



## **WP2: Study on the National Policy Frame for the Integration of Newcomers**

**Karolína Babická**

\*\*\*

### **I. The Evolution of the Migration and Integration Policy Nexus**

#### **Introduction**

Foreigners in the Czech Republic are a relatively new phenomenon. During more than 40 years of the socialist era, migration to and from the country was restricted and the Czech society stayed very homogenous. In the years 1948-1989 the Czech Republic (in that time Czechoslovakia) did not have any “classic” international migrants. There was only a vast illegal emigration of Czech citizens out of the country and some state controlled and regulated immigration (mostly students and workers) from other socialist countries.<sup>1</sup> After 1989, the borders opened and the country established itself as a transit and soon also immigration country.

Different phases of the Czech migration policies after the fall of the iron curtain can be distinguished.<sup>2</sup> In the first phase after 1989, without any experiences on how to control migration flows and migrant integration, the newly established democracy applied a very liberal migration policy that lasted until 1997.<sup>3</sup> This migration policy during the 1990s was more improvisational in nature than planned. Between 1990 and 1992, in connection with the

---

<sup>1</sup> Drbohlav, D., *Nelegální ekonomické aktivity migrantů (Česko v evropském kontextu)*, Karolinum 2008

<sup>2</sup> Drbohlav, D., *Immigration and the Czech Republic (with Special Respect to the Foreign Labor Force)*. *International Migration Review*, vol. 37, no. 1, p 94-224, 2003

<sup>3</sup> Baršová, Barša, 2005; Drbohlav, Horáková, Janská 2005 cited in: Drbohlav, D., *Nelegální ekonomické aktivity migrantů (Česko v evropském kontextu)*, Karolinum 2008

beginning of the political and economical transformation, the first proposals regarding the migration policy occurred, such as the establishment of the responsible bodies and institutions and legislative proposals. In the next period from 1993 to 1996, the Czech Republic went through a relatively successful economic reform and ranked among the most successful amongst Central and Eastern European countries. In the final phase from 1997 to 1999, an economic imbalance occurred while the government tried to bring to an end to the transformation process and solve post-transformation economic problems. The immigration policy was tightened and during this period, the rate of immigrants arriving decreased.

The process of accession to the European Union gradually influenced and prioritized the objectives of the Czech migration policy this past decade. These included combating illegal migration, defining a comprehensive asylum policy and harmonizing migration policy with common standards of the EU. The institutional and legal approximation of the Czech Republic to the EU was a formative element of the Czech migration policy.<sup>4</sup>

The Czech migration policy was initially and largely a product of ad hoc solutions to particular events or situations; however, since 2000, it has taken a more coherent shape and the migration policy developed as follows: From 2000 to 2004 the competent state bodies and institutions engaged more on issues of international migration and new migration laws came into legal force. The key Act on the Residence of Aliens in the Territory of the Czech Republic (Alien Act)<sup>5</sup> also came into force in 2000. As a result, the immigration policy and state institution's practice became more restrictive. In 2000, visa requirements were introduced for some countries<sup>6</sup> and, as an immediate result, the number of registered foreigners decreased momentarily, but have increased again since 2001.<sup>7</sup>

After the accession of the Czech Republic to the EU in 2004, a new period evolved and since that year, the approach towards migrants has differentiated. After entry into the EU, the number of foreigners that are entitled to free movement to and from the Czech Republic, and who do not need a work permit increased.<sup>8</sup> Moreover, deeper involvement of the Czech

---

<sup>4</sup> Černík, J., Czech Republic in: Triandafyllidou, A., Gropas, R., European Immigration: A Sourcebook, Ashgate, Cornwall 2007

<sup>5</sup> Act No. 326/1999 Coll., Alien Act

<sup>6</sup> For example for the Ukraine, Russia, Kazakhstan, Moldavia, etc.

<sup>7</sup> Drbohlav, D., Immigration and the Czech Republic (with Special Respect to the Foreign Labor Force). International Migration Review, vol. 37, no. 1, p 94-224, 2003, cited in: Hofírek, O., Nekorjak, M., Neregulární práce imigrantů v České republice, www.migraceonline.cz, 2008

<sup>8</sup> Hofírek, O., Nekorjak, M., Neregulární práce imigrantů v České republice, www.migraceonline.cz, 2008

Republic in the global economy structures has brought some international investors and has further driven the flow of foreign workers into the country.<sup>9</sup>

### **Migration-integration Nexus:**

Czech migration policy is coherent in the area of asylum-seeking but is more or less incoherent in terms of short-term labour migration and permanent immigration.<sup>10</sup> Formally, migration and integration are not treated as two different policy areas.<sup>11</sup>

Regarding the migration-integration nexus in the Czech Republic, it should be mentioned that the Czech migration policy has long ignored the question of integration. In the Czech Republic, no specific law on integration of foreigners exists. The importance of migrant integration was recognized only in 1999, when the first governmental documents on this issue were adopted.<sup>12</sup> These were the Principles for the concept of immigrant integration in the territory of the Czech Republic (further the Principles) followed by the Concept of immigrant integration (further the Concept) endorsed by the Government in December 2000. Only since then we can talk about some migration-integration nexus.<sup>13</sup>

The fact that a migrant has to have a specific reason to enter the country limits the possibilities for integration. Until today, the migration policy itself stands on the principle of “purpose” (study, work, family reunification, etc.).<sup>14</sup> The main immigration categories provided by the Czech legislation are: family reunification, employment, entrepreneurship and studies.<sup>15</sup> Until recently, unqualified workers for the so-called 3D jobs were needed for the development of the new Czech investors industries. Since the 2008 economic crisis began, there has been a strong movement in stopping foreign workers from coming to the Czech Republic.

### **Main stakeholders**

In the Czech Republic, the main governmental actor in the migration and integration policy is the Ministry of Interior (MoI). Recently, some responsibilities have been transferred

---

<sup>9</sup> In 2002 foreigners in the Czech Republic made 1,8% of the population, in 2005 already 2,5%. Today it is more than 3,5%.

<sup>10</sup> Černík, J., Czech Republic in: Triandafyllidou, A., Gropas, R., European Immigration: A Sourcebook, Ashgate, Cornwall 2007

<sup>11</sup> Jelínková, M., Multicultural Centre Prague, interview May 24, 2010

<sup>12</sup> The Principles for the concept of immigrant integration in the territory of the Czech Republic, 1999

<sup>13</sup> Jelínková, M., Multicultural Centre Prague, interview May 24, 2010

<sup>14</sup> Ibid

<sup>15</sup> Act No. 326/1999 Coll., Alien's Act

from one state institution to another, which will be described later, however, generally, the MoI is inclined towards a concentration of power.<sup>16</sup>

The migration policy formulation is mostly in hands of the Department of Asylum and Migration Policy (DAMP) of the MoI. This Department is also responsible for the entry and stay of foreigners in the Czech Republic, for asylum issues (it directly deals with asylum applications) and also for the Schengen cooperation. Otherwise, the DAMP is responsible for integration of foreigners in the Czech Republic and is also in charge of the state integration programme.<sup>17</sup> Other Departments of the MoI also participate in migration policy formulation, including the Legislative Department, the Security Policy Department and the Crime Prevention Department.<sup>18</sup> Furthermore, the MoI ranks above the Alien Police, which is in charge of the civil and administrative procedures of the migration process; for example, visa extensions.

There are a number of other key actors in migration affairs. The Ministry of Labour and Social Affairs (MoLSA) is responsible for the employment and social security of foreigners; partial aspects of integration including financial support of projects, statistics and the Selection of Qualified Foreign Workers project (described in part II.2). The Ministry of Education is responsible for the integration of children and for the Czech language education. Regarding the labour migrants, the MoLSA (through Labour Offices), the Ministry of Foreign Affairs (via Consular Offices) and the Ministry of Industry and Trade (mostly in the area of entrepreneurship) also have some influence. Such disintegration of the migration policy between many institutions has meant that it is sometimes impossible to create a coherent policy that takes into account all the interests and needs of the state, migrant integration and the migrants themselves.<sup>19</sup>

As it was mentioned above, the responsibilities in the field of integration have often been reshuffled from one state institution to another and, it follows that depending on who was responsible for what, the approach towards migrant integration has varied. Until 2003, the MoI was entrusted with co-ordination and supervision of activities aimed at immigrant integration. In accordance with the government's decision No. 126 of 11 February 2004, the coordination of the implementation of the Integration Concept was transferred to a new

---

<sup>16</sup> Čižinský, P., Kdo má řídit migraci? Stručná analýza kompetencí úřadů, [www.migraceonline.cz](http://www.migraceonline.cz), 2009

<sup>17</sup> MVČR, <http://www.mvcr.cz/clanek/odbor-azylove-a-migracni-politiky.aspx>

<sup>18</sup> Čižinský, P., Kdo má řídit migraci? Stručná analýza kompetencí úřadů, [www.migraceonline.cz](http://www.migraceonline.cz), 2009

<sup>19</sup> Ibid

Department for Migration and Integration of Foreigners at the MoLSA.<sup>20</sup> The main argument for shifting the integration agenda to MoLSA in 2004 was to emphasize the social dimension of integration. Moving the integration coordination back to the MoI in 2008 has been justified by the need to link immigration with integration policy and for ensuring effective legal migration management and the other integration measures.<sup>21</sup> As such, this transfer of authority was based on an interest on the part of the MoI's Department of Asylum and Migration Policy to better interconnect immigration and immigrant policy. This need has subsequently been explained by concerns over growing immigration tensions appearing in some urban areas with a high amount of foreign manual labour, especially in the automotive industry, and by the need for change in the integration strategy.<sup>22</sup>

### **Other stakeholders**

In 1998, the Committee for the Rights of Foreigners under the Czech Government's Council for Human Rights was established. The Committee has a consultative position; it can give suggestions to the Council, which then can directly advise the Government. The Committee consists of approximately 24 members, half of which are representatives of public administration and the other half of which are representatives of civil society – mostly NGOs, who engage themselves in the area of migration. The Committee is influential in its direct functional impact on legislative and administrative process, but is unable to influence municipalities and regional administrations, since it is by definition focused on the governmental level.<sup>23</sup>

The civil society in the Czech Republic is very active in trying to influence the migration policy and to advocate for the linkage of migration and integration. In addition to their activities on the Committee for the Rights of Foreigners, in 2000 the NGOs have formed a platform, called Migration Consortium, through which they cooperate on various initiatives. This Consortium is one of the results of efforts to establish an umbrella organization of NGOs dealing with immigrants.

