

Czech Ministry of the Interior calls for greater restrictions on foreigners

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Abstract:

An abbreviated version of this commentary was published on 30th October 2012 in the Czech daily "Mladá fronta DNES". The text addresses the increasingly difficult situation for foreigners in the Czech Republic which in many ways is related to how the authorities approach the whole agenda concerning foreigners. A major cause identified by the author is the often dull and mechanical repression on the side of the Ministry of the Interior and the resulting structural problems which have accompanied the foreigners' agenda for a long time.

Anna has been living in Prague for over five years. She's a cleaning lady working in richer Prague households and is a holder of a trade certificate. Because of her diligence and reliability, she is really sought-after and her diary is full for weeks in advance. Her work as a cleaning lady will not make her rich, but she earns enough to cover the costs of living and has enough extra for an occasional visit to the movies or theatre. Sebastian is a third-year student of nuclear physics. He is the recipient of a government scholarship, and his family is justifiably proud of him.

What do these two people have in common? They are foreigners: Anna is Ukrainian; Sebastian comes from Argentina. For more than a year, the Department for Asylum and Migration Policy of the Ministry of the Interior has been trying to make them leave the Czech Republic. Why? Only the officials of the Ministry, for whom it takes a whole year and a half to decide on a regular extension of a business or work visa, understand the reasons. And Anna or Sebastian are not unique cases. Thousands of people with long-term residence permits, people who have jobs like Anna or who have scholarships from the Ministry of Education just like Sebastian, people who have lived in the Czech Republic without any problems for years, are now finding themselves in desperate situations.

In a time of economic crisis and failed transfers of residence competencies from the Foreign Police to the Asylum Department, foreigners in the Czech Republic face a very complicated situation. Since they have a job, the Ministry of Labour is trying to get rid of them by issuing instructions to not-extend their work permits. The aim is to get the unemployed who are registered in Czech job centres to reject the mostly low-paid work currently carried out by

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foreigners who are willing to work overtime without complaining or who do not complain about even the most unsuitable working environment. If the registered unemployed reject the jobs offered, the job centres are no longer obligated to pay them benefits and the rate of unemployment appears to be reduced. The officials of the Ministry of Labour and Social Affairs fail to mention the fact that such measures plunge thousands of people into absolute poverty. Furthermore, it is not even acknowledged that hundreds or thousands of foreigners with families and small children, who are long integrated in Czech schools and may not even have a great command of the language of their parents, lose their jobs.

The foreigners, therefore, chose the only possible option. The majority of them registered for trade certificates. The so-called "švarcsystém", under which they pretend to be independent entrepreneurs, allowed many of them to return to the very same jobs which they had had, or they try to find work in the fields which they are good at. It is exactly these cases that migration officials of the Ministry of the Interior are currently investigating. In any way possible, they are trying to prove not only to the holders of these trade certificates (i.e. entrepreneurs), but also to foreign students and to migrant workers that their incomes do not reach certain mysteriously calculated levels. As a result the Ministry has a reason to cancel their residence permits. The fact that the foreigners themselves can cover their everyday needs with their current income without any problems is of no interest to the Ministry. On the contrary, the officials of the Ministry of the Interior often provide foreigners with false advice, so that they can subsequently refuse to extend their residence permit. Sebastian was told that he could submit his request for an extension of his student visa earlier and it would be alright. Anna had her cost of living calculated according to very strange coefficients and not according to her actual rent, which gave a reason for the non-renewal of her residence permit. The only hope for Sebastian and Anna is the Appeal Authority - an *independent* Commission of the Ministry and, of course, the courts of justice. And the response of the Asylum Department? "The Boards of the Appeal Authority and our Department will use the same numbers from now on and all will go well," proudly reports the Director of the Department, Tomáš Haišman.

The officials of Kubice's Ministry of the Interior unfortunately operate only in the mode of mechanical repression. And what about the promised improvement of the queues, for which the Ministry of the Interior has criticized the Foreign Police in the past? Long queues continue to exist. On Cigánkova Street, at the outskirts of Prague, the waiting time at the department of the Ministry of the Interior is normally 6 hours. The endless queues (no matter what the weather is like) are a usual occurrence at the department in Koněvova Street in Prague also. During my 21 years of involvement with the Organization for Aid to Refugees, I never experienced with the Foreign Police that waiting times for a simple extension of long-term residence would take a year-and-a-half as they do now.

Sooner or later, the Ministry of the Interior must not only strengthen its departments in Prague both in terms of material and staff, but it must also launch a fundamental change to its way of thinking. The state authority responsible for migration and asylum policies cannot stand by and continue to watch as the Mafia decides who is granted entry into the country: without the Mafia, the migrant usually does not even gain access to the registration system called Visapoint provided at Czech embassies. One Ministry is trying to get rid of foreign workers, the other of foreign entrepreneurs. In the end, foreigners end up in a very narrow street from which the only escape is illegal status. Health insurance for the mostly healthy and young foreigners has been entrusted by several MPs (members of the Civic Democrats, ODS) to private health insurance companies, which earn fantastic money for very expensive mandatory commercial insurance which is full of coverage exceptions. This is money that could be going to the State. All this happened while the Ministry of the Interior was monitoring the situation. The last "masterpiece" from the experts of Kubice's Ministry is the idea to discriminate against Czech citizens who are family members of foreigners from third countries. Based on a feeling, not any statistics or analysis, the Ministry of the Interior claims that the institute of family reunification is being abused. So for example, in the future, a citizen of Slovakia, living with his Ukrainian wife in Prague will have a much better position than a Czech man with a Ukrainian wife.

In the end, the Ministry is not even successful when it comes to returns. Voluntary return is only possible on the condition that foreigners go through the process of expulsion which includes having their name on a Czech and EU list of unwelcome persons for many years. Understandably only very few migrants have taken advantage of voluntary returns in the past. No one has even considered appreciating the fact that the migrants have worked here for years, they can speak Czech and they have contributed to the social system, nor that there are various regularization programs in all neighbouring countries, with the exception of Slovakia.

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