

## CZECH REPUBLIC

### ARRIVALS

#### 1. Total number of individual asylum seekers who arrived, with monthly breakdown and percentage variation between years

Table 1:

Source: Ministry of Interior, Department of Asylum and Migration Policy

Month	2002	2003	Variation +/- (%)
January	1,334	686	-48.6
February	679	704	+3.7
March	726	588	-19.0
April	762	1,187	+55.8
May	604	964	+59.6
June	525	899	+71.2
July	580	925	+59.5
August	579	1,167	+101.6
September	610	965	+58.2
October	773	1,557	+101.4
November	630	997	+58.3
December	682	761	+11.6
<b>TOTAL</b>	<b>8,484</b>	<b>11,400</b>	<b>+34.4</b>

#### 2. Breakdown according to the country of origin/nationality, with percentage variation

Table 2:

Source: Ministry of Interior, Department of Asylum and Migration Policy

Country	2002	2003	Variation +/- (%)
Russian Federation	629	4,852	+671.4
Ukraine	1,676	2,043	+21.9
Slovak Republic	843	1,055	+25.1
China	511	854	+67.1
Vietnam	891	566	-36.5
Georgia	678	319	-52.9
Belarus	312	281	-9.9
<i>Others</i>	<i>2,944</i>	<i>1,430</i>	<i>-51.4</i>
<b>TOTAL</b>	<b>8,484</b>	<b>11,400</b>	<b>+34.4</b>

#### 3. Persons arriving under family reunification procedure

Although there is no special family reunification procedure, 74 persons were recognised as refugees on family reunification grounds after one member of the family had already been recognised as a refugee.

#### 4. Refugees arriving as part of a resettlement programme

The Czech Republic does not operate any resettlement programmes.

**5. Unaccompanied minors**

129 (2002: 215)

**RECOGNITION RATES**

**6. The statuses accorded at first instance and appeal stages as an absolute number and as a percentage of total decisions**

Table 3:

Source: Ministry of Interior, Department of Asylum and Migration Policy

Statuses	2002				2003			
	First instance		Appeal		First instance		Appeal	
	Number	%	Number	%	Number	%	Number	%
No status awarded	5,139	37.1	1,355	65.6	7,800	58.3	1,307	79.6
Convention status	101	0.7	2	0.1	187	1.4	21	1.3
Rejected - obstacle to leave country*	16	0.1	11	0.5	42	0.3	9	0.5
Procedure discontinued	6,717	48.5	590	28.5	5,339	39.9	179	10.9
Returned to first instance	1,881	-	109	5.3	-	-	123	7.5
<b>TOTAL</b>	<b>13,854</b>	<b>100</b>	<b>2,067</b>	<b>100</b>	<b>13,378</b>	<b>100</b>	<b>1,641</b>	<b>100</b>

\*‘Obstacle to leave country’ refers to cases where the asylum claim was rejected but the applicant tried to prove that the country for which he/she had to depart was dangerous and he/she was unable to leave for another country. If he/she had been successful he/she would have received a special visa, allowing him/her to legally remain in the Czech Republic.

759 of the procedures that were discontinued in 2003 were withdrawn (2002: 1,881).

**7. Refugee recognition rates (1951 Geneva Convention) according to country of origin, at first instance and appeal stages**

Table 4:

Source: Ministry of Interior, Department of Asylum and Migration Policy

Country of origin	2003			
	First instance		Appeal	
	Number	%	Number	%
Afghanistan	14	7.5	16	76.2
Kazakhstan	8	4.3	3	14.3
Djibouti	-	-	2	9.5
Russian Federation	62	33.2	-	-
Armenia	26	13.9	-	-
Belarus	20	10.7	-	-
Georgia	8	4.3	-	-
Iraq	7	3.7	-	-
Ukraine	6	3.2	-	-
Cuba	5	2.7	-	-
Pakistan	5	2.7	-	-
Kyrgyzstan	4	2.1	-	-
Syria	4	2.1	-	-
Serbia and Montenegro	4	2.1	-	-

Iran	3	1.6	-	-
Vietnam	3	1.6	-	-
Turkey	2	1.1	-	-
India	1	0.5	-	-
Senegal	1	0.5	-	-
Sri Lanka	1	0.5	-	-
Sudan	1	0.5	-	-
Unknown	1	0.5	-	-
<b>TOTAL</b>	<b>187</b>	<b>100</b>	<b>21</b>	<b>100</b>

## RETURNS, REMOVALS, DETENTION AND DISMISSED CLAIMS

### 8. Persons returned on 'safe third country' grounds

Figures for persons returned on 'safe third country' and 'safe country of origin' grounds are recorded together as one total by the Ministry of Interior. The number of people returned on both these grounds was 1,093 (589).

### 9. Persons returned on 'safe country of origin' grounds

See Section 8 above.

### 10. Number of applications determined inadmissible

None (2002: 2,430)

The figures for 2002 refer to applications that were badly completed and submitted with mistakes.

### 11. Number of asylum seekers denied entry to the territory

No figures available.