### **Basic integration concepts**

---

<sup>20</sup> The Updated Concept (Aktualizovaná koncepce integrace cizinců, MPSV), 2005, p.4-5

<sup>21</sup> Dluhošová, H., DAMP, 7/2009 cited in: Rádlová, P., Investice do integrace: aktivity státní správy v oblasti začleňování cizinců v roce 2008, www.migraceonline.cz, 2009

<sup>22</sup> Ministry of Interior, 2009, cited by: Čaněk, M., migration expert, Interview May 27, 2010

<sup>23</sup> Černík, J., Czech Republic in: Triandafyllidou, A., Gropas, R., European Immigration: A Sourcebook, Ashgate, Cornwall 2007

## **Understanding of integration under the Czech political documents**

In 1999, the Czech government prepared the Principles (mentioned above) and on its basis in 2000, the Government adopted the Concept (mentioned above) one year later and which was updated in 2005.<sup>24</sup> The Principles of 1999 were the first conceptual political document about the question of migrant integration. It was influenced by the Council of Europe and EU documents. Every year, the Government endorses a report on the realization of the Concept in the last year, which evaluates the past period and suggests changes for the next year.

According to the Principles, the integration policy shall aim to ensure protection of foreigners and their access to basic human rights and freedoms (Principle 4).<sup>25</sup> Principle 5 describes integration as “a natural consequence of migration” and, further, as: ...”the process of progressive immigrant integration to social structures and ties of the home population. Integration is a complex phenomenon, which has its specific conditions and political, legal, economic, social, cultural, psychological and religious aspects”.<sup>26</sup>

The Principles also mentions that integration policy shall be characterized by a positive attitude and the assumption of responsibility of the state for creating conditions that enable the immigrants to have fair participation in society life (Principle 6).

### **Target group**

In general, the Principles together with the Concept formulate the government policy towards long-term and legally residing foreigners.<sup>27</sup> This approach derives from an assumption that we only need to integrate long-term or permanent residents. The Concept only focuses on citizens of third countries legally residing in the Czech Republic, those staying in Czech territory longer than a year, or those with a permanent residency permit.<sup>28</sup> It is particularly stressed that integration measures primarily target long-term or permanent foreigners. In general, legally residing (established) immigrants who reside in the territory of

---

<sup>24</sup> The Concept of immigrant integration, 2000

<sup>25</sup> The Principles for the Concept of Immigrant Integration in the Territory of the Czech Republic, July 7, 1999; (Usnesení vlády ČR č. 689 ze dne 7. 7. 1999 o Zásadách koncepce integrace cizinců na území České republiky a o přípravě realizace této koncepce)

<sup>26</sup> Ibid

<sup>27</sup> Ibid

<sup>28</sup> Tollarová, B., Integrace cizinců v Česku: pluralita, nebo asimilace? Biograf (39), 2006

the Czech Republic legally at least for a period of one year are deemed to be the target group.<sup>29</sup>

As this research is mainly focused on “the newcomers”, it can already now be suggested that up until now in the Czech Republic we do not really find any integration measures aimed at such a group.

The latest report on the realization of the Concept suggested some new measures, among which the most crucial one seems to be emergency projects (in relation to the crisis) focused mainly on families.<sup>30</sup> Furthermore, The Updated Concept also affirms that target groups are not only the immigrants, but also include Czech citizens,<sup>31</sup> so the emphasis on a two-sided process of integration is now present in the political documents.

Finally, in this updated 2010 report, the target group shall also include newcomers with the special goal of enabling their better socio-cultural orientation in Czech society. It should highlight the need to integrate vulnerable groups of immigrants, especially persons of second and third generation (i.e. children and young immigrants). However, the Report states this change very vaguely for this year and no practical change in the policy can be seen.

### Changing forces

In 2005, the Concept has been updated and altered from the existing approach to integration. Although the Updated Concept claims continuity with the Principles and the Concept in 2000, what differentiates it is that it stresses the individual attitude and self-responsibility of immigrants and their own effort to civic integration. It follows then, that the rhetoric and background of the Updated Concept<sup>32</sup> strongly differs from the Principles in 1999. On the other hand, the Updated Concept stresses that the immigrants are members of communities that are members of the society. It also underlines the rights of migrants and the equal access to these rights. According to some experts,<sup>33</sup> it shifts the public integration policy towards “communitarian multiculturalism”.

The Updated Concept stresses that integration is a two-sided process, so integration embraces both the system in the state but also about the qualities of an individual. The

---

<sup>29</sup> The Updated Concept on Integration 2005 (Usnesení vlády ČR č. 126 ze dne 8. 2. 2006 ke Koncepci integrace cizinců v roce 2005, Aktualizovaná koncepce integrace cizinců, MPSV).

<sup>30</sup> Ibid

<sup>31</sup> Report on the realization of the Concept on Integration, Ministry of Interior, 1/2010

<sup>32</sup> The Updated Concept on Integration 2005 (Usnesení vlády ČR č. 126 ze dne 8. 2. 2006 ke Koncepci integrace cizinců v roce 2005, Aktualizovaná koncepce integrace cizinců, MPSV).

<sup>33</sup> Klvaňová, R., Koncept integrace i/migrantů a Koncepce integrace cizinců, Konference: Migrace a kulturní konflikty, April 22, 2010

definition of an integrated person in the Updated Concept is “someone, who maintains contacts with other members of society, is able to provide by himself/herself or with the help of members of his/her family necessities of life for himself/herself and identifies himself/herself with the essential values of the society he/she lives in.”<sup>34</sup>

Compared to the Principles (1999), we can see that the Concept is more reticent towards migrants, indicating that migrant practice more self-responsibility. The Updated Concept has provided key prerequisites for successful migrant integration, such as having legal certainty in terms of their legal status. This fact is very interesting as it is quite a common criticism coming from NGO workers that it is the lack of legal certainty that prevents the migrants from possibilities of integrating, suggesting it should not be a *prerequisite*, but rather, a *requisite*.

When comparing the Principles from 1999 and the Updated Concept in 2005, we can observe a shift in priorities. While the Principles accentuated cultural enrichment, the Updated Concept stresses the economic contribution of a foreigner to the Czech state. The Updated Concept is, therefore, mainly focused on participation of immigrants on the labour market and their economic independence from the state.<sup>35</sup>

The Updated Concept in 2005 identified four key prerequisites for successful immigrant integration under the conditions of the Czech Republic. Those are:

- 1) knowledge of the Czech language
- 2) an immigrant’s economic self-sufficiency
- 3) an immigrant’s orientation in society
- 4) an immigrant’s relations with members of the majority society.

According to Radka Klvaňová,<sup>36</sup> it is obvious that the second point – an immigrant’s economic self-sufficiency – is the crucial one. As she sees it, all the other three points are perceived only as subsidiary to the better performance in point 2<sup>37</sup>.

To sum up, although the Updated Concept stresses the cultural dimension (common values, intercultural understanding) and the social dimension (protection from the risks on the

---

<sup>34</sup> The Updated Concept on Integration 2005 (Usnesení vlády ČR č. 126 ze dne 8. 2. 2006 ke Koncepci integrace cizinců v roce 2005, Aktualizovaná koncepce integrace cizinců, MPSV). P. 18.

<sup>35</sup> Klvaňová, R., Koncept integrace i/migrantů a Koncepce integrace cizinců, Konference: Migrace a kulturní konflikty, April 22, 2010

<sup>36</sup> Ibid

<sup>37</sup> Ibid



labour market),<sup>38</sup> it is largely oriented to employment and not so much to protection from/against social exclusion.<sup>39</sup> The Concept formally encourages foreigners' civic participation, but the reality is quite different than what these political papers suggest. Furthermore, the political dimension of integration is completely sidelined in all the political documents on integration. The political rights and representation, including the possibility to promote interests of migrant groups, are not present in any of the Concepts. The interests of immigrants are therefore articulated mostly through the civil sector – different NGOs – and the authors of the integration and other political, migration-related, reports and concepts. A migration expert, Radka Klvaňová,<sup>40</sup> doubts the legitimacy of strategies formulated in such a way.

Czech integration policy has been implemented since 2000 and this relatively short period of implementation, among other factors, accounts for a gap that still exists between the policy and the practice. The relevant NGOs point out that the problematic aspects of the Principles and the Concept of Integration are not in their quality but rather in their realization. While the policy is relatively well designed, its implementation lags behind.<sup>41</sup> The policies fail on the local level and are not being fulfilled.

An important moment that influenced the rapprochement of migration and integration policies was the **economic drop** at the end of 2008 that influenced the situation of foreigners in the Czech Republic, especially concerning their economic self-sufficiency. According to Kepka,<sup>42</sup> the widely opened possibilities of entering the country (suggested by the steeply increasing number of foreigners living in the Czech Republic between 2000 and 2008) led to the impossibility to integrate such a high number of foreigners on the local level. The subsequent need to solve the situation led to the strengthening of integration measures together with influencing the migration management.

## **Turning points**

---

<sup>38</sup> The Updated Concept on Integration 2005 (Usnesení vlády ČR č. 126 ze dne 8. 2. 2006 ke Koncepci integrace cizinců v roce 2005, Aktualizovaná koncepce integrace cizinců, MPSV).

<sup>39</sup> Klvaňová, R., Koncept integrace i/migrantů a Koncepce integrace cizinců, Konference: Migrace a kulturní konflikty, April 22, 2010

<sup>40</sup> Ibid.

<sup>41</sup> Jelínková, M., Multicultural Centre Prague, interview May 24, 2010

<sup>42</sup> Kepka, J., Department of Asylum and Migration Policy, Ministry of Interior, interview June 7, 2010

The 9/11 events have definitely redefined the security aspects of migration and Muslim migration became watched more closely. Nevertheless, 9/11 and its relation with migration has not been such an important topic in the Czech Republic.<sup>43</sup>

Another turning point was the economic crisis, whose effects are described further on.

