detect traffickers.

- 75. The CoE's Steering Committee for Human Rights (CDDH), working in close collaboration with members of the Group of Experts on Action against Trafficking in Human Beings (GRETA), experts in the European Social Charter, and independent anti-trafficking experts, has recently prepared a draft recommendation to member States on preventing and combating trafficking in human beings for the purpose of labour exploitation in view of its future adoption by the Committee of Ministers<sup>75</sup>. The draft recommendation takes a holistic approach based on the "four Ps" integrated policy and data, prevention, protection, and prosecution.
- 76. The CoE stands ready to provide capacity building on these issues including in conjuction with international organisations, in particular with the UNHCR. It can help the Czech Republic to increase its capacity to effectively prevent and fight sexual and gender-based violence, trafficking in human beings and the risk of exploitation and abuse of children, by training and enabling stakeholders, such as border officials, law enforcement and child protection authorities. The HELP online course developed to train relevant professionals in combating trafficking in human beings is now available in Czech language<sup>76</sup>.

## VI. CONCLUSIONS AND RECOMMENDATIONS

77. The Czech authorities, assisted by the civil society and international organisations, responded to the unprecedented influx of persons fleeing Ukraine both swiftly and efficiently. Most people who fit the eligibility criteria for support receive the benefits and services associated with temporary protections status. The Czech asylum management system, however, is not fully equipped to receive and assess the large numbers of asylum seekers. Commendable efforts have been made to adapt to the situation but there is still a need to properly identify specific vulnerabilities. The SRSG therefore offers the CoE's support in using the opportunity created by this new situation to strengthen the asylum procedure in place and to improve access to protection services for persons in vulnerable situations.

<sup>&</sup>lt;sup>74</sup> See <u>GRETA Guidance Note on addressing the risks of trafficking in human beings related to the war in Ukraine</u> and the ensuing humanitarian crisis (4 May 2022)

<sup>&</sup>lt;sup>75</sup> See <u>CDDH</u> activity and GRETA's <u>Guidance note</u> on preventing and combatting trafficking in human beings for the purpose of labour exploitation

<sup>&</sup>lt;sup>76</sup> Course: Asylum/Migration HELP eDesk (Ukraine) (coe.int); See course in Czech language

- 78. This report does not purport to provide a full picture of the situation of those fleeing to the Czech Republic or a full analysis of all policy considerations. Its main purpose is to identify some areas in which the CoE can assist, at the request of the Czech Republic, the state authorities in dealing with existing challenges. What is needed most at this stage is to focus on medium and long-term planning for sustainable assistance, protection of people's safety and dignity and effective inclusion measures. Within the framework of the Action Plan on Protecting Vulnerable Persons in the Context of Migration and Asylum, and in close cooperation with International Organisations, know-how and expertise can be tapped to provide tailor-made and technical expertise to competent entities. The CoE therefore suggests:
  - Supporting the relevant authorities in order to ensure a more efficient and systematic vulnerability assessment and referral procedure, and to improve the knowledge and skills of professionals and lawyers involved in the registration process with regard to safeguards for persons with special needs, including in connection with the identification, reception and care of unaccompanied children and victims of violence. Further dissemination of free HELP online courses could also contribute to enhancing procedural safeguards for persons in vulnerable situations.
  - 2. Assisting the authorities in implementing its contingency plan to enhance the housing capacity in line with the needs of the local population and refugees, avoiding tent camps and the ghettoisation of certain population groups. To this end, use could be made of the financial support available from the CoE Development Bank.
  - 3. Bringing the CoE's expertise to support stakeholders providing psychological or trauma assistance and enable speedy detection and support of war trauma, including amongst Ukrainian children, by strengthening teams/pools of psychologists, psychiatrists, social workers and educators seeking to conduct emergency interventions with health and social services staff working on psycho-social support and trauma rehabilitation.
  - 4. Engaging authorities at all levels as well as local communities in order to facilitate the linguistic inclusion of adults and children through the implementation of existing guidelines and tools and the provision of training for educators.
  - 5. Supporting the relevant authorities in developing an inclusive system relating to access to education, including pre-school facilities/kindergartens so that the school system can absorb both Czech and Ukrainian children while respecting the intention of Ukrainian pupils to eventually return to Ukraine.
  - 6. Supporting participation in the European Qualifications Passport for Refugees (EQPR) and providing those eligible with access to the labour market in different sectors.
  - 7. Assisting the relevant authorities in adapting and implementing CoE standards and guidance with regard to the fight against trafficking in human beings, the identification of victims of sexual exploitation and abuse, including children, women's safety in reception facilities and gender-based violence, while enhancing co-ordination with other international organisations, in particular UNHCR, on these issues through joint training programmes and events.

## **VII. APPENDIX: PROGRAMME OF THE VISIT**

#### Wednesday 4 May

- **17:00 18:30** Prague Main Station Info point visit and exchange with volunteers and refugees
- 19:00 NGOs Organization for aid to refugees/OPU (Ms Zuzana Pavelková), Caritas (Ms Klara Boumova), Association for Integration and Migration (Ms Magda Faltová), Iniciativa Hlavak (Ms Magdalena Pospíchalová)

#### **Thursday 5 May**

09:30 – 10:30	International Organisations - meeting with IOM (Ms Lucie Bultova), UNHCR
	(Ms Petra Levrincova) and UNICEF (Ms Teona Kuchava)

- **11:00 12:00** Ministry of Labour and social affairs meeting with Ms Freitas Lopesova Deputy Minister of Labour and social affairs
- **14:30 15:00** Prague City Council meeting with Ms Milena Johnová, Member of the Prague City Council
- **15:30 16:30** ICP Integrační centrum Praha meeting with Ms Anca Covrigová, project expert
- **17:00 18:00** Office of the Public Defender of Rights meeting with Ms Veronika Víchová, Lawyer

#### Friday 6 May

- **09:00 09:30** Ministry of Education, Youth and Sports meeting with Mr Jindřich Fryč, State Secretary of the Ministry of Education, Youth and Sports
- **10.00 11.00** Ministry of the Interior meeting chaired by Mr Jiří Nováček, First Deputy Minister of the Interior
- **12.00 14.00** Ministry of Foreign Affairs working lunch hosted by Mr David Červenka, Director of Human Rights and Transition Policy Department, and Mr Ivo Šilhavý, Special Envoy for Migration
- **15.00 16.00** Regional Centre for Help and Assistance to Ukraine (KACPU) visit guided by Col. Luděk Prudil