

PATHWAYS TO PROSPERITY

**MIGRATION AND DEVELOPMENT
IN THE CZECH REPUBLIC**



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FOREWORD

We present you with a study in which we have analysed the migration situation in the Czech Republic and shown that migration may bring about positive values, if we can make use of its development potential. The word „migration“ has become a hot-tempered word in Czech context after the so-called migration crisis, connected to negative emotions such as fear and the feeling of vulnerability. The majority of public debates, where the word „migration“ is mentioned, quickly turn from facts to impressions and many categorical judgements are made. It is a paradox that these fears echo loudly in Czech society even now, when the rate of irregular entrances into the EU is below 15% and the majority of migration flows into the EU are fully regulated and managed by the governments of the individual states. In the heated debate the life circumstances of those in greatest need, looking for an asylum are neglected, as well as the plain reality of the fact that our economy depends in many aspects on workforce from abroad. To maintain economic growth, the Czech government has been increasing quotas for incoming foreign workers for several years. Work migrants often invest substantial amounts and then have to wait for a long time in order to receive the necessary approvals so that they can follow their dreams and take better care of themselves and their families. Their goal is the same as the goal of all of us: living with dignity with enough opportunities to attain overall progress for themselves as well as their closest.

At a time when imagination of the broader public has been vividly revolving around the images of asylum-seekers from Middle Eastern and African countries, instigated by daring and often hateful statements of political leaders, the Czech migration reality on the ground has developed in different, if equally profound ways. While the number of asylum-seekers remained low and constant throughout the so-called crisis, an unprecedented spike in regular labour migration primarily from Eastern Europe and South East Asia has occurred, driven by a shortage of domestic workforce. From a long-term perspective, the Czech Republic is becoming a typical immigration country.

This report strives to disentangle this reality from the viewpoint of development, hence looking into what the current migration patterns bring to the Czech Republic, its citizens, the migrants themselves, neither leaving aside the issue of Czech citizens migrating abroad as well as cross-border, migration-related activities of the Czech government.

We have not been a solitary and isolated country for a long time and while we like to take advantage of the globalized world, the free movement of people and goods, we have a hidden fear in ourselves of the strange and unknown. This fear is natural and stems from our deepest instincts. But it is a trait of all people of good will that through culture and civilization we overcome it and strive for peaceful co-existence with others. Migration is an integral part of today's globalized world; it cannot be overlooked while pretending that it does not affect us and that we can displace it from our lives. Our common home, the planet Earth and all the current global challenges require our full focus and the involvement of every one of us.



*Klara Boumova
Migration Coordinator, Caritas Czech Republic
May, 2019*



EXECUTIVE SUMMARY

This report aims to provide a broad and timely understanding of migration-related matters in the Czech Republic, taking into account the perspective of human development. It focuses on labour migration and migrant integration but also touches upon asylum-related issues, including the broader European agenda.

Based on the analysis undertaken, it is safe to say that migration, in its present form, brings substantial benefits to the Czech economy, and, in fact, saves many private companies from failing to meet their contractual obligations. The number of foreigners working in 'tech' jobs shows an upward trend. In addition, migrant workers help prevent medical and social services from collapsing under the weight of staff shortages, ensuring their continuing accessibility for the general population. In addition, foreigners play an indispensable role in Czech cultural life and increasingly second-generation migrants are becoming visible as innovators, thinkers and entrepreneurs.

Among the crucial findings pertaining to foreigners residing in the Czech Republic is that they are usually perceived first and foremost as a cheap labour force. Indeed, employers, public authorities and society at large pay little attention to the rights of migrants. A hostile public opinion, even though somewhat mitigated when it comes to migrant workers from traditional countries of origin, does not help here. While some of the most restrictive pieces of legislation tabled in the past years were rejected in Parliament or quashed by the Constitutional Court, others were passed and still more are being proposed by political forces hoping to score points by playing the anti-migration card. In this context, it should be stressed that the laws regulating residence and work in the Czech Republic are complicated, to the extent that often even trained lawyers are unable to fully comprehend them.

As for asylum matters, there have lately been some positive developments for recognized refugees, especially in the form of the establishment of an individualised support

programme. Yet, recognition rates remain low, families with children are often put in detention facilities and pushbacks at Prague airport remain a concern. Moreover, the firm resistance of the Czech government to EU relocation quotas has inflicted collateral damage by halting all resettlement schemes, and these have not been relaunched since. While there are some notable projects to help refugees and other migrants in distress abroad, money is also being channelled towards securitization and outright repression under the banner of 'aid in countries of origin and transit'.

The report concludes that labour immigration rates will remain high in the near future. In fact, the Czech Republic is rapidly becoming a typical immigration country. At the same time, remittance inflows still outnumber outflows as the smaller number of Czech nationals and their descendants living abroad send considerable sums of money back home. The key issues for now are whether social exclusion and spatial segregation of migrants can be prevented in the long run; whether there is enough political will and funding available for tailored integration schemes; or whether we shall turn to temporary 'guest-worker' schemes, which have long been abandoned in most of Europe. The next economic recession will serve as a stress test for the viability of the system currently in place.



CHAPTER 1

THE COMMON HOME VISION

In his encyclical, *Laudato Si' – On care for our common home*, Pope Francis (2015) reminded us that the Earth is “our common home”, and that we need to address economic, social, political and environmental challenges together in an integrated manner (CAFOD et al. 2018). Exclusion and poverty, warfare, global inequalities, climate change, unsustainable consumption and growth – as well as forced displacement and migration – demand our utmost attention and engagement. The encyclical quickly became a reference document for Catholic social services as well as development agencies worldwide, drawing attention both inside and outside the Catholic Church. With the national and European “Common Home” publications, Caritas draws on this message to explore the complex *interconnectedness* between migration and development with its faith-based ethical framework respecting human rights and dignity.

For Caritas, a human-centred, ethical and rights-based approach is fundamental to law, policy, and practice. Thus, an ethical interpretation of the relation between migration, development and the human person is essential to frame the vision and the objectives of the “Common Home publication”. Caritas’ vision, actions and views are rooted in legal and political instruments and sources and fundamentally in Christian and Roman Catholic Church values and teaching. These values and teachings have, in common with international legal instruments and policy frameworks, an affirmation of human dignity, equality for all, and the inalienability of human rights as key moral principles to ensure the peaceful coexistence and basic well-being of all persons and peoples on the planet. International legal instruments and policy frameworks include: the Universal Declaration of Human Rights (UDHR) and eight fundamental United Nations human rights covenants and conventions;¹ the 1951 Refugee Convention on the Status of Refugees and its 1967 Protocol; and the International Labour Standards defining principles and rights for decent work. The United Nations 2030 Agenda

for Sustainable Development and the New Urban Agenda are especially relevant global policy frameworks. Catholic Social Teaching (CST), the doctrine developed by the Catholic Church on matters of social and economic justice and fundamental Christian values are the foundations for Caritas views and action.

In *Laudato Si'*, Pope Francis (2015: 12) has argued that “the urgent challenge to protect our common home includes a concern to bring the whole human family together to seek a sustainable and integral development.” Moreover, the Pope has called for a dialogue including everyone about “how we are shaping the future of our planet” (2015: 12), questioning the current model of development and the present condition of global society where injustice is commonplace and more and more people are deprived of their fundamental human rights. This means “prioritising the weakest members of society as a way of measuring progress” (CAFOD et al. 2018: 16). Human rights can be defined as the protection of individuals and groups, guaranteed under international law, against interferences with fundamental freedoms and human dignity. Human rights are *inalienable* and cannot be denied or relinquished by any human being, regardless of any reason including legal or immigration status. They are *universal* in that they apply to everyone, everywhere. Human rights encompass civil, cultural, economic, political and social rights, and are *indivisible*, meaning that the different sets of rights are all equally important for the full development of human beings and his/her well-being. Human rights instruments and customary international law generate three overarching obligations for States, namely: to respect, to protect, and to fulfil those rights.

A. Migration

Migration is a major feature of today's globalised world. In broad terms, migration is the movement of people from one place of residence to another. While the term migration covers population movement internal to a country – rural to urban or from one locality to another in a different jurisdiction, the MIND project addresses international migration. International migration is a distinct legal, political and social category, as people move from a nation-state in which they are citizens with the rights and protections citizenship normally confers, to other countries where rights and protections of nationality, of access to social protection, and of common identity often do not apply and where social and cultural paradigms may be significantly different.

While there is no international normative definition for migration, international conventions provide agreed definitions for *refugees* and for *migrant workers and members of their families*; the latter applicable to nearly all international migrants. The definition of a refugee in the 1951 Convention and 1967 Protocol on the Status of Refugees is: “*someone who is unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion*”.² All EU member States have ratified both the 1951 refugee Convention and its 1967 Protocol.

The International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (ICRMW) states that: *The term “migrant worker” refers to a person who is to be engaged, is engaged or has been engaged in a remunerated activity in a State of which he or she is not a national.*³ That convention recognises *frontier worker, seasonal worker, seafarer, offshore worker, itinerant worker*, and other specific categories of migrant workers as covered under its provisions. The ICRMW iterates that all basic human rights cover family members present with and dependent on migrant workers. Data from the International Labour Organization (ILO) shows that nearly all international migrants, whatever their reasons for migration or admission, end up economically active – employed, self-employed or otherwise engaged in a remunerative activity.

