

Information on Migration in the Territory of the Czech Republic until October 1997

Introduction

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The Czech Republic, covering a territory of 78,863 km², has a population of 10.3 million.

The state borders of The Czech Republic add up to 2,290 kilometres altogether.

Migration in the Czech Republic is continually monitored. As required by a resolution of the government of the Czech Republic, the Ministry of the Interior of the Czech Republic presents the document "Information about Migration to the Territories of The Czech Republic" to the Cabinet and Parliament every year. We have based this contribution on the outline of this document as well as the current situation.

Migration, especially illegal migration, was included among security risks for the Czech Republic this year. The basis for limiting unauthorised migration and crime perpetrated by alien's lies in high-quality security at borders, along with measures for prevention and control within the country. Defence of state borders at border crossing points, at so-called "green borders," on tourist trails and at less-frequented border areas is the responsibility of the Foreigner and Border Police Department, as is the work associated with aliens living in and visiting the country. These tasks are carried out in coordination with other police departments, various departments of the Ministry of the Interior and other government institutions of the Czech Republic.

Types of Residence of Aliens in the Czech Republic

(period ending June 30, 1997)

The concrete conditions under which entry and residence for aliens is allowed are defined in detail in Act No. 123/1992 Coll., in Act No. 190/1994 Coll., dealing with aliens in the Czechoslovak Federal Republic, and in law 150/1996 Coll., with some minor points defined by other laws. This law distinguishes between three basic types

of residence: **short-term, long-term and permanent**. Aliens in the Czech Republic can also be resident in the country according to Act No. 498/1990 Coll., as **applicants for the granting of refugee status, as refugees and until September 30, 1997 as aliens who have been offered temporary refuge by the Czech government**.

Short-term Residence

Short-term residence does not extend for a period of longer than 180 days and allows aliens unlimited movement for the purposes of tourism, either upon fulfilling the conditions for receiving a visa or without a visa in cases where there has been an agreement between countries that visas are not needed.

The number of people crossing state borders is growing. Last year this number surpassed 310 million; two-thirds of these persons were aliens. Traditionally, most people go through Czech borders at crossings on the border with Germany.

Long-term and Permanent Residence

To be granted long-term residence, aliens must provide proof of their purpose of residence (employment, business, study, medical treatment, exchange program, etc.). Residence permits are granted for the period needed to fulfil this goal; however the maximum period is one year. The alien can repeatedly apply for an extension of this period, but always for a maximum of one year.

Permanent residence in the Czech Republic is granted to a alien on the basis of permission for permanent residence, which is awarded, in particular, for the purposes of reuniting a family when one member of a married couple, a member of the alien's immediate family or a sibling has permanent residence in the Czech Republic, for other humanitarian reasons or in the interests of the foreign policy of the Czech Republic.

Applications for long-term or permanent residence in the Czech Republic can be submitted at embassies and consulates of the Czech Republic abroad; nonetheless in almost 100 percent of cases the application is made to the Czech Ministry of the Interior while the alien is present in the country.

Approximately half of the applicants for permanent residence since 1993 have applied on the grounds of marriage with a Czech national. An analysis of these applicants' country of origin shows that Slovak nationals are dominant, followed by

nationals of the Vietnam Socialist Republic and Ukraine. During the period evaluated, 40 percent of applicants for permanent residence were women.

The most common reasons for granting long-term residence in the Czech Republic are employment and business. In the first half of 1997, 70 percent of successful applications for long-term residence were given for the purpose of employment and 21 percent of successful applications for long-term residence were given for the purpose of carrying out business activities. In 1996, Ukrainians were the leading nation among applicants. During the first half of 1997 there was a marked drop in the number of applicants for long-term residence from Ukraine; the largest group of applicants, in an absolute and relative sense, was made up nationals of the Slovak Republic, followed by Ukrainians, nationals of Poland, Vietnam and Russia. Twenty-three percent of applicants were women; in comparison with the end of the year their number slightly rose.