## **II. Admission-related Integration Provisions since 2000**

### **II.1 General approach of Admission-related Integration Provisions**

#### **II.1.a Formulation and purpose of pre-entry (first) admission policies**

##### **The aims and rationale behind pre-entry admission requirements**

The admission related obligations – like the residency permit and employment/study/entrepreneurship permit – are aimed, according to the Alien Act, at preventing the presence of foreigners in the Czech Republic that would “pose a risk for security, public order, public health or foreign policy”. Other aims of the Alien Act are to control the compliance of migrant with immigrant laws, the evidence of population and other public interests like taxes or public health insurance. The Employment Act is aimed at maintaining a preference for Czech citizens and some groups of foreigners on the labour market and maintaining equal treatment of immigrants.<sup>44</sup>

According to Marek Čaněk,<sup>45</sup> temporary and permanent migration today are being differentiated in the sense that unqualified migrants are expected to come only temporarily, and therefore, there is no need to integrate them (this is obvious for example from the

---

<sup>43</sup> Čaněk, M., migration expert, Interview May 27, 2010

<sup>44</sup> Čížinský, P., *Stručný manuál pro zaměstnávání cizinců*, Multicultural Centre Prague, 2008

<sup>45</sup> Čaněk, M., migration expert, Interview May 27, 2010; Čaněk, M., *Kontrola dodržování pracovních práv migrantů a migrantek je v konfliktu s kontrolou jejich pobytového statusu*, [www.migraceonline.cz](http://www.migraceonline.cz), 2010

conditions set up for the Green Cards, that are described in detail in II.2). According to some migration experts from the Czech NGO sector, the main reasons for admitting third country nationals are economic and purely utilitarian. There are, however, some exceptions when immigrants are allowed to enter for other specific purposes, such as family reunification, studies, etc.<sup>46</sup>

### **Pre-entry admission policies and requirements**

Pre-arrival courses or programs as such are not in any way centrally organized, with the exception of some small projects.<sup>47</sup> There are, nevertheless, various integration activities being conducted at the NGO level. Regarding language knowledge or certain levels of socio-cultural orientation, these are not obligatory by the Czech immigrant laws, neither as a pre-entry requirement, nor as an integration obligation of the newcomers. The Concept on Integration (2005) aims to integrate people that already live in the Czech Republic for more than a year, which does not apply to the newcomers. As mentioned above, the target group of state integration policy has recently been broadened to also include newcomers in the Report on the realization of the Concept on Immigrant Integration 2009; however, no specific measures have been adopted so far.

In 2003, a pilot project entitled Selection of Qualified Foreign Workers was developed as part of the Czech Republic's immigration policy. It gives certain rights and better opportunities of settling in the Czech Republic to some groups of foreigners. However, it cannot be perceived as an integration pre-entry admission policy. The project will be further analyzed in detail in II.2.

The MoI<sup>48</sup> can only name one pre-entry admission policy, stating that the Czech Republic has focused on raising migrant awareness by providing information publications for foreigners in various languages.

Nevertheless, some of the pre-entry admission requirements definitely impact the integration of migrants. The types of residency permissions in the Czech Republic are: short-term residency up to 90 days, long-term residency over 90 days, and permanent residency.<sup>49</sup> The next possible step for a newcomer would then be naturalization and acquiring Czech

---

<sup>46</sup> Čížinský, P., attorney, Poradna pro občanství, občanská a lidská práva, interview May 28, 2010; Čaněk, M., migration expert, interview May 27, 2010

<sup>47</sup> Kepka, J., Department of Asylum and Migration Policy, Ministry of Interior, interview June 7, 2010

<sup>48</sup> Ibid

<sup>49</sup> Alien Act, Art. 17a, 17b

citizenship. In principle, short-term and long-term visas can be obtained through the Embassy of the Czech Republic in the applicant's country of residence (or another country) prior to the entry to the Republic. Citizens of third countries are required to apply for the long-term visa (90-day-and-over) for employment, entrepreneurship, study or family unification purposes at a Czech embassy. This visa type is valid for one year.<sup>50</sup> The admission requirements are set in such a way that every migrant is given a specific role (which follows the immigrant categories described earlier e.g. work, studies or family unification). According to some experts,<sup>51</sup> such a system then significantly limits the integration opportunities of a migrant.

Also, selection criteria can be identified in the Czech migration policy; for example, preferences of a migrant's place of origin can be determined by looking at differences in visa fees according to nationality. The existence of a process of selection and preferences within this process for certain nationalities can also be deduced from the list of countries from which foreigners enter the Qualified Workers Selection project (see later for details) or received the Green Cards.<sup>52</sup>

### **Immigration costs**

The Czech Republic has quite high costs of visa applications (the fee is for application submission, not for granting the visa). Short-term visa application (type A and C) costs 60 EUR, long-term visa (type D), 96 EUR. Moreover, some countries have exemptions; for example, for the D-type visa application, Vietnamese have to pay 161 EUR, Russians pay 153 EUR, Uzbeks pay 230 EUR, and Congolese pay no less than 653 EUR.<sup>53</sup>

Foreigners from third countries asking for the long-term visa with the purpose of employment also have to receive permission for employment (the same applies to those willing to come for the purpose of entrepreneurship). The papers that need to be presented among others are a statement of a Czech employer assuring that s/he will employ the foreigner and a health certificate. The fee is 19 EUR.<sup>54</sup> Issuance of the permit depends on the current situation on the Czech labour market.

---

<sup>50</sup> Alien Act, Art. 30; Applicants for visas who apply to embassies are exempted from standard administrative procedural rights such as access to their file, the right to obtain a reasoned decision and the right to an appeal.

<sup>51</sup> Jelínková, M., Multicultural Centre Prague, interview May 24, 2010

<sup>52</sup> For example, Ukraine is first among the culturally preferred. Čaněk, M., migration expert, Interview May 27, 2010; Klvaňová R., *Pověz, odkud jsi, řekneme ti, zda máš zelenou: Komentář k diskuzi o zelených kartách pro zahraniční pracovníky v České republice a kritériím výběru imigrantů*, www.migraceonline.cz, 2008

<sup>53</sup> The Ministry of Foreign Affairs, the rate tariff of visa fees, see: [http://www.mzv.cz/jnp/cz/informace\\_pro\\_cizince/sazebnik\\_vizovych\\_poplatku/index.html](http://www.mzv.cz/jnp/cz/informace_pro_cizince/sazebnik_vizovych_poplatku/index.html)

<sup>54</sup> Ibid

In order to get the visa, foreigners also need to take out a travel health insurance policy, amounting to at least EUR 30,000.<sup>55</sup> Foreigners must also prove that they have arranged for accommodation in the destination country. This means a reservation payment for lodging needs to be done prior to arrival in the Czech Republic.

Along with the costs required by law, there are also other expenses that the migrants have, in addition to the standard costs, such as simply the cost of transportation to the Czech Republic. According to Věra Honusková,<sup>56</sup> migrants also frequently face the situation of being prompted for bribes at the embassies, payments to intermediaries, and other such less than legitimate requests.

### **Actors and formal implementers in the policy making process**

The DAMP of the MoI and partially the politicians have the leading role in the policy making.<sup>57</sup> Very few other actors in the Czech Republic are dealing with the subject of integration.<sup>58</sup> Some NGOs play quite an important role in the Czech Republic (especially in putting pressure on the public sector, but also in social work in the field) and a few migrant diasporas are being active as well. The NGOs criticize above all the unsustainability, unfairness and low effectiveness of the current system.<sup>59</sup>

In general, all newcomers must submit their applications for stay permits to an Embassy or consulate of the Czech Republic outside the territory of the Czech Republic. The Alien and Border Police in the Czech Republic decide on the short-term and long-term stay permits applied for by third country nationals. The MoI has recently taken over decision-making concerning permanent residency permits from the Alien Police and in 2013 it shall also take over the long-term visa decision process. Furthermore, the DAMP MoI has also recently taken over the responsibility concerning migrant integration and decision making about the permanent residency or the “Green Cards”. It is not surprising then that it has been

---

<sup>55</sup> Ibid

<sup>56</sup> Honusková, V., Department of International Law, Charles University, interview June 8, 2010

<sup>57</sup> Jelínková, M., Multicultural Centre Prague, interview May 24, 2010

<sup>58</sup> Multicultural Centre Prague, (the theme integration on [www.migraceonline.cz](http://www.migraceonline.cz)), META organization deals with integration of children, CIC organization deals with language preparation, SOZE with asylum seekers and language or OPU provide courses, deal with unaccompanied minors. Jelínková, M., Multicultural Centre Prague, interview May 24, 2010

<sup>59</sup> Jelínková, M., interview May 24, 2010

widely criticized for an extreme power concentration in just one Department.<sup>60</sup> The Labour Offices at the district level (subordinated to the MoLSA) are the authorities in charge of granting employment permits.

### **Formal target**

The target group can easily be recognized from the new Alien Act amendment, introduced by the MoI, in force from 1 January 2009 called the Green Cards (further analyzed in detail in part II.2). This division clearly shows that the state policy prefers qualified workers. No integration measures apply to the unqualified workers – in such cases, the immigrants are expected to return back to their countries of origin.

### **Effects**

During the economic crisis, the Czech Republic temporarily restricted the possibility of getting residency as connected to economic activities for foreigners from certain countries. One of the reasons for these measures was the critical situation on the labour market of rising unemployment and the limited capacity of employers to employ foreigners.<sup>61</sup>

In connection to the economic crisis effects, one of the four integration pillars set by the Concept of Integration was disrupted, that of the economic self-sufficiency. Some other integration measures needed to be put in place; for example, ones that focused more on entrepreneurship or information awareness.<sup>62</sup>

The situation is monitored in a number of ways. The public sector continuously monitors the situation and also uses studies which are applied *ad hoc*. Integration Centres, a new means of following the situation, monitor every 3 months.<sup>63</sup> NGOs and the Committee for the Rights of Foreigners also monitor the situation, although they are quite fragmented. The MoI also cooperates with the Research Institute on Labour and Social Affairs on the integration indicators setting.

---

<sup>60</sup> Burdová-Hradečná, P., Česká republika, Novinky v oblasti migrace a integrace 2009, www.migraceonline.cz, 2010

<sup>61</sup> Kepka, J., Department of Asylum and Migration Policy, Ministry of Interior, interview June 7, 2010

<sup>62</sup> Ibid

<sup>63</sup> Ibid

## **II.1.b Formulation and purpose of post-arrival (subsidiary) admission provisions**

As in the pre-entry policies, there are no centrally organized post-arrival (subsidiary) admission provisions in the Czech Republic.<sup>64</sup> The integration target group is not being defined. Looking for provisions for “newcomers” to until 5 years of stay in the country is also to be unsuccessful in the Czech Republic. Some could only be found after five years of stay, when foreigners are allowed to ask for permanent residence permit that will be described further on.