Specific definition and statistical standards to obtain reliable and comparable data on international migrants have been agreed under UN auspices and are used by most governments. For statistical purposes, an *international migrant* is defined as ‘a person who has resided in a country other than that of birth or citizenship for one year or more, irrespective of the causes or motivations for movement

and of legal status in the country of residence.’ There are an estimated 260 million foreign-born people residing today in countries other than where they were born or held original citizenship.⁴ However, this figure does not include persons visiting a country for short periods such as tourists, nor commercial or transport workers who have not changed their place of established residence. Many other persons in temporary, short-term or seasonal employment and/or residence situations are not counted in UN and other statistics on *migrants* when their sojourn is less than a year and/or if they retain formal residency in their home or another country – even though they may fit the definition of a *migrant worker*. For an accurate analysis of the interconnectedness of migration and development, Caritas uses a broad understanding of migration, inclusive of all those who are refugees and asylum seekers as well as migrant workers and members of their families.

B. Development

The pledge to leave no one behind and to ensure human rights for all is a cornerstone of the Resolution by the UN General Assembly 70/1 “*Transforming our world: 2030 Agenda for Sustainable Development*” that contains the Declaration and the 17 Sustainable Development Goals (SDGs) with 169 sustainable development targets, adopted on 25 September 2015. This document endorsed by all 193 UN Member States expresses their shared vision of and commitment to a “*world of universal respect for human rights and human dignity, the rule of law, justice, equality and non-discrimination; of respect for race, ethnicity and cultural diversity; and of equal opportunity permitting the full realization of human potential and contributing to shared prosperity. A world which invests in its children and in which every child grows up free from violence and exploitation. A world in which every woman and girl enjoys full gender equality and all legal, social and economic barriers to their empowerment have been removed. A just, equitable, tolerant, open and socially inclusive world in which the needs of the most vulnerable are met.*”⁵

The 2030 Agenda has led to paradigm shifts in the perception of development. Development and sustainable development concern all countries on the planet; environmental protection and tackling inequalities are considered among key development goals; peace and social justice are seen as integral components of the universal development agenda; and the need for the commitment and participation of all groups within all societies and states is emphasised in order to achieve development for all. The new worldwide consensus on development is grounded in the *Universal Declaration of Human Rights* and all human rights treaties; therefore, if states do not make progress on the actual realization of human rights for all, the SDGs cannot be reached.

The term *development* encapsulates the elaboration of productive means, forces, capacities, organisation and output of goods, services, technology and knowledge to meet human needs for sustenance and well-being. It comprises building the means for: the extraction and transformation of resources; the production of goods, services and knowledge; constructing infrastructure for production, transportation and distribution; reproducing capital as well as skills and labour; and providing for human welfare/well-being in terms of housing, nutrition, healthcare, education, social protection and culture in its broad sense (Taran 2012).

Caritas uses the concept of **integral human development**, which places the human person at the centre of the development process. It may be defined as an all-embracing approach that takes into consideration the well-being of the person and of all people in seven different dimensions. First, the *social* dimension, which focuses on quality of life in terms of nutrition, health, education, employment, social protection and social participation as well as equality of treatment and non-discrimination on any grounds. Second, the *work* and economic activity dimension as the main means of self and family sustenance, of socio-economic engagement and of direct contribution to development for most adults in all populations. Third, the *ecological* dimension which refers to respect for the goods of creation and to ensuring the quality of life for future generations without ignoring this generation's cry for justice. Fourth, the *political* dimension, which includes issues such as: the existence of the rule of law; respect for civil, political, economic, social and cultural human rights; democracy, in particular, as a representative and above all participatory tool. Fifth, the *economic* dimension which relates to the level of GDP and the distribution of income and wealth, the sustainability of economic growth, the structure of the economy and employment, the degree of industrialisation, the level of high-tech ICT, and the state's capacity to obtain revenue for human services and social protection, among other considerations. Sixth, the *cultural* dimension which addresses the identity and cultural expression of communities and peoples, as well as the capacity for intercultural dialogue and respectful engagement between cultures and identifies. Seventh, the *spiritual* dimension. Taken together, these dimensions underpin an integral approach to development (Caritas Europa 2010). According to *Catholic Social Teaching (CST)*, social inequalities demand coordinated action from all people/ the whole of society and the whole of government in all countries for the sake of humanity based on two premises: 1) social questions are global, and 2) socio-economic inequalities are a danger for peace and social cohesion. In this sense, development of our own country and that of others must be the concern of us all – the human community.

C. Migration and development

How development is linked to *migration* is a centuries old legal, political and practical question. Vast forced and voluntary population movements from the 17th century onwards populated the Americas North and South, as well as emerging European nation states.

Since the end of World War II, migration and development has been the subject of intense discussions among policy-makers, academics, civil society and the public. Pope Pius XII dedicated an encyclical on “migrants, aliens and refugees of whatever kind who, whether compelled by fear of persecution or by want, is forced to leave his native land” (Exsul Familia 1952), reaffirming that migrants and refugees have a right to a life with dignity, and therefore a *right to migrate*.

Migration became a fundamental pillar of development across several regions under regional integration and development projects, notably the European Economic Community succeeded by the European Union. Since the 1970s, migration has been essential to development through regional free movement systems in Central, East and West Africa. From the 1920s, large population movements – some forced – in the (former) Soviet Union underpinned industrial and agricultural development across the twelve USSR republics.

Spurred by geopolitical events that have greatly affected human mobility on a global scale, the relationship between migration and development has become central to contemporary political, economic and social policy debates. The first global development framework to recognize the role of migration and its immense contribution to sustainable development worldwide was the Declaration and Programme of Action of the International Conference on Population and Development at Cairo in 1994.⁶ The overarching contemporary framework is the above-mentioned 2030 Agenda for Sustainable Development with its Sustainable Development Goals. While explicit reference to migration and development is laid out in SDG target 10.7 on “safe, regular and responsible migration and mobility,” more than 44 SDG targets across 16 of the 17 SDGs apply to migrants, refugees, migration and/or migration-compelling situations (Taran et al. 2016). The New Urban Agenda adopted in Quito in October 2015 provides even more explicit attention to migrants, refugees and internally displaced persons in its global development and governance framework for cities – where most migrants and refugees reside.

In 2016, in the wake of severe and protracted conflicts in the Middle East and South Asia and the collapse of effective protection for refugees in neighbouring countries, UN Member States adopted the *New York Declaration*

for *Refugees and Migrants*⁷, calling for improved global governance of migration and for the recognition of international migration as a driver for development in both countries of origin and of destination. The *Global Compact for Safe, Orderly and Regular Migration (GCM)*, adopted at an inter-governmental conference in Marrakesh, Morocco in November 2018, and the *Global Compact on Refugees (GCR)* elaborated on those principles and proposed ways of implementing them through political dialogue and non-binding commitments. Both Compacts were adopted by the UN General Assembly in December 2018.

Caritas recognises that a growing number of people are forced to leave their countries of origin not only because of conflict and persecution but also because of other existential threats. These include poverty, hunger, unemployment and absence of decent work, lack of good governance, absence of access to education and healthcare, as well as the consequences of climate change. **Forced migration** for Caritas encompasses all migratory movements where an element of coercion exists. People fleeing conflict and persecution naturally have a specific claim and right to international refugee protection. Caritas also recognizes that the overwhelming proportion of migration in and to Europe reflects most EU member countries' objective need for 'foreign' labour and skills to maintain viable work forces capable of sustaining their own development. This *demand* results from rapidly evolving technologies, changes in the organisation of work and where it takes place and declining native work forces due to population ageing and declining fertility.

In Caritas' view both people who migrate and those who remain – whether in a country of origin or in a country of residence – have the right to find wherever they call *home* the economic, political, environmental and social conditions to live in dignity and achieve a full life. Regardless of their legal status in a country, all migrants and refugees possess inherent human dignity and human rights that must be respected, protected and implemented by all States at all times. Caritas calls for a human response of solidarity and cooperation to assume responsibility for integral human development worldwide and for the protection and participation of people on the move – migrants and refugees. Migration contributes to the integral human development of migrants and of members of their countries of residence. Such a vision implies the recognition that migration, regardless of its drivers, is an opportunity for our societies to build a more prosperous, global “*Common Home*”, where everyone can contribute and live in dignity.