The number of aliens granted permanent and long-term residence in the Czech Republic since its origin on January 1, 1993 has been growing. On December 31, 1992, approximately 50,000 aliens were registered with Foreigner and Border Police Department; at the half-year mark of 1997 there were almost 207,000 aliens with permits for residence in the Czech Republic. Although the absolute number of aliens with permanent residence permits in the Czech Republic has risen, their proportion in relation to aliens with long-term residence permits has fallen.

Situation on Dec. 31	1992	%	1993	%	1994	%	1995	%	1996	%	June 30, 1997	%
DUC	20,428	40.9	46,070	59.3	71,230	68.3	120,060	75.4	152,767	76.7	155,698	75.4
TUC	29,145		31,072		32,468		38,557		45,837		50,396	
without citizenship	384		526		645		590		548		483	
total	49,957		77,668		104,343		149,207		199,152		206,577	

DUC: alien with long-term residence in The Czech Republic

TUC: alien with permanent residence in The Czech Republic

At the half-year mark of 1997, approximately one-third—or about 63,000 persons—of the total recorded amount of aliens with residence permits in the Czech Republic was registered in the capital, Prague. After Prague, we find the most aliens registered as residing in both Moravian districts, with the least aliens living in Southern Bohemia.

Approximately 81 percent of aliens with residence permits in the Czech Republic at the end of June 1997 were European, 15 percent from Asia and 2.7 percent from North America.

In the first half of 1997, nationals of the Slovak Republic formed the largest group of aliens with residence permits, accounting for just under 25 percent of the total amount, adding up to 50,255 persons. Seventy-eight per cent of Slovaks residing in the Czech Republic had long-term residence permits. The second-largest group of aliens was made up of nationals of Ukraine, with 21 percent of the total, adding up to 44,216 persons. A large number of Ukrainians choose long-term residence—at the half-year mark of 1997, 92 percent had this form of residence permit. The third-largest group of aliens residing in the Czech Republic was made up of nationals of Poland, accounting for 12 percent of the total and adding up to 24,921 persons, half of which had permanent residence and half long-term. The next-largest groups were from Vietnam and Russia.

Recognition of Refugee Status

Year	1993	1994	1995	1996	til 31/10/1997
Applications for recognition of refugee status	2,193	1,189	1,413	2,159	1,625
number of women	844	391	518	829	439
% of women	38.5	32.9	36.7	38.4	27.0

The publications of Western European states and international organisations dealing with migration speak of tens to hundreds of thousands of applications for asylum in Western European countries annually. Even though the number of applicants for recognition of refugee status in the Czech Republic rose in 1996, compared to data from the developed countries the number of applicants in the Czech Republic is minimal.

According to the Statistical Report of the Department for Refugees of the Ministry of the Interior, 13,166 aliens passed through refugee camps from 1990 to October 31, 1997. At the end of October 1997, 1,340 aliens with valid refugee status (of which 497 were women), and 469 applicants for refugee status (150 of which were women) lived in the Czech Republic.

The highest number of applicants is from Bulgaria and Romania; this year the number of applicants from Iraq rose significantly, and there was a higher number of

nationals of Afghanistan. The amount of children under 15 years of age fell below 20 percent of all applicants this year for the first time; most—75 percent—of applicants were younger than 35.

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Provision of Temporary Refuge

From January 1, 1994 till September 30, 1997, humanitarian assistance in the form of temporary refuge for nationals of the former Yugoslavia was extended only to nationals of Bosnia and Herzegovina on the basis of legislation passed by the Czech government in response to the development of the situation in those countries.

Persons accorded temporary refuge who did not make use of repatriation programs or programs for handicapped people and who wanted to continue living in the Czech Republic legalised further residence after September 30, 1997 under Act No. 123/1992 Coll., dealing with residence of aliens or Act No. 498/1990 Coll., on refugees.