### **Uncertainty of stay of migrants in the Czech Republic**

The pre-entry admission requirements are having an impact on the lives of migrants in the Czech Republic, especially the lack of legal certainty of stay. It is assumed that the basis of integration is some level of certainty of the right of stay for the foreigner. As long as immigrants live in great uncertainty about their right to stay in the country, their integration will be undermined. The government supports models of circular migration, which they claim could help in “fighting illegal migration”.<sup>65</sup>

The deterrents to successful integration are two-fold; firstly, the Czech Republic is mainly interested in profitable immigration (migrant workers that would leave the country once there is no more work, for example). Secondly, it is difficult to gain permanent residency and potentially citizenship. Any integration policy cannot be successful while migrants are always ready to leave the country until they reach the permanent residence permit (after at least 5 years of stay).<sup>66</sup> According to research on integration in the Czech Republic,<sup>67</sup> the necessity of prolonging the stay in the territory every year is described as one of the major obstacles for the third country nationals in the Czech Republic and as evidently anti-integration.

Some “details” in the requirements posed on the immigrants can also have an immense impact on the situation of newcomers in the Czech Republic. For example, people coming for the purpose of employment have to leave the country immediately after losing their job, even if it was not their fault.<sup>68</sup> If they stay in the Czech Republic, they can no longer maintain the

---

<sup>64</sup> Honusková, V., Department of International Law, Charles University, interview June 8, 2010

<sup>65</sup> Čížinský, P., attorney, Poradna pro občanství, občanská a lidská práva, interview May 28, 2010

<sup>66</sup> Jelínková, M., Multicultural Centre Prague, interview May 24, 2010

<sup>67</sup> Tollarová, B., *Integrace cizinců v Česku: pluralita, nebo asimilace?* Biograf (39), 2006

<sup>68</sup> Jelínková, M., Multicultural Centre Prague, interview May 24, 2010

legal purpose of their stay, and hence, their stay becomes illegal. Furthermore, it is necessary to request visa extension 14 days before its expiration, which migrants very often do not know and needlessly lose their status. This measure is quite severe and it could maybe be only penalized by a fine.<sup>69</sup>

### **Post-arrival admission provisions**

Permanent residency permit translates into the enjoyment of similar rights to Czech citizens.<sup>70</sup> It can be obtained after five years of stay in the territory of the Czech Republic (Alien Act, Art 68).<sup>71</sup> Recently, there have been some “integration-like requirements” added to obtain permanent residency – knowledge of the Czech language, for one. Permanent residency is granted for an unlimited period of time, however, the residence permit proving the status is issued for a validity period of ten years and is renewable upon request.<sup>72</sup>

The requirement of knowledge of the Czech language has been added in the political documents as a key point of integration in 2004 together with the economic self-sufficiency, orientation in the society and the relations with the majority population. From January 1<sup>st</sup>, 2009, it is obligatory for immigrants aiming to receive a permanent residency permit to prove knowledge of the Czech language in a written test. This requirement is further analyzed in part II.2.

According to the Government decree, the Ministry of Education is supposed to apply/develop/introduce legislative measures for a free preparation in the Czech language of children from third country immigrants as well. This goal has not been fulfilled so far. There is some free Czech language education in primary schools but financed only by the EU.<sup>73</sup>

Naturalization of immigrants is quite complicated in the Czech Republic. Besides many administrative and bureaucratic obstacles, naturalization is connected to a condition of the loss of the existing citizenship, which complicates then the connection with the country of origin.<sup>74</sup> Moreover, Czech citizenship is not easily gained and it necessary to give up your second citizenship if you want to gain the Czech one. Moreover, very few people even request

---

<sup>69</sup> Ibid

<sup>70</sup> Černík, J., Czech Republic in: Triandafyllidou, A., Gropas, R., European Immigration: A Sourcebook, Ashgate, Cornwall 2007

<sup>71</sup> The exceptions to this rule are family members of Czech citizens, who can apply directly for permanent residency on entry. Permanent residence permits are also available without the requirement of a specified period of continuous residence in the Czech Republic for e.g. humanitarian reasons.

<sup>72</sup> Act No. 326/1999 Coll., Alien Act

<sup>73</sup> Report on the realization of the Concept on Integration, Ministry of Interior, 1/2010,

<sup>74</sup> Klvaňová, R., Koncept integrace i/migrantů a Koncepce integrace cizinců, Konference: Migrace a kulturní konflikty, April 22, 2010



it. Only about 2000 foreigners out of an estimated 100 000 immigrants, who meet the requirements, request citizenship every year.<sup>75</sup> According to Pavel Čížinský, some migrants describe the procedure as humiliating.

### **Integration measures**

As mentioned above, there are no centralized integration measures in the Czech Republic. Nevertheless, the Czech government supports integration measures through financial support of initiatives mostly realized by NGOs and through several emergency projects, described below.

Until recently, the only integration programs were provided by various NGOs. They offer legal and social counselling for immigrants, courses on socio-cultural orientation, Czech language courses or organization of activities to support relations between the migrants and the majority society.

As recent development has been the project of developing Integration Support Centres for Immigrants (further described in detail in part II.2)<sup>76</sup>. These centres were motivated above all by the high percentage of foreigners in some areas as a result of the migration policy setting, but also by the limited capacity and capability of NGOs to provide services outside the big cities, the aim to bring the integration policy directly to the regions together with the possibility of using EU resources, especially the European Integration Fund (EIF)<sup>77</sup>, and the need of a structural change in the area of migrant integration in the Czech Republic. Today, the Centres cover 10 out of 14 Czech regions and their aim is to secure accessible integration services to foreigners.<sup>78</sup>

The recent economic crisis brought about changes in the perception of immigration in the Czech Republic, which led to the introduction of the Voluntary Returns Project. The Project gave immigrants who had lost their employment due to the crisis, the opportunity to return home with no costs and a grant fee of 500 EUR.<sup>79</sup> In the context of the Voluntary Returns Project for Illegal Immigrants<sup>80</sup>, the possible usage of regularization was discussed.

---

<sup>75</sup> Henych, MoI, cited by: Čížinský, P., attorney, Poradna pro občanství, občanská a lidská práva, interview May 28, 2010

<sup>76</sup> Kepka, J., Department of Asylum and Migration Policy, Ministry of Interior, interview June 7, 2010

<sup>77</sup> Official name of the fund is The European Fund for the Integration of Third-country nationals

<sup>78</sup> Ibid

<sup>79</sup> According to a proposal by the Ministry of the Interior, the Czech government approved the Voluntary Returns Project in 2009. The second phase of the project was aimed also at illegal immigrants.

<sup>80</sup> According to a proposal by the Ministry of the Interior, the Czech government approved (resolution no. 587) the Voluntary Returns Project on May 4, 2009.

During that time, the issue shifted from the NGO level to the political level, although it was soon disclaimed.

As it was mentioned above, the other tool of the MoI in the area of integration has been the relatively new emergency projects. Integration emergency projects have been put in practice in cooperation between the MoI and the municipalities since 2008. The individual activities of projects have been realized by various actors. The emergency projects reacted to the fast growing number of foreigners and their high concentration in some areas connected to rising tensions between immigrants and the major population in some places as well as to the economic crisis.<sup>81</sup>

### **The main actors**

Regarding the main actors, the formal implementers have been already described in part I. and other actors (like NGOs) also do not differ from those mentioned in the previous part (II.1.a). A short mention on the trade unions could be added. Despite their powerful status, trade unions mostly limit their activities for migrants to several small-scale projects focused on publication and dissemination of information leaflets.<sup>82</sup> Otherwise, they mostly care about their members – the Czech nationals.

The current system of foreigners' employment unfortunately creates a strong dependence of the foreigners on other persons like intermediaries, employers, accommodation providers, etc.<sup>83</sup> – a dependence that can often be misused.

### **Political participation**

Political participation of migrants is seen as an important integration tool. Unfortunately, there is no inclusion whatsoever of immigrants in the political mainstream of the Czech Republic. Foreigners from non-EU countries do not have the right to vote at any level and have no access to elected or appointed functions. The right to vote for third country nationals is blocked by two Acts regulating the Election to Municipalities and the Municipal

---

<sup>81</sup> Kepka, J., Department of Asylum and Migration Policy, Ministry of Interior, interview June 7, 2010

<sup>82</sup> Černík, J., Czech Republic in: Triandafyllidou, A., Gropas, R., European Immigration: A Sourcebook, Ashgate, Cornwall 2007

<sup>83</sup> Topinka, D., Uváznutí v nelegalitě, Sociální studia, č. 1., s 73-88., 2006

Administration.<sup>84</sup> Political participation of immigrants is being completely neglected. The question of the immigrants' right to vote and the right to be elected, even in local elections, has never been an issue in the political discourse.<sup>85</sup>

### **National minorities**

Integration can be simplified for immigrants whose nationality is a recognized national minority in the Czech Republic as national minorities have certain rights under the Czech legislation.<sup>86</sup> Although the members of a national minority do already have to be Czech citizens, the creation of Diasporas also helps the newcomers to get better oriented and to integrate. It is very important that the state gives subsidies for these activities from the state budget, so some kind of help for the newcomers is secured. As these rights belong only to officially recognized minorities, it does not apply to all foreigners; for example, the Vietnamese (one of the biggest immigrant communities in the Czech Republic) who aspire to be but are so far not officially recognized as a minority. Nevertheless, some minority organizations (for example, the Ukrainian association), try to represent both Czech citizens with Ukrainian background and foreigners.

In many regards, Czech minority policy and law have set preconditions for the creation of structural opportunities for the civic participation of immigrants. However, contemporary practice has reproduced the gap between naturalized members of minorities and immigrants from third countries.<sup>87</sup> The result is the practice of a double-standard approach to ethnic communities.

## **II.2 The Installation of Admission-related Programmes at the National Level**

In this part, some of the integration-like provisions mentioned in II.1.a and II.1.b will be described in detail.