Notes

- ¹ The International Convention on the Elimination of all Form of Racial Discrimination (1965), the International Covenant on Civil and Political Rights (1966), International Covenant on Economic, Social and Cultural Rights (1966), the Convention on the Elimination of all Forms of Discrimination against Women (1979), the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984), the Convention on the Rights of the Child (1989), the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (1990), the Convention on the Rights of Persons with Disabilities (2006).
- ² See UNHCR, *What is a Refugee*, at <http://www.unhcr.org/what-is-a-refugee.html>.
- ³ See full text at <https://www.ohchr.org/en/professionalinterest/pages/cmw.aspx>.
- ⁴ Extrapolated from UNDESA (2017). As noted in UNDESA estimates, “The estimates are based on official statistics on the foreign-born or the foreign population, classified by sex, age and country of origin. Most of the statistics utilised to estimate the international migrant stock were obtained from population censuses. Additionally, population registers and nationally representative surveys provided information on the number and composition of international migrants.”
- ⁵ The 2030 Agenda for Sustainable Development, paragraph 8.
- ⁶ The ICPD was the biggest conference ever held on population, migration and development with 11,000 delegates from 179 countries and some 4,000 participants in the parallel NGO Forum. Two of the ten chapters of the Programme of Action were entirely about migration and development. Adopted by all 179 States/governments participating, the ICPD Declaration and 20-year Programme of Action (extended in 2010) continues to serve as a comprehensive guide to people-centred development progress. <https://www.unfpa.org/fr/node/9038>
- ⁷ UN Resolution 71/1. New York Declaration for Refugees and Migrants. Adopted by the General Assembly on 19 September 2016. http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/71/1

CHAPTER 2

NATIONAL INTRODUCTION

The following report provides an in-depth analysis of the current situation, policies and debates in the Czech Republic related to migration and development. Firstly, it reviews the complex national migratory context, moving then to a development-based framing of migration and underlining the key contributions migrants and immigration in its present form bring to society, the economy, the labour market, culture and people. Secondly, it identifies key obstacles that impede migrants' full contributions to development, as well as opportunities for facilitating and enhancing migrants' own development, the contribution of migration to development, and shared responsibility and accountability. Finally, it presents conclusions and a set of recommendations to steer Caritas and other relevant stakeholders in their future advocacy work towards protecting the rights of migrants, promoting migrants' inclusion in Czech society and addressing the migration-development nexus particularly from the perspective of migrants and their contribution to integral human development.

For multiple reasons, the Czech Republic is not an important destination country for asylum-seekers coming to Europe from overseas, and its officials do not shy away from often questionable practices to ensure it stays that way. Indeed, the present debate on asylum has been deeply poisoned by hatred, xenophobia and selfishness, in spite of the country's own dramatic history of forced emigration and the generous reception of refugees from Czechoslovakia across the world. At the same time, regular economic migration, mostly from Eastern European and certain South-East Asian countries, driven by the needs for skills, combined with unprecedentedly low unemployment rates, forms the backbone of reality on the ground. Sadly, many of the incoming migrants face exploitation, discrimination, uncertainty of their status, an inability to unite with their families, a lack of protection or inadequate access to integration measures. Civil society organisations (CSOs) assisting the newly-arriving migrants have obtained a first-hand understanding of the present system, its limits and inadequacies.⁸

The report presents knowledge, evidence and analysis to answer the following question: How, and under what conditions, can migrants contribute to integral human development, their own and in/of places and societies of origin, residence and transit? The report intends to support enhancing the development potential of migration, ensuring policy coherence and maximizing the benefits of immigration for both migrants and society at large. The analysis is grounded in available academic literature, policy papers, statistical data, up-to-date media articles as well as hands-on experience and discussions with various stakeholders. The report concludes with a set of policy recommendations, primarily aimed at the national-level stakeholders, but potentially also relevant for EU institutions and networks.

Notes

⁸ The author has been active as a representative of Czech migration CSOs for several years.



CHAPTER 3

NATIONAL MIGRATORY CONTEXT

As of 2018, the migratory context in the Czech Republic can be best demonstrated on two parallel trends: a) an ongoing substantial increase in the numbers of residing migrant workers, driven primarily by domestic labour market needs; and, b) a stagnating (and comparatively low) number of asylum-seekers coupled with falling recognition rates. These trends are of particular interest as the public debate remains riddled by omnipresent echoes of the public outcry towards asylum-seekers and other migrants in irregular status from the past years, whereas the arrival of migrant workers is seldom perceived as anything more than a technical matter. To some degree, this may be attributed to racist and islamophobic public sentiments, whether voiced openly or not. The resulting discrepancy between facts and impressions hinders data-driven policy-making while misconceptions and myths take still deeper root. This chapter first provides an insight into the reality of the national migratory context, presenting quantitative data on ‘stocks’ and ‘flows’ of migrants pertaining to the Czech Republic and then sheds some light on the state of migration governance in the country.

A. Stocks and flows

Ever since the Czech Republic came into existence on 1 January 1993, both the immigration patterns and foreign communities residing in the country have undergone a dynamic evolution. Most importantly, the past twenty-five years have seen a near seven-fold increase in the number of foreign citizens living in the country, from 78,000 in 1993 to 544,000 by June 2018 (Ministry of Interior 2018a). Labour migration is the primary source of this trend: in economically successful years, immigration has surged whereas in times of crisis, numbers of residing foreigners have temporarily decreased. Nevertheless, the absolute number of permanent foreign residents has been increasing steadily, reaching 285,000 by March 2018 (53.2 % of all residing foreign nationals). The most recent years have witnessed a strained labour market with record low unemployment rates (Eurostat 2018)⁹, and hence substantially increased efforts by employers to hire migrant workers.



Chart 1: Trend in the numbers of foreigners in the Czech Republic by type of residence

Source: Czech Immigration Police

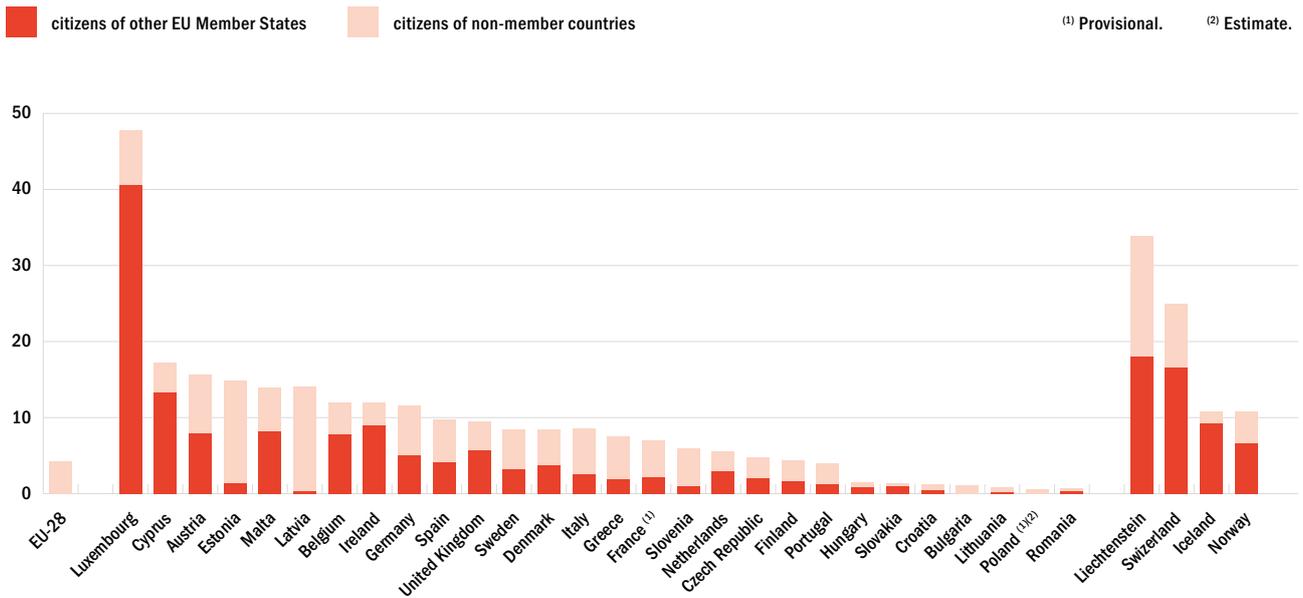


Chart 2: Share of non-nationals in the resident population for EU 28 Member States, 1 January 2018

Source: Eurostat

As of 1 January 2018, there were 5 % non-Czech citizens in the population (see Chart 2). This puts the Czech Republic almost on par with traditional immigration countries such as France and the Netherlands, and in the forefront of post-communist Central and Eastern European countries.

According to national statistics, 208,000 of the total 493,000 residing foreign nationals were EU citizens by the end of 2016, (Czech Statistical Office 2017a: 34). Traditionally, the Czech Republic has been a destination country for large communities of Slovaks and Ukrainians (each over 100,000 people). However, due to historical, language and cultural reasons, Slovaks are seldom perceived as ‘real’ foreigners. These are followed by some 60,000 Vietnamese, 36,000 Russian, 22,000 German and 21,000 Polish citizens according to official data (see also Chart 3). At the same time, there are no larger communities of people coming from Middle Eastern or African countries, which are at present the primary concern of European migration governance (no individual country of origin exceeding 1,000 settled persons).

Looking at the recent ‘flows’ of migrants, we can note the following remarkable changes since the end of 2014: an over 60% increase of residing Romanian citizens (to more than 13,000), an over 50% increase of residing Mongolian citizens (to more than 8,300), a nearly 50% increase of residing Bulgarian citizens (to over 14,000), as well as often even more significant in relative terms – if not in absolute numbers – flows of people from the Philippines, Bangladesh, Taiwan and South Korea, to name but a few.

The bulk of the recent increase in migrant population is nevertheless composed of residing Slovak and Ukrainian nationals: each of them with an increase of over 16,000 people since 2014 (Czech Statistical Office 2015a; Ministry of Interior 2018a).