Illegal Crossings of Czech State Borders

(for the period ending October 10, 1997)

From the founding of the Czech Republic on January 1, 1993 till the end of October 1997, 131,000 persons were detected trying to illegally cross Czech state borders; 121,000 of these were aliens from 125 different countries. The number of illegal border crossings at Czech State borders has risen over the last three years. In the 10 months of 1997, which have passed so far, 23,883 persons were detected crossing state borders illegally; 22,045 of these were aliens. This number is in fact somewhat higher than the data from the whole 12 months of 1996.

Year	1993	1994	1995	1996	till Oct. 31, 1997
NP SH Cz. Rep. discovered	43,302	20,480	19,172	23,705	23,883
% of which are children under 15		9.1	9.2	8.1	10.3
% of which are women	16.7	16.9	17.1	17.7	18.0

(NP SH Cz. Rep: illegal crossing of state borders of The Czech Republic)

The absolute and relative number of persons illegally crossing state borders into the Czech Republic continues to rise. In 1993 their percentage was 4.5; 10 months into 1997 more than one-quarter (26 percent) were caught illegally entering the Czech Republic, mainly from the Slovak Republic.

As before, the maximum number of illegal immigrants—15,596 persons during the first ten months of 1997, accounting for approximately 70 percent of all persons caught—are dealt with on state borders between the Czech Republic and Germany, and most of these on the border with the German territory, Saxon. Most illegal border crossings on this section of Czech state borders are in the direction of Germany (15,062 persons, or 91 percent). In contrast, on the Czech borders with the Slovak Republic illegal crossings are almost all in the direction of the Czech Republic (96 percent of the 2,156 people who attempted to cross the border between the Slovak Republic and the Czech Republic illegally during the evaluated ten months of 1997).

Information about Illegal Migrants

From January 1997 till the end of October of that year the largest numbers of the 23,883 illegal migrants caught were made up of nationals from the following countries:

• Romania	3,133 persons/ 13.1 %
• SRJ	2,593 persons/ 10.8 %
• Iraq	1,921 persons/ 8.0 %
• Afghanistan	1,661 persons/ 7.0 %
• Bulgaria	1,659 persons/ 7.0 %
• Macedonia	1,552 persons/ 6.5 %

In contrast with the situation at the half-year mark of 1997, there has been a visible rise in the proportion of Romanians among those caught. Among all the groups listed above, illegal border crossings in the direction of Germany are the most common.

The procedure of applying for asylum in the Czech Republic was and still is abused. During the first 10 months of 1997, 1,925 aliens applied for recognition of refugee status in the Czech Republic; 331 of these (one-fifth of the total number of applicants for refugee status in the Czech Republic at that time) were caught at the Czech border while attempting a crossing into Germany.

There has been no change in the following data: more than half of illegal migrants are between 19 and 30 years of age; more than two-thirds of those caught have no travel documents. For these aliens, the Czech Republic remains a transit state; most

of them attempt an illegal border crossing out of the Czech Republic within three days of entering the country.

Just under one-fifth of illegal migrants caught are women.

From January till the end of October 1997 institutions dealing with border security detected just under 8,000 cases (events) connected to illegal border crossings at Czech State borders. In 941 cases (12 percent of the total) there was a group including women and children. Approximately 6,000 persons (25 percent of the total of 23,883 persons caught at Czech State borders) attempted to cross a border illegally in groups made up of families with children under 15.

Children under 15 accounted for 10 percent of total illegal migrants during the period studied. Nationals of Afghanistan were the most likely to have children with them (658 children, or 40 percent of the 1,661 Afghans attempting illegal border crossings) and in 90 percent of cases were caught as family groups with children.

The next-largest group of children (354) comes from Iraq, even though only 18 percent of the 1,921 Iraqis caught attempting illegal border crossings were children under 15. Approximately 56 percent of Iraqis were caught in groups containing children.

Approximately 9 percent of Romanians caught attempting illegal border crossings were children (286 children altogether). Only 28 percent of Romanians tried to cross state borders in groups containing children.

