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Open Letter: Against Large Immigration Raids in the Czech Republic

Martin Rozumek

Abstract:

Organization for Aid to Refugees (OPU) sent an open letter to the new Minister of the Interior Radek John, in which it protests against large police raids upon immigrants from third countries. The letter draws attention to the shortcomings of the Czech Aliens Act and to the lack of vision regarding the future of Czech migration and asylum policy.

Dear Minister,

In this open letter I want to voice my protest against large Czech Foreign Police raids that focus on the inspection of foreigners' documents of residence. The recent developments were a surprise, in particular the police action on 19 July. According to newspaper reports, 5,000 people and 840 employers were checked.

Of course we fully understand that everyone, including foreigners, must abide by the Czech law. We also understand the government's responsibility for enforcing law compliance. However, such large police raids are very costly actions. On top of that they are not part of any complex solution addressing the roots of a serious problem: The way migration to the CR currently looks like.

Most importantly, 20 years after the Velvet revolution, a vision is missing. The Czech Republic misses a document that would set out what type of migration is preferred; which direction should the Czech migration policy take; if foreigners are welcome at all in the CR, where should they come from and under what circumstances; and whether and how we will integrate them. Czech migration policy, besides adopting EU rules, merely responds to attempts to evade the law and to certain current problems. Such problems usually change significantly before a respective amendment to the law has been carried out.

Secondly, Act No. 326/1999 Coll. on aliens' residence is a clear legal mockery. The Act is extremely large in size and uses a system of multiple links. Thus, not only aliens but even Czech lawyers have great difficulties recognizing what are the rights and obligations of foreigners in the CR. Add to this the often poor knowledge of the Czech language (especially with nationals from Vietnam and Mongolia) and their lack of orientation in the CR: It is no wonder that any police action is bound to "capture" a few foreigners. In addition, the Czech government does very little to help aliens to be able to take care of their legal documents and other necessary arrangements themselves. Information is often incomprehensible and ambiguous, yet the punishments if foreigners violate any rules are harsh.

Thirdly, the whole construction industry relies on the work of foreigners, often on the work of foreigners without documents or with documents other than that which allow them to work. I am almost sure that no building in the CR is being built nowadays without employing foreigners, often foreigners with illegal status. It is therefore advisable to check employers, not the hundreds of aliens who take the subway in the morning to get to work. Their places will in the event of arrest or deportation be anyway taken by new foreigners who will understand the situation in the CR even less and whose language skills will be even worse.

Fourthly, the widespread extreme dependency of foreigners on intermediaries and the just as widespread exploitation of foreigners by these middlemen is a result of shady procedures. The entry procedure and other procedures related to obtaining official documents in the CR are not transparent. This applies in particular to Czech embassies in countries of origin and to the Czech Foreign Police, to a lesser extent also to employment offices; it does not apply to the Department of Asylum and Migration Policy. The two key issues which need to be addressed successfully by the Ministry of the Interior and the Ministry of Labor and Social Affairs (since the mid-nineties, all attempts of these institutions seem to have failed in this respect), are: a) designing a transparent immigration system and b) redressing the relationship between the employer, who runs a business and needs the foreigners' work, and the employee - the foreigner himself or herself. Police actions in the Czech Republic should therefore focus primarily on monitoring employers. Employers should not be able to find excuses such as that the foreigners, who work at their construction site and sometimes even do not receive any pay and have no work contract or health insurance, are employees of their business partner, a modern slave owner.

Finally, costly controls and deportations of foreigners who work and are often well-integrated is, in my opinion, wasteful and unwise. To illustrate this: According to our data, 180 employees (State Police, security guards and staff of the Refugee Facilities Administration of the Ministry of the Interior) guard and care for about one hundred foreigners, who are in detention in the Bělá Jezová facility and who are about to be deported. Most of them had worked for years in the CR, understand Czech and are well integrated, the majority of which comes from Ukraine. If these people had the opportunity to legalize their status in the CR, the government would not need to spend any resources on them.

Furthermore, they would contribute to public budgets through their work. On the other hand, one foreigner staying in detention usually costs more than 40.000, - CZK. Such events as the police "checking temporary workers during harvesting cucumbers in the Ústí region," as announced by the spokeswoman of the Regional Directorate of the Foreign Police in Ústí nad Labem, Mrs. Jaklová, must also be a costly affair. The aim of such an action is probably to keep the Foreign Police and customs administration busy. On top of that, the resulting overblown media image of police crackdowns leads to criminalization of foreigners despite the fact that they are in most cases victims of the existing non-transparent system or even victims of an ill-meant deceit.

Dear Minister, because of the above-mentioned reasons, I urge you to focus police control actions on large employers and intermediaries. What I find most important is to design a feasible Czech migration and asylum policy to be implemented in the future.

With respect and hope,

JUDr. Martin Rozumek

Director of the Organization for Aid to Refugees

www.opu.cz

Translation: Olga Richterová

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