To add to the picture, as of March 2018, 56.5 % of all foreigners living in the Czech Republic were male and 43.5 % female (Ministry of Interior 2018a). In demographic terms, the vast majority of migrants were of working

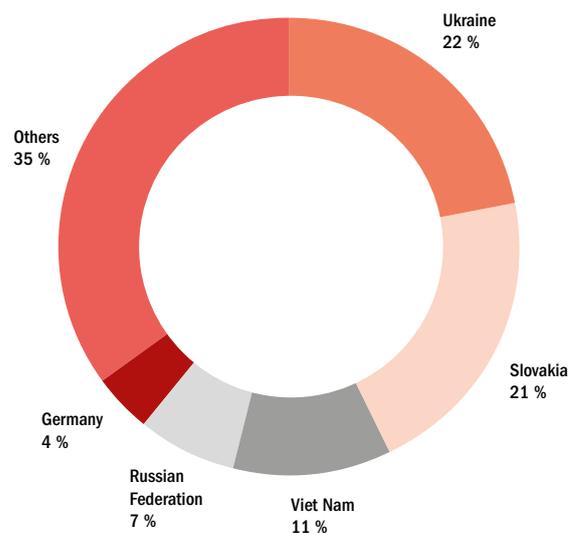


Chart 3: Foreigners residing in the Czech Republic by citizenship, 31 December 2017

Source: Czech Immigration Police

age (15-64), and overall, substantially younger than the native-born population (Chart 4). At least in the short run, immigration clearly helps alleviate the negative prospects of a fast-ageing Czech population. According to Pravec (2017), without a substantive increase in natality and without immigration, the country's population is projected to shrink by nearly 4 million to 6.6 million by 2100. Klímová and Rosková (2017) estimate that to keep the population numbers stable, the Czech Republic would need 20,000 – 30,000 immigrants annually; and indeed, the recent trends meet such a threshold. However, in order to provide for the ageing population and keep the welfare and pension systems running, an even higher number of incoming working-age residents would in fact be necessary.

As regards refugees and international protection, it is safe to say that, unlike many other EU countries, and in spite of heated debates, the Czech Republic did not experience a spike in asylum applications at the height of

the so-called 'refugee crisis'. The reasons for this include the absence of an external Schengen land border, the low attractiveness for asylum-seekers, as well as repressive policies including the broad use of administrative detention for transiting migrants (OHCHR 2015). Although the numbers of applicants have increased slightly, they remain considerably lower than what they used to be at the turn of the millennium, and overall not exceeding 2,000 per year (Chart 5). However, while recognition rates (asylum + subsidiary protection) have traditionally stood at around 30 %, in 2017 a mere 29 asylum statuses and 118 subsidiary protections were granted out of 1,450 applications, pointing to an increasingly restrictive attitude. The geographical origin of the applicants is also different when compared to most Southern and Western European countries. Most often, asylum-seekers come from Ukraine, the Caucasus, Cuba or Russia. Only recently has the country witnessed a rise in applications filed by Syrian or Iraqi nationals (Czech Statistical Office 2017b).



Chart 4: Population pyramid of the Czech Republic

Source: Czech Statistical Office

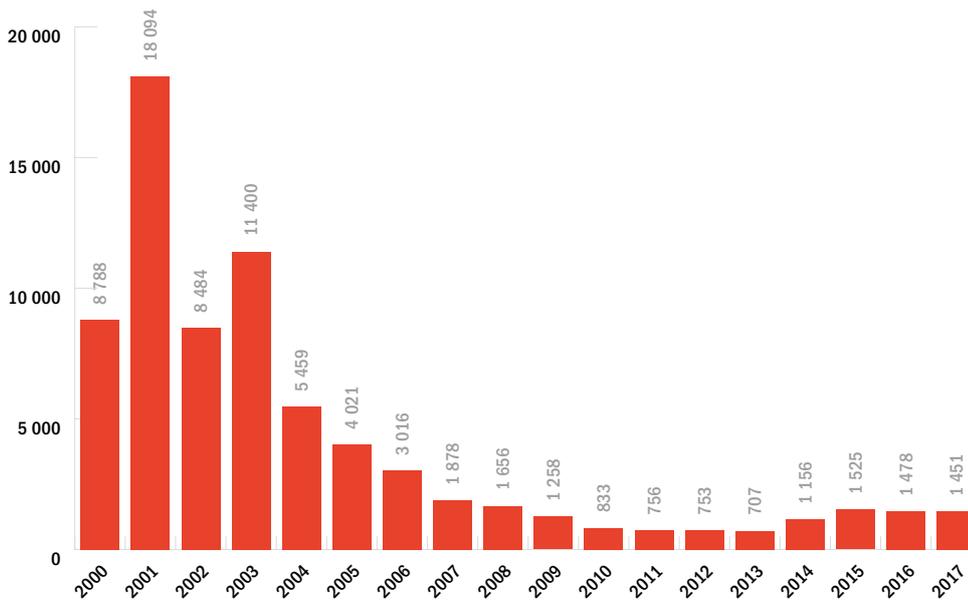


Chart 5: Annual number of applicants for international protection in the Czech Republic, 2000-2017

Source: Ministry of Interior of the Czech Republic

B. Emigration from the Czech Republic

Unlike other countries in the region, the Czech Republic has not in the recent past been an important source of emigration to other EU states and beyond. By 2015, it was estimated that there were only around 250,000 holders of a Czech passport living abroad, i.e. less than 2.5 % of the overall population (Ministry of Foreign Affairs 2015). Yet, due to past emigration, the total number of people with Czech ‘roots’ or backgrounds living abroad was by the same ministry estimated at 2 - 2.5 million. This is partly a legacy of people fleeing *en masse* the communist oppression, especially following the 1968 Warsaw Pact armies’ invasion. Kleinová (2013) recalls that the overall number of people who left the country in the 1948-1989 period is estimated at over 200,000, with some studies putting the number as high as half a million. Indeed, a large proportion of these *émigrés* were highly-skilled and easily integrated into Western European labour markets and societies, thus contributing to their development. A majority of those who stayed for a longer period of time eventually acquired the citizenship of their host country, losing their Czechoslovak citizenship and thus became statically difficult to trace. In today’s terms, this type of emigration would surely be perceived as ‘mixed flows’, encompassing both people eligible for political asylum and persons escaping for better prospects abroad due to economic decline and lack of opportunities but formally not entitled to international protection. Kleinová (2013:22) states that irregular “[irregular] emigration was in any case several times more

numerous than legal one”. Nevertheless, a vast majority of Czechoslovak exiles were eventually embraced by host societies, allowed to stay and over time integrated. All of this should be borne in mind when assessing the legitimacy of the current overwhelming Czech attitudes towards irregular immigration.

According to a recent research, it was estimated that another 200,000 Czech citizens have settled abroad since the fall of the iron curtain in 1989 (Lidovsky.cz 2014). At the same time, many have returned since, making use of the skills and qualifications obtained abroad. Based on a recent survey carried out by a labour agency, a quarter of these emigrants were considering moving back to Czechia (Hovorková 2016). Moreover, the Interior Ministry has for many years been running a programme aimed at facilitating resettlement of Czech compatriots who may no longer be in possession of Czech citizenship (Ministry of Interior 2018d).

C. Migration governance

Migration governance in the Czech Republic has long been the domain of one key actor – the Ministry of Interior. This is the office dealing with most related matters, such as setting up a regime for residence and return, running the asylum system, and fostering both refugee and migrant integration. Therefore, it is the key institution in the horizontal setup of central ministries and is also indispensable in the vertical architecture involving regional and local governments.

However, with migration finding its place high on the political agenda, and the increased interconnectedness of the topic with a number of other public policies, this set up has increasingly shown its limits. These are elaborated on in the ensuing chapters.

Among the other central institutions involved in migration governance and integration policy in Czechia are the Ministries of Labour and Social Affairs, Education, Industry and Commerce, Foreign Affairs, Justice, Health, as well as the Ombudsperson's Office and the Office of the Government. The Committee for the Rights of Foreigners, an advisory body including representatives of civil society operates under the latter. In addition, an active role is – or rather should be – played by regional and local governments. Despite a number of promising practices, due to their limited competences, resources and responsibilities in this matter, efforts at the sub-national level have not yet taken on a systemic shape.

The domestic legal and legislative foundation for migration governance continues to show considerable deficiencies, despite the laudable record of formal Czech adherence to international Conventions. The Czech Republic is party to eight of the nine fundamental UN Human Rights Covenants and Conventions, all of which apply to human rights protection for migrants and refugees. It is also party to both the 1951 Convention and 1967 Protocol on the Status of Refugees. It has ratified 70 of the International Labour Standards ILO Conventions, all of which apply to upholding protection and decent work for migrants. It has not, however, ratified any of the four main international instruments considered primary migration governance Conventions: namely the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, ILO Convention No. 97 on Migration for Employment, ILO Convention No. 143 on Migrant Workers, and ILO Convention No. 189 on Decent Work for Domestic Workers.

The crucial national law concerning migration is the Foreigners Act (Act No. 326/1999) on the Residence of Foreign Nationals in the Territory of the Czech Republic. Refugee matters are then governed by the Asylum Act (Act No. 325/1999), which functions as a *lex specialis* to the former. Both these laws are amended frequently, up to three times per year. The legislation currently in effect deals primarily with migration administrative and control functions, including admissions, visas, permits, etc. as well as border and entry control and combating irregular migration. However, many of the provisions in 'migration governance' conventions on human and labour rights applicable to migrants, on access to social protection, and regarding integration-related measures do not feature

fully or at all in national legislation. These provisions are, however, essential for fostering inclusion, integration and welfare for both immigrant and native populations.

