

Session II Panel discussion

Impacts of irregular migration on countries of origin, transit and destination

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The situation of the Czech Republic in the field of irregular migration reflects its geographical position in the centre of Europe as well as its long-term experience with both immigration and emigration to and from the Czech Republic and former Czechoslovakia respectively. Both national and international aspects have shaped the Czech migration policy in this field.

*The Czech Republic has been a **member of the European Union since 2004 and of the border-free Schengen area since the end of 2007**. Its citizens as well as foreign nationals living on its territory enjoy the right to cross the border between 25 Schengen countries without being subject to a border control. The Schengen and the EU membership have significantly influenced policy and practice of the Czech Republic concerning migration, visa (joint Visa Information System was put into operation only 2 days ago), asylum and other related issues and continue to play an important role. As a result, only certain activities have remained subject to an independent national decision of the Czech authorities.*

*From the point of view of **migration**, the Czech Republic has transformed from a country forcing its population to emigrate (Czechoslovakia of 1950s till 1980s) into a transit country during 1990s and first decade of the 21st century, while slowly becoming also a country of destination in recent years – especially for citizens of countries with a similar language background (Ukraine, Russia) or countries with a special country relationship from the past (Vietnam, Slovakia). According to the official statistics, foreign nationals currently present approximately **4 % of the entire population of the***

Czech Republic – the number of foreign nationals residing in the Czech Republic has been growing steadily since the 1990s and presented the steepest growth in foreign population in the whole Europe (the increase from 70 thousands in 1994 till 425 thousands in 2010).

As regards the **movement of persons with irregular status in the European context**, the Czech Republic does not primarily serve either as a country of destination or a country of transit. The Czech Republic is mostly affected by migrants who legally enter the Czech Republic but later overstay - the number of such cases is much higher than the number of persons detected while attempting to irregularly cross the border (especially as due to the Schengen membership the Czech Republic controls only its air borders) – the most usual modus operandi used for irregular migration is to legally enter the Czech territory for the purpose of employment but to exceed the permitted length of stay. Relatively common are attempts to gain visa or work permit for different purpose, use falsified documents, take part in bogus marriages etc.

The Czech experience can confirm both **negative and - from the point of view of the population or industry sectors - to some extent also positive aspects of irregular migration**, though the positive ones are much less visible than the negative ones. Among **negative aspects** must be highlighted especially the vulnerability of persons concerned and their easier exploitation (both in working and social terms). Irregularly staying foreign nationals are also more easily engaged in criminal activities and organised crime.

The **Czech authorities** are continuously attempting to adjust the legislation appropriately, assess the situation and put in practice special measures, if needed, which focus on foreign nationals who violate the Czech national immigration rules. Movement of persons with irregular status may under certain conditions possess a threat to public order or internal security also to other European countries.

*The year 2009 and the start of the world economic crisis may serve as an example gravely affecting migrants working in the Czech Republic - foreign nationals were certainly one of the groups most seriously affected by the crisis – they were among the first ones who had lost their job and as a result were forced into irregular position as they needed to stay on all accounts. At that time, several cases of exploitation were reported. Based on them and following thorough assessment of the situation, the Czech state authorities in close cooperation with IOM (International Organisation for Migration) carried out a special **project of “assisted voluntary returns”** under which firstly legally staying foreigners were given a free flight ticket to their country of origin; also illegally staying foreigners were covered under the second part.*

*Another positive example of Czech experience to be mentioned is **close regional and on-the-spot focused cooperation** of the state authorities with non-governmental organisations dealing with foreign nationals, local authorities, media etc. Continuous monitoring of the situation, communication with organisations working in the field, setting up of special integration centres for foreigners and other related **activities of preventive nature** significantly help minimise negative impacts of the irregular migration.*

*To sum up, **worth recommending** are continuous monitoring of the situation, close coordination and cooperation of all stakeholders involved, both state and non-governmental organisations, and regular update of rules with the aim to ensure a stable and fair national immigration system.*