More than 10 percent of children under 15 caught attempting to illegally cross state borders were nationals of Libya (62 percent), Saudi Arabia (27 percent), Somalia (25 percent), Syria (24 percent), Armenia (18 percent), Sierra Leone (12 percent) and Palestine (10.2 percent).

It is notable that both nationals of Syria and Libya were, in most cases, similar to nationals of Afghanistan, caught in family groups with children. In their statements to the state authorities they admit that they are coming into the Czech Republic illegally.

Illegal Crossings of State Borders a Trafficker

Trafficking in aliens continues to be a serious and dangerous phenomenon for European countries, which are dealing with illegal migration. The whole of Europe associates this serious criminal activity with a high security risk. The issues involved with prosecution of traffickers have been the topic of discussion in the Budapest

Protocol and were also dealt with at a conference in Prague held by the minister responsible for illegal migration on October 14–15, 1997.

The Czech Republic remains a transit state for trafficking organisations, which concentrate on trafficking illegal migrants across state borders into the Czech Republic and then further to the states of Western Europe. Traffickers, people who assist, transporters and organisers who are directly involved in trafficking of illegal aliens are in most cases apprehended by the police forces of the state in which the crime was detected. The organisers of trafficking are usually aliens and remain abroad. The only way to apprehend these organisers is through cooperation and coordinated effort among various police forces.

Typically, the organisers of trafficking recruit illegal migrants in the country of origin and then arrange transport of these persons across the transit country to the destination country. Wealthier illegal migrants are provided with other services, such as forged or altered documents enabling them to legally reside in the destination country. Trafficking organisations either arrange entry—whether legal or not—into the Czech Republic for illegal migrants, or they begin dealing with them in the country. The aliens are provided with accommodation and a few days later with transportation to the immediate vicinity of state borders between the Czech Republic and Germany or Austria. The fees for these services amount to some thousands of USD or DM per person.

This year, the number of cases detecting trafficking of persons across state borders has risen. During the first 10 months of 1997, 5,228 persons were detected engaging in activities bearing the characteristics of trafficking. In other words, assisting another person to cross state borders illegally. This accounts for 22 percent of the total of 23,883 persons who crossed state borders illegally. These numerical data represent the minimum of such activity, because it isn't always possible to ascertain whether or not a migrant has been helped by a trafficker in illegally crossing state borders. Of the above total of 5,228 aliens, the police of the Czech Republic were able to determine a concrete person who in some way assisted in an illegal border crossing in only 64 percent of cases. The majority of these "assistants" (more than 70 percent) were nationals of the Czech Republic, the Slovak Republic, Vietnam and Germany.

Trafficking cases were detected on the borders of all neighbouring states. The largest number of cases of trafficking persons across state borders is and has been, since the Czech Republic was founded, documented on borders between Germany (73 percent) and northern Bohemia.

According to the absolute number of trafficked people among persons apprehended for illegal crossing of Czech State borders during 1997 so far, the dominant nationalities are as follows:

1. SRJ (965 persons)
2. Afghanistan (806 persons)
3. Iraq (717 persons)
4. Romania (660 persons)
5. Macedonia (363 persons)
6. China (327 persons)

The order of the above six nationalities changes when expressed as percentages. The highest percentages of nationals of one country apprehended appear as follows:

1. China (52%)
2. Afghanistan (49%)
3. Iraq (37%)
4. SRJ (37%)
5. Macedonia (23%)
6. Romania (21%)

Even where there is a lower number of apprehensions for illegally crossing a border, a very high percentage of trafficked persons is found among nationals of Syria, Sri Lanka, India, Iran, Lebanon, Turkey.

As stated above, 25 percent of the total 23,883 persons apprehended at state borders of the Czech Republic was attempting to cross borders in groups made up of families with children under 25. This adds up to just under 6,000 persons. If we do not consider nationals of the Czech Republic and its neighbouring states—Germany, Austria and Poland—who are predominantly apprehended illegally crossing state borders during the summer holiday months, then we find that evidence of assistance by another person was found in 43 percent of cases of illegal border crossings in groups including women and children.