In contrast, emphasis has been given to the elaboration of non-legislative executive policy, primarily by the Interior Ministry. Building upon six Migration Policy Principles (Ministry of Interior 2018c), the key relevant strategic documents are the Strategy of Czech Migration Policy (Ministry of Interior 2015) and the regularly updated Policy of Foreigner Integration (Ministry of Interior 2018b), with inputs from stakeholders including civil society. In addition, the ministry has published several leaflets and brochures for foreign citizens arriving to the Czech Republic containing essential information pertaining to work, language, education, healthcare, etc. As regards the interconnectedness of migration with the broader 2030 Agenda, there are several mentions of migration in the *Strategic Framework* adopted in late 2016 (Office of the Government 2016) where immigration is portrayed as a tool for economic and social progress with priority given to qualified workers and to return programmes for Czech citizens living abroad.

Notes

⁹ As low as 2.4% by June 2018, according to Eurostat – the lowest among EU28.



CHAPTER 4

HOW MIGRANTS AND MIGRATION CONTRIBUTE TO DEVELOPMENT

Lately, the complex nexus between migration and development has become a hot issue in the context of European external policies. The catchphrase of “tackling root causes of migration” is probably among the most frequently used and heard mantras among European politicians these days, even if its meaning remains vague. We have seen new tools such as the EU Trust Fund for Africa being implemented with the clear intention of diverting development cooperation money to meet migration control objectives (CONCORD Europe 2018; Oxfam 2017). Worrying as these trends often are – undermining principles of development effectiveness, relying on shaky assumptions, and disguising the most pragmatic of actions as a selfless help in the countries of origin/transit – they at least remain a matter of some scrutiny and of political debate. This can hardly be said about the development aspects of migration in relation to the destination countries, yet, there is much to be contemplated here.

It is a common feature of the migration-development debate that it primarily focuses on the link between *migration from developing countries and development fostered by Western states in these countries of origin* (see e.g. IOM 2003). In fact, the discourse is all too often reduced to the issue of socio-economic development preventing displacement/forced migration. The development lens is much less frequently applied to the host countries of migrants, despite the fact that they usually actively attract migration to fill gaps in their labour force – often seeking foreign nationals with specific skill sets – and that this immigration brings them substantial (socio-)economic benefits.¹⁰ In addition to an analysis of the development aspects of migration in the countries of origin, the following chapter strives to provide some clarity on how migration contributes to development in the Czech Republic. To this end, it combines an analysis of available hard data, and an outlining of other, less quantifiable aspects, pertaining to the development dimension of migration.

A. Development in the Czech Republic as the country of destination

As indicated in the preceding chapter, immigration to the Czech Republic has recently undergone some dynamic developments. Therefore, any analysis published more than a few years ago risks being in some respects obsolete. The following chapter therefore attempts to combine a review of the available literature on the issue with up-to-date information obtained by the author in the course of his work, and via interviews with both academics, policy-makers and practitioners in the field. The key message is clear: the Czech economy relies heavily on migrant workers of various qualifications, and they themselves have been indispensable to the economic boom of the past years.

1. Labour market participation of migrants: saving the Czech economy

Due to the critical lack of workforce in the past few years, immigration and specific labour migration schemes have become indispensable tools of sustaining economic growth. It is clear that the populist claim of “migrants stealing locals’ jobs” is completely misplaced in the current Czech context. Since the regular procedure for obtaining visas and work permits is a lengthy and cumbersome one, the Czech government also runs several special regimes under which employers may find and hire workers in third countries in a speedy and simplified procedure. From 2018, there was the ‘Regime Ukraine’ with a doubled annual capacity standing at 19,600, ‘Regime Mongolia’, ‘Regime Philippines’ and more recently also a ‘Regime Serbia’ (each

at 1,000 persons per year) plus the ‘Pilot Project Ukraine’ for highly qualified workers with an annual quota of 500.

Significantly, the most recent available OECD data counted 470,000 foreign workers and entrepreneurs in the Czech Republic workforce in 2016. This represented nearly 9 percent of the total workforce of 5,387,000 - a proportion that has no doubt increased since 2016 with continuing immigration of working-age persons and the ongoing aging and decline of the native-born workforce. As noted by Čížinský et al. (2014), by the end of 2011, 71% of all legally residing foreigners in the Czech Republic had participated in the labour market (Chart 6). Similarly, according to more recent OECD statistics, labour market participation of foreign-born population in the Czech Republic is among the highest of all OECD countries (standing at 79.9% in 2017, surpassing the native-born population by 4.2%) while unemployment of the foreign-born population was the lowest in the OECD, standing at 3.0 % in 2017 (OECD 2018a; OECD 2018b).

Based on data provided by the Czech Statistical Office, labour market participation of all foreigners residing in the country stood at 95 % on 31 December 2016: 151 % (*sic*) for EU citizens vs. 54 % for third country nationals (Czech Statistical Office 2017a: 113). Evidently, such figures are the result of the substantial (if unknown) number of (self-) employed EU nationals who are at the same time not formally registered as residents in the Czech Republic. This

has become a common practice not least for Slovak, Polish, Romanian and Bulgarian workers. Without an informed estimate of the number EU nationals *de facto* residing in the country, their labour market participation rates become a highly speculative variable.

As a result, a more detailed analysis is only possible with regard to third-country nationals who are required to be registered for residence in order to be able to work legally in the Czech Republic. Here, we can find considerable differences among the various national groups. While the most numerous group in terms of labour force – the Ukrainians – has an overall labour market participation rate of 70%, Vietnamese citizens have a rate of 50%, and Russian nationals a mere 31%. A similar disparity can be found between the fourth (Moldovans: 71%), fifth (Mongolians: 50%) and sixth (USA: 34%) most numerous national groups. This may be to a large degree attributed to either the varying purpose of stay (Ukrainians and Moldovans come specifically for contracted work in a majority of cases; Russians have a substantially higher representation among university students; American citizens – some with Czech origins – tend to settle primarily for family reasons, etc.) or to the specific business models (particularly in case of small Vietnamese entrepreneurs who often informally employ or use the services of their family members or other members of the Vietnamese community, see below). However, these are ad hoc observations rather than verified explanations as relevant data is missing.

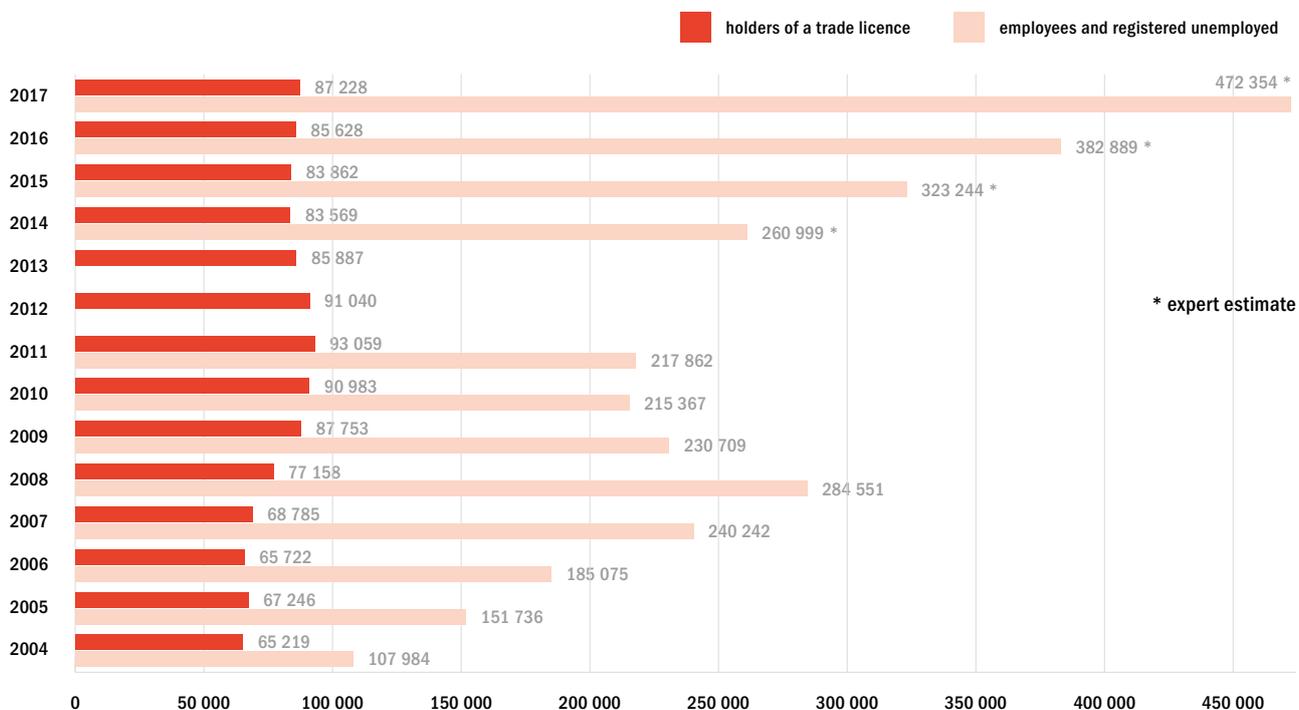


Chart 6: Employment of foreigners in the Czech Republic by status, 2004-2017

Source: Czech Statistical Office

In addition, there are substantial citizenship-based divisions concerning employees vs. the self-employed. The latter, however, does not refer exclusively to entrepreneurs.¹¹ Whereas in most national groups, employees prevail, US Americans are nearly as likely to be self-employed as employees, and 77% of all economically active Vietnamese are in fact self-employed (In 2005, this figure soared up to 99%, (see Pechová 2007; Czech Statistical Office 2017a). The latter case is a peculiar one with Vietnamese immigrants running thousands of small and medium-size stores all around the country (Hüwelmeier 2015), effectively disrupting the past business model of local shops and at the same time, making shopping much more convenient and accessible to countless inhabitants (ČT24 2012).