---

<sup>84</sup> Černík, J., Czech Republic in: Triandafyllidou, A., Gropas, R., *European Immigration: A Sourcebook*, Ashgate, Cornwall 2007

<sup>85</sup> Čižinský, P., attorney, Poradna pro občanství, občanská a lidská práva, interview May 28, 2010

<sup>86</sup> The Law on National Minorities (No. 272/2001 Coll.) defines a national minority as a community of citizens of the Czech Republic, that differ from other citizens by a common ethnic origin, language, culture and traditions, create a certain number of inhabitants and show their will to be perceived as a national minority. The rights the Law is securing are for instance: the right of association, the right to take part in solving their issues, the right for education in their language, to have signs in their language.

<sup>87</sup> Černík, J., Czech Republic in: Triandafyllidou, A., Gropas, R., *European Immigration: A Sourcebook*, Ashgate, Cornwall 2007

## **Selection of Qualified Foreign Workers**

A pilot project entitled **Selection of Qualified Foreign Workers** was developed as part of the Czech Republic's immigration policy in July 2003. It is a recruitment instrument, launched by the MoLSA, similar to the so-called Quebec System.<sup>88</sup> The project supports foreign experts immigrating to the Czech Republic along with their families. It gives immigrants the opportunity to obtain a permanent residency permit within a considerably shorter period than that usually required (only two and a half years).

The applicant must be either a citizen of Belarus, Bulgaria, Canada, Croatia, Kazakhstan, Moldova, Serbia and Montenegro or Ukraine, or a graduate from a university or tertiary education institution in the Czech Republic irrespective of nationality. The applicants must have completed secondary education at least. It also provides a valid visa for over 90 days for the purpose of employment or a long-term residency permit for the purpose of employment and a work permit in the Czech Republic.<sup>89</sup>

## **The Green Cards**

In September 2008, a new Alien Act amendment was endorsed and entered in force on January 1<sup>st</sup>, 2009. It is shortly being called the Green Cards amendment.<sup>90</sup>

The Alien Act amendment brought a new type of long-term visa called "the Green Card" that is an employment permit and visa in one. It is divided into 3 categories (A, B, and C). Category A is issued for qualified workers with university education, category B requires a certificate of apprenticeship at least, and category C is for other workers.

Category A Green Card is being issued for 3 years and can be extended for another 3 years. Category B Green Card is being issued for 2 years with a possibility of another 2 year prolongation, whereas the category C Green Card is also being issued for 2 years but without the possibility of any extension of validity.

This division clearly shows the state policy's orientation towards employment of qualified workers. Nevertheless, no integration measures apply to any of the groups.

## **Foreign Nationals Integration Support Centres**

---

<sup>88</sup> Quebec, Canada, enacted its own point system to attract skilled workers in different categories.

<sup>89</sup> Černík, J., Czech Republic in: Triandafyllidou, A., Gropas, R., European Immigration: A Sourcebook, Ashgate, Cornwall 2007, p. 61

<sup>90</sup> Act No. 382/2008 Coll., amending the Employment Act, the Alien Act and other laws.

The Foreign Nationals Integration Support Centre project, co-financed by the European Integration Fund, aims to create opportunities for long-term and strategic support of integration of foreign nationals. Today, 10 regions out of 14 have Integration Support Centres. The Centres provide services free of charge and they are available to all foreigners who concurrently have obtained valid permanent or long-term residency and are from non-member states of the EU (i.e. usually third countries).

The Centres are definitely a long-term project of the MoI (8 out of 10 Centres are run by the Refugee facilities management (Správa uprchlických zařízení, SUZ), which is institutionally a subordinate of the MoI), but it has so far not been institutionalized, its basis being only in the EIF project.<sup>91</sup>

The Centres provide consulting and information activities in the following areas: residence-related requirements, social aid and benefits, health care and health insurance, accommodation, labour market, education and schooling or in various life events – the birth of a child, wedding, death of a relative. They also provide legal counselling, especially in issues relating to residency and visas and in employment relations. Some of the Centres provide Czech language courses and socio-cultural courses. Also, all Centres provide Internet Points and library services.<sup>92</sup>

Publicly, the Centres have been accepted unsteadily. Some NGOs sense the Centres as competition. There is a question about legal double standards, as the Centres do not have registration under the Law for social services, which is obligatory for any other social service in the Czech Republic. This difference can be deemed as a competitive disadvantage for the NGOs and other social services.

### **The requirement of the knowledge of the Czech language**

As nearly the only state integration measure applied in the Czech integration policy, it is from January 1<sup>st</sup>, 2009 obligatory for immigrants aiming to receive the permanent residency permit (after at least 5 years of stay) to prove their knowledge of the Czech language.<sup>93</sup> The required level is A1 of the Common European Reference Framework of Languages. There are written tests; the first exam is free, while second and further attempts have to be paid by the

---

<sup>91</sup> Honusková, V., Department of International Law, Charles University, interview June 8, 2010

<sup>92</sup> See <http://www.integracnicentra.cz/en/>

<sup>93</sup> Before, there has only been the requirement of a Czech language examination for those, that were asking for the Czech citizenship; not in the “lower” grades of residence status.

foreigners themselves (1500 CZK = 57 EUR).<sup>94</sup> Courses are offered case to case by language schools and NGOs.

Until the end of 2008, no one was systematically interested in whether an applicant for permanent residency was able to speak Czech or not - no proof was required.<sup>95</sup> Some foreigners are excluded from the requirement of completing the language test; for example, those younger than 15, older than 60, or disabled are exempt. Furthermore, the requirement does not apply in the case of family reunification, which, according to some experts,<sup>96</sup> may not have been the best decision, as family members often lack the language knowledge. Some regard the condition as discriminatory, as foreigners from EU countries or workers coming through the Pilot project Selection of Qualified Foreign Workers<sup>97</sup> do not have to fulfil this requirement in order to receive permanent residency.<sup>98</sup> This assumption was confirmed by the statement of an employee of DAMP MoI who stated that the stay of those workers where the Czech language examination is not required, is in the interest of the Czech Republic. It is obvious that the knowledge of the Czech language can largely enable better integration of foreigners in the Czech society.

## **Information**

The Czech Republic has focused especially on assuring migrant awareness using information publications for foreigners in various languages.<sup>99</sup> The MoI has secured publication of an informational brochure for foreigners with the aim to inform migrants about their rights and duties and help them in daily orientation while integrating in the Czech society. The brochure covers basically the Czech Republic, schooling, health and social security, employment, housing, transportation, etc. There are also Integration Centres and some NGOs listed and it is translated into English, Ukrainian, Russian, Vietnamese, Mongolian and Moldovan. It is also provided electronically at [www.cizinci.cz](http://www.cizinci.cz).<sup>100</sup> For the foreigners staying already in the Czech Republic, there are various other publications

---

<sup>94</sup> Report on the realization of the Concept on Integration, Ministry of Interior, 1/2010,

<sup>95</sup> Ošmera, R., Podoba zkoušky z českého jazyka pro účely získání trvalého pobytu, [www.migraceonline.cz](http://www.migraceonline.cz), 2009

<sup>96</sup> Honusková, V., Department of International Law, Charles University, interview June 8, 2010

<sup>97</sup> Ministry of Labour and Social Affairs, the Pilot project Selection of Qualified Foreign Workers, 2003 (Pilot project)

<sup>98</sup> Ošmera, R., Podoba zkoušky z českého jazyka pro účely získání trvalého pobytu, [www.migraceonline.cz](http://www.migraceonline.cz), 2009

<sup>99</sup> Kepka, J., Department of Asylum and Migration Policy, Ministry of Interior, interview June 7, 2010

<sup>100</sup> Ibid

prepared by different sources, such as Housing in the Czech Republic or Information for foreigners with permanent residency permit.<sup>101</sup>

### **III. National Discourses on the Migration-Integration Nexus since 2000**

#### **III.a Political discourse (parliamentary debates on domestic policy change)**

Migration and integration policies are a very rare topic in the political debates in the Czech Republic, be it in the Parliament, in the media or within the political campaign before the elections. It must be noted that issues of migration and integration policies do not carry as much significant political weight as they do in some other European countries. Although it is possible to find differences in the way politicians, political parties and other actors approach the issue of foreigners, these distinctions often do not stem from ideological divisions, as they are known to in other democracies where usually right-wing, conservatives are more restrictive towards migration while left-wing, liberals tend to be more open towards migration and integration. As it will be shown below, typically, politicians make their statements about migration or integration issues on an *ad hoc* basis. These statements are often their personal view rather than an interpretation of the policy of their own political party. We can also say that politicians in these questions are reactive, meaning that they do not set the agenda themselves, but only react on problems or set agenda that is linked to migrants.

For the parliamentary debates framework analysis, two distinctive time periods have been chosen in connection to two important Alien Act and Asylum Act amendments in recent years. The first law amendment was to ensure the implementation of the Schengen border codex and several other Directives (Council Dir. 2005/71/ES, 2001/51/ES, 2005/85/ES) (further as “the first time period”). The second Alien and Asylum Act amendment that introduced the Green Cards was the single most important issue in the political discourse in the recent years. Its aim was to simplify procedures for migrant workers to enter the country, because there was not enough unskilled labour in the market (further as “the second time period”).

The first time period analysis included parliamentary debates between March 2007 and January 2008, when the first chosen important law amendment had been discussed in the

---

<sup>101</sup> Ibid

Czech Parliament<sup>102</sup> (parliamentary print No. 191). Three parliamentary readings of each amendment were analyzed. The first reading of the amendment took place on April 26<sup>th</sup> 2007 and the amendment came into force on December 21<sup>st</sup>, 2007.

The second analyzed time period follows from March 2008 till January 2009, when the other amendment on the “Green Card initiative” was discussed in the Parliament (parliamentary print No. 486). In this case, the first reading of the amendment was on April 23<sup>rd</sup>, 2008, the final agreed amendment was published on October 20<sup>th</sup> 2008 and it came into force on January 1<sup>st</sup>, 2009.

The main identified actors in the debates were the political parties. Namely the Civic Democratic Party (ODS, right-wing), the Czech Social Democratic Party (ČSSD, left wing), the Christian Democrats (KDU-ČSL, centrist), the Green party (SZ, centrist) and the communist party (KSČM, far left). Some NGO proposals were also present in the debates as they were brought in by some MPs, although only in a marginal way (namely the Czech Helsinki Committee, Organizace pro pomoc uprchlíkům, Poradna pro občanství and Multicultural Centre Prague). In the case of both analyzed law amendments, the MoI proposed the amendment and was headed by a minister from ODS for both time periods. In the end, this fact has not had any particular impact on the shape of the debate.