### 12. Number of asylum seekers detained, the maximum length of and grounds for detention

No information was provided on the number of asylum seekers detained in 2003 or grounds for their detention. The maximum period for detention in detention centres is six months.

### 13. Deportations of rejected asylum seekers

No figures available.

### 14. Details of assisted return programmes, and numbers of those returned

1,016 (2002: 474)

In 2003, the increase in returns can be explained by the high number of applicants from the Slovak Republic, which was considered a safe country.

The Ministry of Interior assisted the returns and called on the International Organization for Migration (IOM) to assist in 57 cases.

### 15. Number of asylum seekers sent back to the Member State responsible for examining the asylum application under the Dublin Convention (Dublin II Regulation)

The Czech Republic was not party to the Dublin Convention.

## SPECIFIC REFUGEE GROUPS

### 16. Developments regarding refugee groups of particular concern

4,515 applicants in 2003 were from the Russian Federation (Chechnya). 3,517 of them left the Czech Republic for other EU countries before the end of their asylum procedure. For the majority of Chechens, the Czech Republic is mainly a transit country. There is no special Czech policy regarding Chechens.

## **LEGAL AND PROCEDURAL DEVELOPMENTS**

### **17. New legislation passed**

Following the entry into force of the amendment to the Law on State Social Support (1 January 2003), asylum seekers living outside of accommodation centres are now excluded from State support. They have to rely on their own resources.

On 26 June 2003, Act No. 222/2003 Coll. amending the Law on Residence of Foreign Nationals (Act No 326/1999 Coll.) was entered into force. Asylum seekers whose application is rejected may now apply for a permanent residence permit if they have lived in the Czech Republic for more than five years and come from a 'non-safe country'. It is not necessary to apply at Czech embassies abroad.

The Government Decree No. 86 (22 January 2003) on the integration of recognised refugees contains a detailed description of the concept of integration, which includes provision of Czech language courses and accommodation facilities and assistance with employment related issues.

Government Decree No. 1198 (26 November 2003) concerns the provision of financial support for the reimbursement of health care costs according to Article 88 of the Law No. 325/1999 Coll. on Asylum.

Government Decree No. 835 (6 August 2003) regulates the provision of financial resources for payment of the cost of Czech language courses for recognised refugees.

On 26 June 2003, Act No. 221/2003 Coll. on the temporary preservation of foreign nationals entered in force. It implements the regulation of the European Council of 20 July 2001 (2001/55/ES). It concerns mass migration due to war, continued violence, natural disaster or continued or mass contravention of human rights.

### **18. Changes in refugee determination procedure, appeal or deportation procedures**

On 1 January 2003, the new Administrative Rules of the Administrative Court came into force. This legislation determines the competence, jurisdiction and procedures of the administrative courts. The new legal framework has impacted on asylum procedure. In particular, the asylum seekers' right to have the court review any decision on their asylum application issued by the Department of Asylum and Migration Policy (Ministry of Interior). Cases against the Ministry of Interior's decisions were heard at the Supreme Court in Prague up to the end of 2002. The jurisdiction changed from the start of 2003 and the actions became the remit of the regional courts.

### **19. Important case-law relating to the qualification for refugee status and other forms of protection**

There was no relevant case-law concerning these issues in 2003.

### **20. Developments in the use of the exclusion clauses of the 1951 Geneva Convention in the context of the national security debate**

There were no developments in the use of the exclusion clauses in 2003.

### **21. Developments regarding readmission and cooperation agreements**

There were no developments regarding readmission and cooperation agreements in 2003.

## **THE SOCIAL DIMENSION**

### **22. Changes in the reception system**

There were no changes in the reception system in 2003.

### **23. Changes in the social welfare policy relevant to refugees**

See Section 17.

**24. Changes in policy relating to refugee integration**

The national programme for the integration of recognised refugees continued throughout 2003. On 21 January 2003, the Government passed a resolution guaranteeing an integration programme for recognised refugees. The priorities were Czech language courses, housing and employment.

**25. Changes in family reunion policy**

There were no changes in family reunion policy in 2003.

**OTHER POLICY DEVELOPMENTS**

**26. Developments in resettlement policy**

There were no developments in resettlement policy in 2003.

**27. Developments in return policy**

There were no developments in return policy in 2003.

**28. Developments in border control measures**

There were no developments in border control measures in 2003.

**29. Other developments in refugee policy**

There were no further developments in refugee policy in 2003.

**POLITICAL CONTEXT**

**30. Government in power during 2003**

The Government came into power following the elections of 2002. The coalition consisted of the winner of the elections, the centre-left Czech Social Democratic Party (*‘Česka Strana Sociálně Demokratická’*), the centrist Christian Democrats (*‘KDU-CSL’*) and the conservative Freedom Union (*‘Unie Svobody’*). The next parliamentary elections will take place in 2006.

**31. Governmental policy vis-à-vis EU developments**

The EU accession was one of the political priorities of this government. The referendum concerning the accession of the Czech Republic to the EU took place in June 2003.

**32. Asylum in the national political agenda**

Asylum was not a political priority in 2003 and the issue was not particularly covered in the media.