As regards categories of jobs performed by migrants in the Czech Republic, a majority fall into the category of semi-skilled occupations, with a growing prominence of both high and low-skilled occupations (Chart 7). It should be emphasised that lower-skilled jobs tend to be prone to oscillations of the economic cycle, and that foreign employees are more often than not the group that is most affected when production falls and economic hardship hits. These were at least the Czech lessons learned from the post-2008 crisis when thousands of foreign workers suddenly found themselves jobless. While a few returned to their country of origin, some tried instead to establish a business or work as freelancers, whereas others presumably (temporarily) transited to the informal economy (see Drbohlav 2011). Little suggests that if the crisis would repeat itself, the situation would evolve differently.

A more nuanced perspective based on Czech Statistical Office data breaks down migrant employment into specific categories. Here, we note that EU nationals most often work in *Manufacturing* (over 90,000 in 2016), followed by *Administrative and support service activities* (47,000), *Wholesale and retail trade; repair of motor vehicles and motorcycles* (28,000), *Construction* (25,000) and *Professional, scientific and technical activities* (20,000). Similarly, third-country-nationals most often held jobs in *Manufacturing* (22,000), after which came *Administrative and support service activities* (13,000), *Wholesale and retail trade; repair of motor vehicles and motorcycles* (12,000), *Construction* (12,000), and *Accommodation and food service activities* (10,000). When compared to the general population, migrants in the Czech Republic have a higher presence in administrative and support service activities, manufacturing, construction or professional, scientific and technical activities.

Whereas in the past, the Czech Republic was considered a popular destination for migrant workers from the East, recent developments on the labour market point to a new trend. This consists of the increased immigration of workers

from southern European states faced with structural economic problems and (sometimes chronically) high unemployment, namely Italy, Spain, Greece and Portugal. The numbers of the nationals of these countries working in the Czech Republic have doubled or tripled in the past decade, according to the Czech Chamber of Commerce, and this trend is set to continue (Skoupá and Šrajbrová 2018). This increase can be attributed to the present situation on the labour market which is short of hundreds of thousands of workers, including in semi- and highly qualified jobs (Lukáč 2017).

In the context of the past years' record low unemployment, migrant workers can be legitimately perceived as saviours of Czech industry, and a key factor contributing to the country's continuing economic boom (although lately, the prospects of the national economy were somewhat dimming, particularly precisely due to lack of workforce, Kočí 2018). Indeed, without their participation, whole sectors of the economy would be in serious trouble, attempting to meet demand with a reduced labour force. Moreover, this phenomenon goes beyond manufacturing, construction, or cleaning services. Today, migrants are also paramount in sustaining the effectiveness of the Czech healthcare system, both as medical doctors and as medical staff, and the care sector in general (see below). Increasingly, migrant workers fill the gaps in high-skilled professions in tech, IT, etc. The city of Brno, in particular, has been evolving into a hub attracting qualified workers and creating public-private-CSO partnerships to ensure they have access to all the services they might need (see Brno Expat Centre 2018).

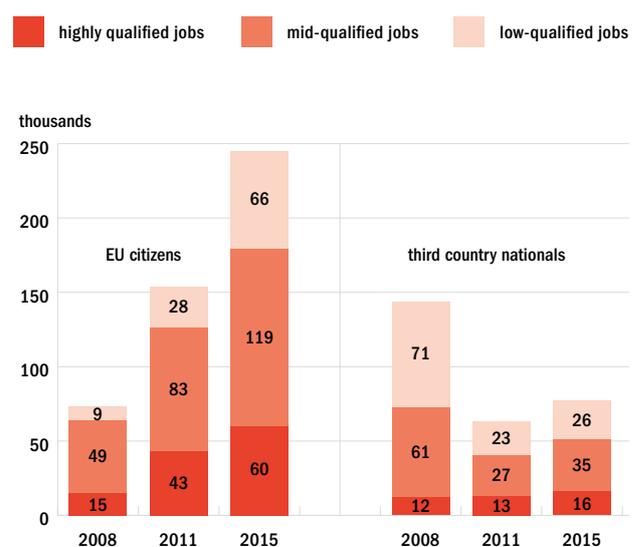


Chart 7: Employment of foreigners in the Czech Republic by citizenship and type of occupation

Source: Czech Statistical Office

2. Welfare system participation of migrants

It is a broadly shared conviction that migrants tend to be a burden for social welfare systems. However, the 2013 OECD International Migration Outlook reported that the net direct fiscal contribution of immigrant households in the Czech Republic in 2007-9 was -0.01 % GDP. This means that migrants had contributed roughly just as much in taxes and social security contributions as they had received from the system (International Migration Outlook 2013, 147). Unfortunately, accessible up-to-date comprehensive data is lacking when it comes to migrant contributions to, and benefits from the Czech welfare system. The national statistical office has indicated that it is unable to provide that dataset because in many cases, data is not disaggregated regarding nationality. Furthermore, citizens of non-EU countries need to have permanent residence or at least reside in the country for over 365 days, in order to be able to claim support from the social welfare system. For EU citizens, some entitlements are accessible immediately upon registration while others require a 3-month residency in the Czech territory.

3. Migrant participation in other forms of development

While there is a common tendency to interpret the term *development* restrictively in purely economic terms, this should not prevent us from exploring the less-quantifiable aspects of the contribution of migrant communities to the well-being of society in the Czech Republic. Rather than aspiring to paint a complete picture, however, the following sub-chapter pinpoints certain notable endeavours, projects and individual achievements, which may be seen as enriching for society at large.

The Ukrainian community has had a long-standing link to the Czech Republic. There is an overarching diaspora organization, the *Ukrainian Initiative in the Czech Republic*, which runs the web portal Ukrainci.cz and for over a quarter century has published the magazine *Porohy*. It organises numerous cultural events but also shares employment opportunities with community members. However, the majority of residing Ukrainians have only arrived in the past few years with the clear intention to find work and this is the community's essential developmental contribution. Indeed, employers in need of workers tend to turn to Ukrainians first due to their language and cultural proximity, as well as their reputation for diligence and willingness to work long hours (see also Drbohlav 2015). As well as in construction, manufacturing and cleaning, Ukrainian citizens are increasingly being employed in medical professions,

substituting for the chronic understaffing of Czech medical facilities caused among other things by westward migration of professionals, despite cases of rejection and barriers from the local medical chambers (Vlková 2016; Čápková 2018). In this sense, it can be stated that labour migration from Ukraine is a precondition for sustaining a quality and accessible medical care in the country.

The Vietnamese community, though in many aspects somewhat closed and often functioning rather parallel to Czech society than in interaction with it (Pechová 2007) has also witnessed some remarkable progress in presenting its culture to society and establishing a dialogue with it. This role can be attributed to community organisations such as SEA-L (formerly Klub Hanoi) who provide intercultural services and organise community-based events, as much as to the recent surge in Vietnamese bistros and restaurants (66 only in Prague, at the time of writing, see Restu 2018) which have become an indispensable part of the local cuisine. Czechs have also found interest in visiting the very heart of Vietnamese community life – the vast market places such as SAPA in Prague or Olomoucká in Brno. In addition, there is a growing number of second-generation Vietnamese-Czechs who provide fresh insights into the life of the Vietnamese community as well as on identity-based issues pertinent to their peers (a case in point is the acclaimed blog Asijatka.cz, or a recent student movie *Bo Hai*, and also more recently the coordinated community initiative *VietUp*).

Many first or second-generation immigrants have made it big in the show business (such as the singer Sámér Issa with Syrian roots). Two of the very vocal migrant internet/social media figures Do Thu Trang (author of the aforesaid blog on the lives of Vietnamese in the Czech Republic) and Tigran Hovakimyan, an Armenia-born comedian, have even been hosting a video show on the lives of migrant communities in the Czech Republic, gaining hundreds of thousands of views so far (Stream.cz 2018). Children and young people living in Czechia with migrant backgrounds are also becoming leaders in various competitions, youth delegations and other fora – including, for instance, Karina Movsesjan, the Kyrgyzstan-born winner of the EU Contest for Young Scientists (ČT24 2017), Zuzana Vuová, the first Czech youth delegate to the UN, with Vietnamese roots (Hronová 2017), and Thai Dai Van Nguyen, the Vietnamese-Czech young chess star (Miko 2017).

Moreover, migrants bring substantial assets in terms of cultural activities and diversity. Other developmental activities of migrants include the purchasing and development of real estate (Divinová 2018), though in many cases, the buyers actually do not live in the Czech Republic and only purchase the estate as an investment. Then again, for Czech citizens, the contact with foreigners often comes

down to gastronomy with Russian or Bulgarian grocery stores and Indian or Korean restaurants, which are present and popular in most major Czech cities.