Neither ČSSD or ODS, the two biggest political parties during the first and second time period, have any consistent view on migration management. In any debate there can be completely opposite comments from two Parliament Members (MPs) from the same political party.<sup>103</sup> This situation is more or less on a large scale the case of all the identified political actors, although with some exceptions. In the case of ČSSD and ODS, this contradiction is very distinctive.

According to the results of the analysis, the political party that goes into the biggest detail on migration issues is the Czech Social Democratic Party (ČSSD, left wing). The Czech Social Democrats often see the benefits of the migrants in relation to the declining population numbers and the deficient pension system. They also claimed several times that the experiences of other countries show that restrictive policies bring about more illegal

---

<sup>102</sup> When the discussions in the Parliament are being analyzed, it is to mean the Lower Chamber, as in the Upper Chamber, there have no significant discussions been present.

<sup>103</sup> This situation has specifically been clear from the debates analysis. In the first time period, ČSSD MP calls for human rights dimension to be taken into account, the next speaking same party MP warns against the threat of terrorism connected to migration.



immigration and migrant exploitation. The MPs of ČSSD are also those that most often bring the civil society's claims to the chamber. On the other hand, typically the Social Democrats were in opposition to the ODS governmental proposition on migration, but did not propose any specific solutions themselves.

In the case of the second time period, the Social Democrats and the Communists objected to the proposal by saying it would jeopardize the already bad situation of the unemployed, the security and even the public health situation in the Czech Republic. ČSSD warned against the danger of ghettos emerging, the "loss of our cultural identity", and the "avalanche of unskilled people" coming to our country. On the other hand they recognized the need for "cheap labour" for the companies in the Czech Republic, and called for integration measures that would accompany the immigration simplifications. However, they did not mention any particular tool for it.

The right-wing ODS sees illegal migration as the biggest problem. When the MoI proposed an amendment in 2007, its ODS minister argued that illegal migration poses the greatest threat to the Czech Republic. At the same time, he warned against thousands of unwanted newcomers and said that we must protect our social system against those who misuse it. The ODS calls for a more flexible labour market that entails more workforce from abroad and claims that foreigners do not take work from the Czech citizens. However, it also wants to limit legal migration (in a very selective way) as today's economic conditions are not favourable.

The Greens (SZ), KSČM and partly the Social Democrats have expressed themselves against restriction of immigration; the Greens always stress the human-rights dimension of migration. The Green party tried to highlight the positive asset of migration for the Czech society and compared today's situation with Czech emigration only 20 years ago. They also alert to the living conditions of asylum seekers in our detention centres, call for non-discrimination and the equal treatment and necessary balance between society protection and migrants human rights.

Conversely, university educated migrants and scientists would be welcomed by deputies from across the political fractions.

The Christian Democrats (KDU-ČSL, centrist) have been a rather smaller party with less MPs in the chamber. In the few speeches they gave in the second time period, they called for equal opportunities for all, including the migrants and warned against a brain drain from the countries of origins of immigrants. The communist party (KSČM, far left) highlights the need for social justice for migrants. On the other hand, some of their MPs came up with very

xenophobic claims regarding the terrorism caused by foreigners and called for better border control.

To conclude, the main recognized frames in Czech political discourse were the economic need for foreign labour, security threat and the human rights dimension. However, migration and integration measures are perceived mostly as economic instruments of the state policy and other dimensions of the issue (cultural, social, security, human-rights, foreign policy, etc.) are mentioned to a lesser extent.

### **III.b Public media discourse**

Although parliamentary debates regarding law amendments of the Alien Act and the Asylum Act are not often very visible in the media, for comparative purposes, the same time periods have been chosen for the public media discourse as for the parliamentary discussions. Those time periods are March 2007 to January 2008, when an important amendment implementing the Schengen Codex and other EU Directives to the Alien and Asylum Act had been discussed and finally adopted in the Parliament (further as “the first time period”). The “second time period” follows in March 2008 to January 2009, when another amendment on the “Green Card initiative” had been discussed and adopted in the Parliament.

The media discourse analysis focused on two national newspapers, *Právo* and *Lidové noviny* (LN). Generally, the issues of migration and integration have not been heavily present in the Czech media, although a gradual increase of interest of journalists in these topics can be observed in recent years.

It must be noted that in the first time period, in *Právo*, only one article written by an NGO representative dealt specifically with the 2007 law amendment. In the case of LN, two articles concerning the law amendment appeared in the first analyzed time period – one of them written by a journalist, another one by an NGO representative. For the lack of articles focused explicitly on the 2007 law amendment, various other articles concerning immigration or integration have been analyzed.

In the case of the Green Cards amendment, the situation was very different and the amendment itself has been widely discussed in the media.

According to the results of the frame analysis, media reports connected to migration and integration are most commonly driven by the public administration or by NGOs. Some of the NGOs often offer information to the media or even write the articles themselves. Consequently, the main actors presented in the media are generally the public administration stakeholders and to a lesser extent, the NGOs. The migrants themselves do not get a lot of space for expression in the media.

The concrete actors recognized in the current framework analysis are: the MoI, the Ministry of Labour and Social Affairs, regional authorities and local politicians, NGO representatives, immigrants themselves, international actors, EU actors, the foreign police, employment bureaus, customs offices, school representatives, intermediary agencies representatives and The Green Party representatives. The latter is the only political party that could be found in the current media discourse.

For the first period analyzed, the discourse was mostly about how strict the laws should be against the foreigners and whether to restrict or support their rights. Obviously, it was the MoI that claimed the need for strict regulations. In the case of the Green Cards amendment, the MoI has highlighted the security problem with migrant integration, migrant exploitation, and access of foreigners to the Czech labour market or the attractiveness of the Czech Republic to foreigners.

Illegal migration and illegal employment were one of the biggest issues mentioned by the Ministry of Labour and Social Affairs, by the international actors (like International organisation for migration) and by the employment bureaus. The NGOs and Green Party representatives have mostly raised questions of the human rights dimension of migration. The NGOs widely criticized both law amendment proposals, especially the one discussed during the first time period, as it took into account only some criminal activities of foreigners and generalized it towards all. However, the most mentions of NGO activities was merely to inform about specific events like festivals or concerts and did not really go into a detailed analysis of a certain topic.

Besides these aspects, the analyzed media also sometimes pay attention to topics like refugees and asylum seekers, and most commonly the individual immigrant communities, among which the Vietnamese are generally the target of more detailed reporting. Surprisingly, immigrants themselves were given a good amount of space in the media in some more analytical articles describing the life of immigrants in the Czech Republic, the reasons why some of them had come, or the administrative burden of coming. Several articles were also

directed on the situation of refugees and asylum seekers and their situation in the Czech Republic.

To sum up, analytical contributions concerning integration policy rarely appear in the media. The media inform rather occasionally and briefly about individual activities and projects, language courses, cultural events or multicultural festivals, or problems connected with the economic downturn. Information about integration usually fails to appear in the media. The main integration and migration frames that have been recognized in the analysis were regarding the access to the labour market, languages and socio-cultural orientation of immigrants, the human rights dimension, migration as a security concern or even security threat and the need for a better immigration control. Apparently the question of integration remains off the agenda both on the political level and in the media discourse.

#### **IV. The Effects of European Integration on the Migration-Integration Nexus**

##### **Basic policy concepts**

The perception of the EU integration concept differs greatly among Czech experts. Essentially, there is no one clear definition of the concept. For Radka Klvaňová<sup>104</sup>, from Masaryk University, this means that the “European” understanding of integration as a term varies from state to state and there are many distinctions on the national and also regional level. According to the attorney Pavel Čížinský<sup>105</sup>, the understanding of integration on the European level is not very clear due to the ambivalent financial support from EU funds. The amount of money going towards integration efforts is roughly the same as a budget directed towards returns of migrants<sup>106</sup>. The DAMP MoI claims that there are similarities, rather than differences, in the understanding of integration in the EU and in the Czech Republic, however, does not explain what the concept of integration on the European level is<sup>107</sup>.

When trying to make a rough comparison of the Czech and European integration concepts, Klvaňová<sup>108</sup> claims that in the Czech Republic, the understanding of integration is

---

<sup>104</sup> Klvaňová, R., Institute for Research on Social Reproduction and Integration, Masaryk University, Interview June 3, 2010

<sup>105</sup> Čížinský, P., attorney, Poradna pro občanství, občanská a lidská práva, interview May 28, 2010

<sup>106</sup> Ibid

<sup>107</sup> Kepka, J., Department of Asylum and Migration Policy, Ministry of Interior, interview June 7, 2010

<sup>108</sup> Klvaňová, R., Institute for Research on Social Reproduction and Integration, Masaryk University, Interview June 3, 2010

much more limited than in other Member States and in the EU, taking into account program documents and 11 integration principles<sup>109</sup>. According to Klvaňová<sup>110</sup>, integration in the Czech Republic is perceived mainly as integration on the labour market. Another migration expert Marie Jelínková,<sup>111</sup> adds that understanding of integration on the Czech and European level is formally very similar, but not similar in practice.

### **Legal measures**

European institutions and their legal framework became a useful instrument for the establishment of Czech migration policy. Generally speaking, the Czech accession to the EU and consequently the impact of EU directives and regulations brought some positive changes in Czech policies and improvement of the situation of migrants. On the other hand, there have been some negative changes with respect to chaotic arrangement and incomprehensibility of the many times laws have been amended.<sup>112</sup> According to an expert,<sup>113</sup> the Czech political documents could not have emerged or would not be in the current shape without the influence of the EU law. The influence of international cooperation and dialogue has certainly been very strong; however, it remains only one of the aspects that influence Czech migration and integration legislation.<sup>114</sup>

The EU policies had a direct influence on the formulation of the Principles on Integration (1999) and on the Concept on Immigrant Integration (2000). The Principles more or less copy the EU Common basic principles on integration. The MoI gives the example that the greatest impact of the EU policies has been on setting the target group in the Concept on Immigrant Integration in the Czech Republic.<sup>115</sup> The former condition of at least one year stay in the country has been abolished. The target group has also been redefined more precisely under the influence of the EU policies; for example, the Concept on Immigrant Integration previously allowed refugees to enter some integration programs, which is not possible any more.