Year	1993	1994	1995	1996	till Oct. 31, 1997
NP SH – total persons	43,302	20,480	19,172	23,705	23,883
of which, migrants with evidence of assistance in NP SH	7,045	4,587	4,604	4,830	5,228
as above, in percentage of total NP SH	16.3	22.4	24.0	20.4	21.9
NP SH – persons in family groups with children under 15					6,008
of which, migrants in family groups with children with evidence of assistance in NP SH					2,016

(NPSH: Illegal crossings of state borders)

Even though the number of persons attempting to cross Czech State borders with invalid travel documents is generally rising, this phenomenon is detected only sporadically among groups with children under 15.

Eleven percent of persons apprehended attempting to illegally cross state borders already have at least one unsuccessful border-crossing attempt behind them. Many of these aliens do not have travel documents or financial means, and they reside in the Czech Republic for various lengths of time while having limited possibilities to obtain the necessities to legally make a living. This fact provides confirmation that these people have decided to live elsewhere than their native land and have invested all their savings in this trip, which have been taken by trafficking organisations.

As was already stated, women make up just under 20 percent of illegal migrants apprehended. The higher number of women which has been observed among illegal migrants of individual nationalities can be divided into three groups:

1. Groups of migrants from the countries of Western Europe.
Nationals of Belgium, France, the Netherlands, Spain and Switzerland appear minimally among illegal migrants and the percentage of women in these groups is on average 30–40 percent. They are apprehended on Czech borders primarily in the summer tourist season.
2. Groups of migrants made up of families with children under 15 (see above)
3. Groups in which children are rarely or never found and in which, nonetheless, there is a high number of women. Among illegal migrants apprehended, a high proportion of women in groups without children was documented among nationals of Bosnia and Herzegovina (40 percent women), Mongolia (63 percent), Peru (48 percent) and the Dominican Republic (97 percent).

Nationals of the Dominican Republic first appeared among persons apprehended for illegal crossings of Czech State borders in August 1996. By the end of that year 21 were apprehended, of which 19 were women. During the first 10 months of 1997, 73 persons were apprehended, of which 71 were women! In most cases they enter the Czech Republic legally at Prague Ruzyně airport. They are then apprehended while attempting to cross state borders illegally in the direction of Germany, primarily in northern Bohemia. They mainly cross borders in small groups, and in most cases (more than 70 percent) they have travel documents with them.

Prohibition of Residence

(for the period ending October 31, 1997)

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The authorities of the foreigner's police can prohibit residence for an alien in accordance with Article 14 of the law on residence of aliens both in cases where there has been a violation of the duties defined by the law and in cases where there has been a violation of duties circumscribed by other binding legislation.

During the year	1993	1994	1995	1996	till Oct. 31, 1997
number of aliens with prohibition of residence in The Czech Rep.	16,441	11,792	8,211	9,525	13,721
women among this group	2,404	1,442	1,233	1,369	1,603
amount of women in %	14.5	12.2	15.0	14.3	11.7

From 1993 to 1995, the number of aliens issued prohibition of residence for violating a law of the Czech Republic fell. Since 1996 it has again risen.

The reasons for issuing prohibition of residence have gradually changed. In 1993, the reason in 70 percent of cases was illegal crossing of a Czech State border. However there has been long-term growth in the number of cases where the main reason is violation of the terms of residence. In 1993 these cases accounted for 11 percent of all prohibitions; this year they account for more than 50 percent.

As before, nationals of Ukraine, Romania, the United Republics of Yugoslavia and Bulgaria were those most often issued with prohibition of residence in the first 10 months of 1997.