B. Development in migrants' countries of origin, including towards the Czech Republic

1. Remittances

One of the key indicators of the developmental aspects of migration is remittances – money transfers by foreign workers and entrepreneurs to their country of origin. Given the rising prominence of labour migration to the Czech Republic, the amount of money repatriated is also increasing. Although, Chart 8 indicates a certain drop in 2012 and 2013 as a result of the economic crisis in wake of which many third country nationals lost their jobs, it is safe to predict that the past years have seen an increased volume of remittances coupled with the large number of newly-arrived foreign workers.

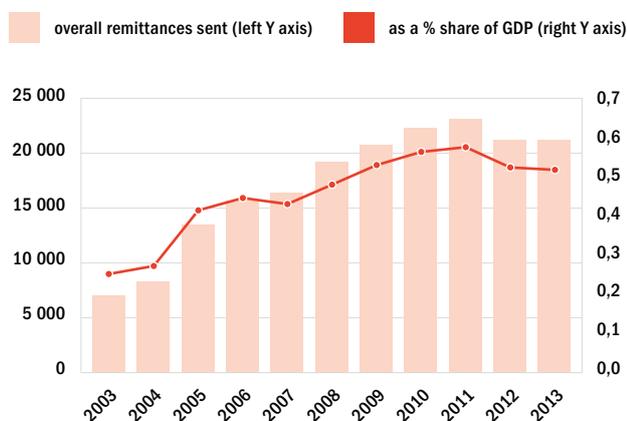


Chart 8: Overall remittances sent by foreign nationals living in the Czech Republic to their country of origin per year Source: Czech Statistical Office

According to the World Bank's 2016 Migration and Remittances Factbook, the Czech Republic ranked 10th amongst the high-income OECD countries in terms of *incoming* remittances as a share of GDP (0.9 % in 2014). This indicates that Czech Republic, despite today being characterised as a country of immigration rather than emigration, has in the past been a net remittance receiver rather than sender. High levels of incoming remittances make sense since an absolute majority of both post-1968 and post-1989 emigrants and their offspring live and work in

high-income countries such as the USA, Canada, Germany or Austria (Lidovky.cz 2014). These findings are corroborated by recent World Bank data which indicated that incoming remittances for the Czech Republic in 2017 were almost \$3.6 billion, or 1.7% of GDP, while outflowing remittances amounted to a mere \$2.06 billion (The World Bank 2017). In summary, the Czech Republic clearly benefits heavily from its own past and present outward migration.

A closer analysis of the share of income sent as remittances to the respective migrants' countries of origin from Czechia should first take note of the existing wage disparities. To illustrate, while in 2013, the median wage for citizens of the USA living in the Czech Republic exceeded 63,000 Kč (CZK), most Ukrainians had only earned around 17,500 Kč per month (the country-wide median stood just above 22,000 Kč, Czech Statistical Office 2014). The same year, Ukrainians and Slovaks as the most numerous migrant communities living in the country had been sending on average respectively 24.8% and 18.8% of their monthly income to their country of origin. The share of remittance outflows was comparably smaller among Vietnamese (13.9 %) and Russian (12.7 %) nationals. Citizens of high-income countries such as the USA, Australia, the UK, France or Austria tended to send the largest share of their income to their home country but presumably also had a much greater capability to do so due to higher wages.

Chart 9 provides up-to-date insight into the overall volume of remittances sent to migrants' countries of origin. Ukraine is by far the largest recipient (15.2 bn. CZK), followed by Slovakia (10.7 bn. CZK). 2-3 bn. CZK annually has been sent to all of Russia, Vietnam and the US.

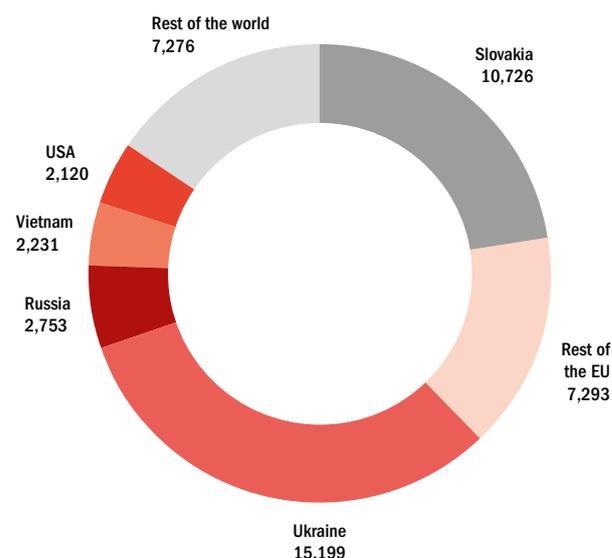


Chart 9: Remittances from the Czech Republic by country of reception (billions CZK), 2017 Source: Czech Statistical Office

2. Other forms of development

Due to a lack of data, there is little information on other forms of development that migrants living in the Czech Republic bring to their countries of origin. It is safe to presume that many of these people obtain skills and qualifications, which enhance their work opportunities and social standing in their country of origin. Most probably, apart from sending remittances, diaspora communities also drive direct investment in their countries of origin. Yet, this would call for further, and more detailed, research to be undertaken among the respective communities.

In terms of political participation, an outstanding case has been that of Ukrainians residing in the Czech Republic taking active part in the 2014 Ukrainian Revolution. Several local associations of compatriots have collected money in support of the protesters concentrated around the Maidan square in Kiev, and there has also been a demonstration attended by several hundred Ukrainians though not all of the diaspora shared their revolutionary enthusiasm (Klimeš 2014; Houda 2014). These events had resonated in the Czech Republic strongly, which is underlined by the fact that the Czech government's MEDEVAC programme had also brought 27 injured people from the Ukraine to undergo surgeries following the protests in Ukraine (Ministry of Interior 2014). Moreover, building upon the agenda of President

Václav Havel, the Czech Republic has been the country of asylum of certain prominent dissidents from Cuba or Belarus, to name but a few, in the past few years.

Other examples of collaboration of migrants in the development of their country of origin include trade and investment via the various mixed Chambers of Commerce. Since 2005, there has been the Czech-Vietnamese Chamber of Commerce and Industry. Analogous set-ups are in place, facilitating business cooperation with Ukraine, Mongolia, East Asian states, the USA, Russia and many other states.

Notes

- ¹⁰ This is equally reflected in the prevailing agenda of the Global Forum on Migration and Development, <https://gfm.org/>.
- ¹¹ Admittedly, in a number of cases, self-employed people find themselves in a quasi-employment situation where legally, they are but service providers and therefore lack equivalent rights and protection.



CHAPTER 5

OBSTACLES THAT IMPEDE FULL CONTRIBUTION OF MIGRANTS TO DEVELOPMENT

A. Discrepancy between words and reality

As shown in the figures above, owing to its economic boom contrasted with a lack of evolving skills and an ageing and declining local workforce, the Czech Republic has increasingly been becoming a country of immigration with the overall share of foreign citizens in the population reaching 5% in 2017 (for more details, see Seidlová 2018). This reality on the ground is, however, in conflict with the restrictive political discourse on migration, aggravated by the inability of many leaders to distinguish effectively (or nuance in their remarks) between legally arriving economic migrants and irregular migrants including asylum-seekers. As a result, the media published Prime Minister Andrej Babiš's statements on "not letting a single migrant enter the country" (Kopecký 2018) while at the same time, the government was adopting special regimes and projects allowing for swift visa and work permit procedures for thousands of additional migrant workers. Such a discrepancy can lead to confusion on behalf of the broader public and potentially to more negative sentiments against foreigners living in the country, while also backfiring against the current government. Most critically, it can result in measures impeding the immigration of skills and labour that are essential for supporting Czechia's economy and its future welfare.

B. Deficiencies in migration governance

In a context where migration has long been a topic of low political salience (Jungwirth 2017), the system of its governance which has been operating for the past quarter century has been to a large degree technocratic, controlled by the executive branch, and not subject to much scrutiny. At present, both migration and integration policy are effectively centralised in the Department of Asylum and Migration Policy of the Ministry of Interior, which by design tends to apply a security-driven perspective. In a fast-changing environment, the current architecture shows its limits.

First, there is an absence of established cross-sectorial platforms with strong political leadership to deal with migration and integration-related issues. This leads to a phenomenon known in Czech as 'resortism' in which the relevant ministries fail to take into account the policy needs that are formally attributed to their counterparts yet are very relevant for their own work (Menšíková 2017). In practice, this concerns particularly aspects of integration policy pertaining to the Ministry of Labour and Social Affairs (e.g. labour market integration and protection, and inclusion of migrants in various social programmes), and the Ministry of Education and Sports (e.g. providing adequate language support for migrant children). Neither of these institutions is inclined to really consider foreign citizens (or children not in command of the Czech language) among their priority target groups, which often leads to their needs not being met, and in the long run hampers migrants' ability to meet their full development potential.

Second, policy centralisation has led to a lasting limited engagement and formal responsibility of regional and local governments in migrant integration (Pořízek 2018). Only in recent years have certain more progressive regional governments and municipalities begun taking a systemic approach towards the issue. Often, however, they tend to perceive matters related to foreigners residing on their territory as something to be dealt with ‘from outside’ by the Interior Ministry. It is clear that a change of mindset is very much required here in order to foster migrant inclusion.