---

<sup>109</sup> Common basic principles on the integration of immigrants in the EU, the Council, November 9, 2004

<sup>110</sup> Klvaňová, R., Koncept integrace i/migrantů a Koncepce integrace cizinců, Konference: Migrace a kulturní konflikty, April 22, 2010

<sup>111</sup> Jelínková, M., Multicultural Centre Prague, interview May 24, 2010

<sup>112</sup> Honusková, V., Vliv evropského migračního práva na Českou republiku, Konference: Migrace a kulturní konflikty April 22, 2010

<sup>113</sup> Klvaňová, R., Institute for Research on Social Reproduction and Integration, Masaryk University, Interview June 3, 2010

<sup>114</sup> Ibid.; Jelínková, M., Multicultural Centre Prague, interview May 24, 2010

<sup>115</sup> Kepka, J., Department of Asylum and Migration Policy, Ministry of Interior, interview June 7, 2010

Perception of integration target groups also differs among the Member States. Recently, some countries initiated discussions about including EU citizens (with immigration background) into the integration measures target groups<sup>116</sup>. The MoI,<sup>117</sup> however, asserts that the EU legal basis does not allow it and that target groups are clearly defined, only as legally residing citizens from third countries.

Some of the important topics are neglected altogether on the Czech level. Compared to other EU Member States, integrating foreigners to the democratic process is not stressed in the Czech Republic. On the contrary, some EU Member states highlight much more the civil dimension of integration (participation in elections, migrant organizations, and active participation in trade unions).<sup>118</sup> The question of naturalization as an integration tool is not discussed at all, neither is the question of stay legality.

### **The directives implementation**

During the course of the implementation of the Common European Immigration Policy from 2002, many liberal amendments were made to the Czech Alien Act. A direct consequence of the implementation of the EU directives has been the increase of the rights of migrants, and not only in area of residency status but also regarding their social rights.<sup>119</sup>

Firstly, the Council Directive 2003/109/EC on long-term residents<sup>120</sup> had a strong influence on the changes in the long-term and permanent residency status in the Czech Republic.<sup>121</sup> The directive has been implemented in the Alien Act by the amendment No 161/2006 Coll.<sup>122</sup>

---

<sup>116</sup> As Kepka suggests, some Member States have long immigration history and in some cases people who were granted citizenship in these countries not have been well integrated into the society. Now these states feel the need for integrating a larger group (e.g. persons born abroad, or those whose parent was a foreigner, etc.). However, this is not the case of the Czech Republic. Kepka, J., 2010, *ibid*.

<sup>117</sup> Kepka, J., 2010, *ibid*.

<sup>118</sup> Klvaňová, R., Institute for Research on Social Reproduction and Integration, Masaryk University, Interview June 3, 2010

<sup>119</sup> Čížinský, P., attorney, Poradna pro občanství, občanská a lidská práva, interview May 28, 2010

<sup>120</sup> Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents

<sup>121</sup> Klvaňová, R., Institute for Research on Social Reproduction and Integration, Masaryk University, Interview June 3, 2010

<sup>122</sup> Besides this directive, this amendment also implemented the Council Directives 2004/38/EC on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States, 2004/81/EC on the residence permit issued to third country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities and 2004/114/EC on the conditions of admission of third country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service.

The most important modification to the Alien Act lies in the change of conditions for granting permanent residency. The directive sets the period for granting permanent residency status to five years of stay in the territory of the Czech Republic (in the previous regulations it was 10 years).<sup>123</sup> The new version of the Alien Act maintained conditions for exceptions to this five years of continuous stay requirement (para.66-67).<sup>124</sup> The directive also specifically influenced the duration of issuance of permanent residency and conditions for prolonging the permit (para.44, 44a) as well as for the permit withdrawal (para.46b, 46c). These changes strengthened the status of permanent residency and gave immigrants more legal certainty. For the EU long-term residents, the range of requirements for the permanent residency has been limited (para.46).<sup>125</sup> The directive implementation also gave legal claim for the permanent residency permit to foreigners fulfilling the conditions of the law.

In the case of this directive, the Czech Republic has not managed to implement it in the given time period.<sup>126</sup> The deadline for implementation was January 2006, but the amended Alien Act only came into force in April 2006. To prevent legal proceedings against the Czech Republic, the MoI issued an internal instruction that enabled long-term residents to apply for permanent residency permit already after 5 years of stay, although the law in force still contained the 10 years of stay condition.

Apart from the Alien Act, other laws have been amended during the implementation of the directive. The long-term residents were given the same legal status as EU citizens in the area of education and university scholarships (amendment of the Education Act, para.183 and University Act, para.91, 95) and in the area of recognition of qualification (amendment of the Recognition of Qualification Act, para.37). The long-term residents gained the right to equal treatment in access to employment (amendment of the Employment Act, para.87) and the rights to saving for building purchases (Law on saving for building purchases, para.4). Entrepreneurship of long-term residents has also been administratively simplified (amendment of the Trade Law, para.5, 45, 48, 70).

---

<sup>123</sup> Černík, J., Czech Republic in: Triandafyllidou, A., Gropas, R., European Immigration: A Sourcebook, Ashgate, Cornwall 2007, p. 62

<sup>124</sup> Act No. 326/1999 Coll., Alien Act

<sup>125</sup> Explanatory Report: Act No 161/2006 Coll.

<sup>126</sup> Honusková, V., Vliv evropského migračního práva na Českou republiku, Konference: Migrace a kulturní konflikty April 22, 2010

Secondly, the Council Directive 2003/86/EC on the right to family reunification<sup>127</sup> has also had an important impact on the Czech legislation. This directive has been implemented in the Alien Act by the amendment No 428/2005 Coll.<sup>128, 129</sup>

Conditions for family reunification have been put in conformity with the directive. Namely, restrictions for entering the country for the purpose of family reunification have been limited (para.9). The directive also grants preference to some family members, which has been implemented in the Alien Act by para. 42a and para. 42b. The Act also changed the duration of validity of the permit issued to a family member and the procedure of prolonging the permit has been simplified (para.44).

The directive on the right to family reunification allows for special controls to be carried out in case of suspicion that the marriage has been contracted only formally. The Alien Act though introduces a new obligation for foreigners to present oneself for an interview with the Alien Police (para.103) and gives the Alien Police additional rights in this respect (para.163, 164, 167).

The directive has also been implemented in the Employment Act (para. 98) and the Trade Act (para.5), under which foreigners that entered the country for family reunification reasons shall have the same rights as their family member with whom they were reunified. The Alien Act extended some of the aspects of the directive regarding family reunification to all third country nationals; for example, the possibility of visa removal on the basis of public health threat (para. 119). Terminology from the directive has also been taken up by the Czech legal framework, for instance the term *unaccompanied minor* (para. 180c).

In 2009, the Anti-discrimination Law No. 198/2009 Coll. was adopted in the Czech Republic. This law implements several anti-discrimination directives<sup>130</sup> and would not have

---

<sup>127</sup> Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification

<sup>128</sup> The Directive was also implemented in the Employment Act and the Trade Act.

<sup>129</sup> This amendment also implements the Council Directive 2003/110/EC on assistance in cases of transit for the purposes of removal by air and the Council Decision 2004/17/EC on coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sectors - Explanatory Report: Act No 428/2005 Coll.

<sup>130</sup> Namely Directives 76/207/EEC on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions, 2000/43/EC implementing the principle of equal treatment between persons irrespective of racial or ethnic origin, 2000/78/EC establishing a general framework for equal treatment in employment and occupation, 75/117/EEC on the approximation of the laws of the Member States relating to the application of the principle of equal pay for men and women, 79/7/EEC on the progressive implementation of the principle of equal treatment for men and women in matters of social security, 86/378/EEC on the implementation of the principle of equal treatment for men and women in occupational pension schemes, 96/97/EC on the implementation of the principle of equal treatment for men and women in occupational social security schemes, 86/613/EEC on the application of the principle of equal treatment between men and women engaged in an activity, including agriculture, in a self-



been adopted without the EU legislation.<sup>131</sup> The European Commission commenced infringement proceedings against the Czech Republic for reasons of non-compliance with EU legislation in the area of anti-discrimination in 2006. The process of adoption of the law was very dynamic in the Czech Republic after the infringement was raised and went through considerable discussion about the EU regulations<sup>132</sup> and the law has been vetoed by the Czech President. Eventually the veto was voted down by the Parliament. On May 5, 2010 the Commission closed legal proceedings against the Czech Republic in reaction to the Anti-discrimination Law adoption.

### **Sharing experiences and ‘Agenda shopping’**

The setting of the integration policy in the Czech Republic has been influenced in many regards by sharing experiences with other Member States. Especially through the experiences exchange within the European Commission working group on migrant integration called National Contact Points on Integration.<sup>133</sup> There are usually 5-6 meetings every year and two representatives from the Czech Republic take part (from the MoI and MoLSA). There have been several technical seminars in the preparation of the Integration Handbook. There have also been four ministerial conferences and several expert meetings. Other results of mutual cooperation on the EU level can be named including the adoption of General basic principles on integration, starting the website on integration of foreigners in the EU [www.integration.eu](http://www.integration.eu) or setting the Fora for integration that works as platform for pushing through the civil society voice in the EU policies.<sup>134</sup> Experience sharing between Member States exists not only on the public sector level, but also on the level of NGOs, municipalities, schools, etc.<sup>135</sup>

Consultations with and visiting a country which is realizing an already functioning measure is a common practice of the Czech MoI. For instance, the condition to pass a Czech language exam on the A1 level for some groups was inspired by the EU legislation<sup>136</sup>; the

---

employed capacity, and on the protection of self-employed women during pregnancy and motherhood 2004/113/EC implementing the principle of equal treatment between men and women in the access to and supply of goods and services and 2006/54/EC on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation.