Administrative and Judicial Deportation

(for the period ending October 31, 1997)

Administrative deportation is carried out on the basis of Article No. 16 of the law on residence of aliens. This is commonly used in cases where the alien does not exit the Czech Republic within the deadline imposed by a previous prohibition of residence and remains in the country illegally, or repeatedly enters the country illegally, or in cases where there is a suspicion that the alien will not respect the decision to prohibit residence. Approximately 50 percent of aliens faced with administrative deportation

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due to illegal residence during the first 10 months of 1997 were nationals of Ukraine, and 15 percent were nationals of Macedonia and Romania.

Judicial deportation of an alien is carried out on the basis of a criminal conviction as determined by a criminal court in connection with one or more criminal acts which the alien is sentenced with. The courts can give the sentence of deportation alone or along with another sentence. This sentence is not given to every alien who is convicted of a crime. Therefore, data on judicial deportation of aliens provide only partial and incomplete information for the evaluation of criminal activities of, and methods of apprehending, aliens. This year, the highest number of judicial deportations was executed against nationals of the Slovak Republic, Ukraine and Romania.

Deportation of aliens throughout the year	1993	1994	1995	1996	till Oct. 31, 1997
administrative	366	363	297	369	565
% of which were women	5.2	9.6	15.1	8.9	8.0
judicial	364	413	612	696	665
% of which were women	9.3	9.2	13.9	12.8	9.6
total	730	776	909	1,065	1,230

Criminal Activity of Aliens in the Czech Republic

(for the period ending June 30, 1997)

In the first half of 1997, 60,787 persons were convicted of crimes in the Czech Republic. Just over 5 percent of these were aliens—that is, 3,426 persons. For the first time since 1994, when Slovak nationals began to be counted among aliens convicted of committing a crime, the proportion of aliens among all persons convicted of crimes dropped below 6 percent.

Year	1993	1994	1995	1996	till Oct. 31, 1997
persons convicted of crime	106,874	103,094	114,791	118,456	60,787
aliens convicted of crime in The Czech Rep.	2,366	6,801	7,157	7,181	3,426
% of all persons convicted of crime that were aliens	2.21	6.60	6.24	6.06	5.64
Slovak nationals convicted of crime in The Czech Rep.		4,454	4,248	3,701	1,704
other nationalities		2,347	2,919	3,480	1,722

Note: Since 1994 Slovak nationals were counted as aliens

Prague, the capital of the Czech Republic, is the biggest city in the country. It has a population of over 1 million and also hosts a huge number of visitors from other parts of the Czech Republic and from abroad. Tens of thousands of aliens have long-term and permanent residence; many live here illegally. Thus it is logical that many aliens become perpetrators of crime, and at the same time many become victims of crime. It is in Prague that we find the highest number of aliens convicted of crime (634). The next largest number of convicted aliens in the Czech Republic is found in Moravia.

The types of crimes carried out by aliens in the Czech Republic vary widely; as a rule this depends on the nationality of the alien and on the situation of the region they live in. As a whole, simple theft is the leading crime carried out by aliens; the largest number of theft convictions took place in Prague.

The vast majority of aliens convicted of crime in the Czech Republic were nationals of European countries (90).

Conclusion

To conclude, in 1997 the number of tourists crossing the state borders of the Czech Republic continued to rise. Aliens continue to be interested in long-term and permanent residence in the Czech Republic. On the other hand, the number of aliens living here illegally is also rising. Compared to 1996, the number of illegal border crossings has risen. Aliens more often abuse the procedure for applying for asylum in order to travel on to the West. Trafficking is growing in intensity, and not only in the Czech Republic. This state of affairs is reflected in the number of aliens who are issued with prohibition of residence in the Czech Republic. The higher number of deportations means higher costs. Criminal activities by aliens are accompanied by illegal forms of migration.

It is clear from the facts outlined above that the Foreigner and Border Police have a very significant role to play in the fight against crime, especially border crime or crime connected to aliens in general. Their activities also contribute in the fight against organised crime in cooperation with the special department of the Czech police dedicated to this work.