<sup>131</sup> Klvaňová, R., Institute for Research on Social Reproduction and Integration, Masaryk University, Interview June 3, 2010

<sup>132</sup> Čížinský, P., Otáhalová, L., Antidiskriminační zákon v poločase, *Via Iuris*, IV/2006

<sup>133</sup> Report on the realization of the Concept on Integration, Ministry of Interior, 1/2010,

<sup>134</sup> Kepka, J., Department of Asylum and Migration Policy, Ministry of Interior, interview June 7, 2010

<sup>135</sup> *Ibid*

<sup>136</sup> *Ibid*

preparation of the language exam requirement was influenced by the German legal system. Also, the variety of activities offered by the Integration Centres is more or less influenced by projects of other countries.<sup>137</sup>

The impact of EU Member State policies on the Czech legislation is obvious from some Czech legislation explanatory reports.<sup>138</sup> The integration discourse in neighbouring countries is being monitored in detail by the Czech public sector, within a framework of direct cooperation between Member States, embassy reports or within the information exchange in the National Contact Point Networks.<sup>139</sup>

According to the MoI, the necessity of interconnection between migration and integration is commonly shared in the EU, though it is often influenced by the political changes in the Member States. Today, a very strict connection of migration and integration happens in the Netherlands (where for some groups of immigrants there are language tests already in the country of origin, or they have to attend integration courses directly after arrival), Sweden<sup>140</sup> and Germany.<sup>141</sup>

Most of the scientific studies are closely watched by the Czech Republic and are understood as additional sources of information. During the Czech Presidency to the EU, the Czech Republic actively supported establishing integration indicators at the EU level and actively participated in the whole process. The role of such research can be marked as monitoring and inspirational. However, the selection of respondents in some international studies can be problematic, as can misrepresent the situation.<sup>142</sup> Similarly, NGO representatives view such studies as very useful, nevertheless they claim, that there is unfortunately no mechanism to put pressure on the governments to make the necessary changes.<sup>143</sup>

---

<sup>137</sup> Ibid

<sup>138</sup> For example, in the Alien Act proposal in 1999, the length of continuous stay in the country before reunification possibility with another foreigner was set to eight years. The explanatory report here says that is in line with German legislation (para. 66). Similarly the law does no longer count the time of studies in the “waiting period”, which the report explains by the same provision in the French legislation (para. 68). Explanatory report to the Alien Act, April 28, 1999

<sup>139</sup> The aim of the Czech Republic is to use successful measures and avoid deadlocks in setting the integration policy. Kepka, J., Department of Asylum and Migration Policy, Ministry of Interior, interview June 7, 2010

<sup>140</sup> Jelínková, M., Multicultural Centre Prague, interview May 24, 2010

<sup>141</sup> Kepka, J., Department of Asylum and Migration Policy, Ministry of Interior, interview June 7, 2010

<sup>142</sup> Kepka, J., Department of Asylum and Migration Policy, Ministry of Interior, interview June 7, 2010

<sup>143</sup> Jelínková, M., Multicultural Centre Prague, interview May 24, 2010; Čížinský, P., attorney, Poradna pro občanství, občanská a lidská práva, interview May 28, 2010

According to Kepka,<sup>144</sup> the effect of the EU could be described as an increased presence supporting the current nexus of migration and integration in the Czech Republic. According to him, the influence of EU institutions has encouraged public discussion and in raising awareness about migration topics, which has further influenced Czech immigration legislation.

### **Sources:**

Burdová-Hradečná, P., Česká republika, Novinky v oblasti migrace a integrace 2009, [www.migraceonline.cz](http://www.migraceonline.cz), 2010

Common basic principles on the integration of immigrants in the EU, the Council, November 9, 2004, available at:

[http://www.consilium.europa.eu/ueDocs/cms\\_Data/docs/pressData/en/jha/82745.pdf](http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/jha/82745.pdf)

The Concept of immigrant integration, 2000 (Usnesení vlády č. 1266 ze dne 11. 12. 2000, o realizaci Zásad koncepce integrace cizinců na území ČR a o návrhu Koncepce integrace cizinců na území ČR)

Čaněk, M., Kontrola dodržování pracovních práv migrantů a migrantek je v konfliktu s kontrolou jejich pobytového statusu, [www.migraceonline.cz](http://www.migraceonline.cz), 2010, available at: <http://www.migraceonline.cz/e-knihovna/?x=2230052>

Čaněk, M., migration expert, Interview May 27, 2010

Černík, J., Czech Republic in: Triandafyllidou, A., Gropas, R., European Immigration: A Sourcebook, Ashgate, Cornwall 2007

Čižinský, P., Kdo má řídit migraci? Stručná analýza kompetencí úřadů, [www.migraceonline.cz](http://www.migraceonline.cz), 2009

Čižinský, P., Stručný manuál pro zaměstnávání cizinců, Multicultural Centre Prague, 2008

---

<sup>144</sup> Kepka, J., Department of Asylum and Migration Policy, Ministry of Interior, interview June 7, 2010

Čižinský, P., attorney, Poradna pro občanství, občanská a lidská práva, interview May 28, 2010

Čižinský, P., Otáhalová, L., Antidiskriminační zákon v poločase, Via Iuris, IV/2006

Drbohlav, D., Nelegální ekonomické aktivity migrantů (Česko v evropském kontextu), Karolinum 2008

Drbohlav, D., Immigration and the Czech Republic (with Special Respect to the Foreign Labor Force). International Migration Review, vol. 37, no. 1, p 94-224, 2003

Exnerová, J., Directive 2003/86 on family reunification of 22<sup>nd</sup> September 2003, National summary datasheet and table of correspondence, 2007

Explanatory Report to the Act No 161/2006 Coll.

Explanatory Report to the Act No 428/2005 Coll.

Explanatory report to the Alien Act, April 28, 1999

Hofírek, O., Nekorjak, M., Neregulární práce imigrantů v České republice, www.migraceonline.cz, 2008

Honusková, V., Vliv evropského migračního práva na Českou republiku, Konference: Migrace a kulturní konflikty (The influence of European Immigration Law to the Czech Republic, Conference Migration and Cultural Conflicts), April 22, 2010

Honusková, V., Department of International Law, Charles University, interview June 8, 2010

Hruška, B., Migrace jako volební téma, Člověk v tísní, 24.10. 2010, available at: <http://clovekvtsni.cz/index2.php?id=115&idArt=1414>

Jelínková, M., Multicultural Centre Prague, interview May 24, 2010

Kepka, J., Department of Asylum and Migration Policy, Ministry of Interior, interview June 7, 2010

Klvaňová, R., Koncept integrace i/migrantů a Koncepce integrace cizinců, Konference: Migrace a kulturní konflikty (The concept of immigrant integration and the on the Integration

of Foreigners in the territory of the Czech Republic, Conference: Migration and Cultural Conflicts), April 22, 2010

Klvaňová R., Pověz, odkud jsi, řekneme ti, zda máš zelenou: Komentář k diskuzi o zelených kartách pro zahraniční pracovníky v České republice a kritériím výběru imigrantů, [www.migraceonline.cz](http://www.migraceonline.cz), 2008

Klvaňová, R., Institute for Research on Social Reproduction and Integration, Masaryk University, Interview June 3, 2010

Kopeček, L., Imigrace jako politické téma v ČR: analýza postojů významných politických stran, CEPSR, Mezinárodní politologický ústav Masarykovy university, 2004, available at: <http://www.cepsr.com/clanek.php?ID=203>

Mediální obraz cizinců v českém tisku za roky 2008 a 2009, [www.migraceonline](http://www.migraceonline.cz), 2010

The Ministry of Foreign Affairs, the rate tariff of visa fees, see: [http://www.mzv.cz/jnp/cz/informace\\_pro\\_cizince/sazebnik\\_vizovych\\_poplatku/index.html](http://www.mzv.cz/jnp/cz/informace_pro_cizince/sazebnik_vizovych_poplatku/index.html)

Ošmera, R., Podoba zkoušky z českého jazyka pro účely získání trvalého pobytu, [www.migraceonline.cz](http://www.migraceonline.cz), 2009

The Principles for the Concept of Immigrant Integration in the Territory of the Czech Republic, July 7, 1999; (Usnesení vlády ČR č. 689 ze dne 7. 7. 1999 o Zásadách koncepce integrace cizinců na území České republiky a o přípravě realizace této koncepce)

Parliamentary Document No. 1107, Chamber of Deputies, Parliament of the Czech Republic, available at: <http://www.psp.cz/sqw/historie.sqw?o=4&T=1107>

Rédlová, P., Investice do integrace: aktivity státní správy v oblasti začleňování cizinců v roce 2008, [www.migraceonline.cz](http://www.migraceonline.cz), 2009

Rédlová, P., People in Need, Medialization of Migration, Interview May 27, 2010

Report on the realization of the Concept on Integration (Zpráva o realizaci Koncepce integrace cizinců v roce 2009 a návrh dalšího postupu), Ministry of Interior, 2010, available at: [http://www.cizinci.cz/files/clanky/611/KIC\\_2009\\_Finalni\\_verze\\_23032010.pdf](http://www.cizinci.cz/files/clanky/611/KIC_2009_Finalni_verze_23032010.pdf)

Stenographic Record of the 37<sup>th</sup> Meeting, Chamber of Deputies, August 22, 2008, available at: <http://www.psp.cz/eknih/2006ps/stenprot/037schuz/37-2.html>

Tollarová, B., Integrace cizinců v Česku: pluralita, nebo asimilace? Biograf (39), 2006, available at: <http://www.biograf.org/clanky/clanek.php?clanek=v3902>

Topinka, D., Uvznuti v nelegalitě, Sociální studia, č. 1., s 73-88., 2006

The Updated Concept on Integration 2005 (Usnesení vlády ČR č. 126 ze dne 8. 2. 2006 ke Koncepci integrace cizinců v roce 2005, Aktualizovaná koncepce integrace cizinců, MPSV).

#### **Laws:**

Act No. 326/1999 Coll., Act on the Residence of Aliens in the Territory of the Czech Republic Alien Act

Act No. 18/2004 Coll., on Recognition of Qualification

Act No. 111/1998 Coll., University Act

Act No. 96/1993 Coll., Law on saving for building purchases

Act No. 379/2007 Coll. amending Act No. 326/1999 Coll. Alien Act

Act No. 382/2008 Coll., amending the Employment Act, the Alien Act and other laws.

Act No. 561/2004 Coll., on Pre-elementary, Elementary, Secondary, Higher Vocational and Other Education

Act No. 500/2004 Coll., Administrative Proceedings Act

Act No. 435/2004 Coll., on Employment

Act No. 150/2002 Coll., Code of Administrative Justice

Act No. 359/1999 Coll., on Social and Legal Protection of Children

Act No. 40/1964 Coll., Civil Code

Act No. 99/1963 Coll., Civil Proceedings Code

Act No. 94/1963 Coll., Family Act

Act No. 272/2001 Coll., The Law on National Minorities

Act No. 198/2009 Coll., Antidiscrimination Act

Act No. 634/1992 Coll., Consumer Protection Act

Act No. 262/2006 Coll., Labour Code



This project has been financed by the European Integration Fund, contract JLS/2008/EIFX/CA/1039.