Third, current migration governance in the Czech Republic suffers from the absence of both solid data and politically-led proactive strategic planning (Jungwirth 2018). The adaptation of current migration schemes is done in an *ad hoc* manner, often without a long-term vision. This renders any integration efforts on behalf of the public institutions inherently reactive and somewhat haphazard.

Finally, the legislative framework on migration addresses little more than regulating the entry and residence of foreign citizens in the Czech Republic and related matters. However, this legislation is extremely complicated and often even experienced lawyers face challenges navigating in it. Frequent amendments and a plethora of internal directives not known to the public make it virtually impossible for any third country national to have a comprehensive understanding of their status, rights and obligations, and certainty that they are abiding with the law at all times. Moreover, these challenges are often aggravated by unbearably complex and lengthy administrative procedures (Faltová 2018).

C. Utilitarian approach towards labour migration and the skills-opportunities gap

In several respects, the current Czech migration situation resembles the German ‘Gastarbeiter’ (guest-worker) experience of the 1960s. Similarly, the prevalent understanding here would be that foreigners coming for work are merely substituting for a temporary reduction in the domestic workforce, and that the foreigners would leave the country once work opportunities ran out. This also includes the false but dangerous perception of migrant workers as just a cheap workforce willing to do dull, dirty, degrading and dangerous jobs (Jungwirth 2018). Indeed, the Gastarbeiter schemes have since been the target of widespread criticism and strongly rebuked by the German authorities who have, instead, shifted towards a policy of ‘integration from the first day’ (see for example Bartsch et al. 2010).

In the Czech Republic, a similar acknowledgement that many of the migrants are in the country to stay will have to come at some point, along with the acceptance of foreign-born workers as human beings in all their complexity – possessing rights, needs and desires. Until this happens, migrants will truly remain second-class citizens, commonly suffering from uncertainty in their residence status, lacking adequate levels of protection in the workplace, their integration efforts undermined by difficulties in achieving family reunion, and at high risk of social exclusion – even if so far, there have been no large groups of excluded migrants residing in Czechia (Faltová 2018).

D. Indecent work, exploitation and abuse of migrants

Migrant labour rights remain an area of particularly serious concern. It is common practice for foreigners to work long hours, to be housed in overcrowded dormitories, facing exploitation by employers and in many cases, not even receiving the agreed wages or compensation (Škardová 2018). This situation has not improved much in spite of labour shortages; on the contrary, employers are motivated to resort to desperate attempts to retain their workers by taking unlawful measures against them such as the confiscation of passports.

Publicly unavailable data shared with the author by the Labour Inspection clearly show that compared to Czech citizens, foreign nationals are at a highly disproportionate risk of becoming victims of fatal or serious injuries in the workplace. Strikingly, this is completely the opposite for light injuries, indicating that migrants (or their employers) tend to under-report such instances.

Horrible stories have been told to international migrants’ rights monitors about the abuse of migrants from Moldova and Ukraine employed in forestry and agricultural work but intentionally left in irregular situations, paid almost nothing or expelled before they can receive any payment, and subject to extreme working conditions and risks. Several testimonies referred to migrant workers being clandestinely dumped across borders when seriously injured or killed at work. Due to a lack of funding and understaffing, the Labour Inspection is unable to pay more attention to these issues. In fact, the widely-known limitations of the Labour Inspection’s reach and capacity enables unscrupulous employers to fear few consequences for the abuse of migrant workers.

Recently, there have been efforts by the Government Committee for Foreigners’ Rights to sensitize the public authorities to introduce a scheme which would enable migrant workers to swiftly reclaim the wages they are owed,

and not to rely on cumbersome court procedures. However, these are completely useless in the cases of workers who at the same time have lost their residence permits or are facing deportation. Furthermore, a prospective solution would most likely need to be more systemic, and also encompass Czech workers.

In addition, many migrants who move to the Czech Republic for work, as indicated above, end up in low- or mid-skilled jobs in spite of having higher qualifications. Both EU citizens and third-country nationals residing in the Czech Republic have a considerably higher share of university-educated people than the native Czech population (Koutná et al. 2016: 583). Koutná et. al. concluded in their study that among the general economically active population, 20% of the people were over-educated for the jobs they were doing, and a further 12% under-educated. Among mobile EU citizens excluding Slovaks, the over-qualification ratio stood at 27% and among third-country nationals at 37% (with the female population reaching an even higher 44%), even if the migrants themselves did not necessarily reflect this in their subjective assessment. All this points to a mismatch of jobs and qualifications and an unmet potential of the foreign-born population living in Czechia who could in fact be working in jobs producing higher added value for society, and higher wages for themselves.

E. Lacking integration support and exposure to discrimination

Closely related to the above issues is the pervasive under-development of migrant integration schemes. Admittedly, in the past few years, efforts have been made to set up a backbone of a solid future architecture and particularly in respect of recognised refugees, these endeavours have yielded some noteworthy results (see below). Regarding the hundreds of thousands of migrant workers, more activity is clearly needed in order to prevent future tensions and foster long-term social inclusion.

Certain general observations can be made based on the Migrant Integration Policy Index (MIPEX 2015). In the Index, the Czech Republic ranked 23rd out of the 38 countries under scrutiny. While doing comparably well in areas such as access to healthcare and education, it had a dismal score in both political participation and anti-discrimination measures taken and effectively implemented. Indeed, discrimination of minorities is very much present in Czech society, even if often taking on more subtle forms that are difficult to trace and resolve. Because most migrants are inherently vulnerable compared

to the general population, it is worth directly quoting an unnamed Ministry of Interior official: “Migrants are facing the same challenges and issues as the general population, only in their case, the situation is made worse.”

The experience of NGOs working with migrants and refugees in Czechia, known by the author directly from his work, adds complexity to this picture. Finding affordable housing for foreigners, particularly in industrial areas, is fast becoming quite a quest, not least because many landlords simply refuse to rent houses to migrant workers. Despite the requirement of having a health insurance while residing in the country, finding a general practitioner is very difficult, and may mean that foreigners may not get the care they need.¹² Accessible Czech language courses for adults, particularly at higher levels or with a specific focus are lagging behind demand. Social work and legal aid are primarily provided by NGOs which face political backlash and potential cuts in public funding. Increasingly, schools struggle to integrate children who do not have full command of the Czech language, or even to keep track of their numbers and needs. These are just some of the factors which impede migrant integration in the long run.

If children do not get the opportunity to learn Czech and attend a school reflecting their potential, if families are unable to meet their basic needs and live in a dignified manner, if ill people are unable to seek medical care, the development potential of migration will remain constrained, public health will be threatened, and social cohesion undermined. In the longer run, this may even lead to structural problems which will require future solutions that will cost the public administration much more than early interventions.

F. Asylum system deficiencies and lack of access to protection

While in terms of numbers, the key issue for the Czech Republic remains labour migration, the issue of asylum is one that takes up much of public imagination, political space and, of course, fosters deep divisions within and across European societies. In recent years, Czechia has played a largely negative role in this broader debate, refusing to partake in any EU scheme for the relocation of asylum-seekers, and even halting its proven national scheme for the resettlement of refugees. In addition, there are reports of pushbacks at the Czech Republic’s only external EU border: the Václav Havel Airport Prague (Franková 2017). As a result, only some 1,500 people manage to apply for asylum in the country every year, way below the

country's real reception capacities (and several times fewer than during certain periods in the past). Even so, asylum procedures are frequently mired by unjustified delays and decisions are not always consistent and transparent (Vopálenská 2017). Therefore, asylum-seekers are often left in prolonged periods of uncertainty, facing adverse effects on their mental health and their integration efforts.

Czech CSOs have often highlighted the administrative detention of migrants as one of their major issues of concern. As noted above, the situation was particularly concerning at the height of the European 'crisis' when detention centres overflowed with asylum-seekers captured *en route* to Germany, which brought international criticism (OHCHR 2015). Since then, there have been undisputable improvements in the situation on the ground and also in the standard of housing and services offered by the detention facilities. Nevertheless, cases of arbitrary detention are still being reported. Czech government authorities continue to detain families with children, refusing to adopt community-based alternatives (see Global NextGen Index 2018). To make matters worse, and against all legislative efforts, independent prosecutorial oversight over detention centres is still lacking.

Despite all of the above, the government should be lauded for spending the past years working towards creating a functioning State Integration Program (SIP) which ensures a complex individualised, if only temporary, support for all recognised refugees. This stands out especially when compared to the structural deficiencies (including arbitrary cuts) in integration support enforced recently by Hungary and Poland (Juhasz and Zgut 2017; Frelak 2017).

G. Public perception of migrants and refugees

Successful migrant integration cannot merely rely on public policies but equally requires an accepting host society. Given the current socio-political context, the public perception of foreigners is an ongoing worry to many, including the public administration. For over two decades following the 1989 'Velvet Revolution', migration had not been a prominent issue of public interest and high political salience in the country. This rapidly changed with the outbreak of the so-called European 'refugee crisis'. Partly due to the absence of any substantial debate on migration and integration policy prior to 2015, the effects on the public opinion have been disconcerting.

In both European and international comparison, the Czech Republic nowadays stands among the least tolerant and most prejudiced countries towards migrants. According to a recent Gallup poll (Esipova et. al. 2017), it ranked 131 out of 138 countries surveyed in terms of the acceptance of migrants. This represents the 24th place among the EU28, which – as it turns out – is the most internally divided region in the world on this issue.¹³ In October 2015, as compared to March 2014, the percentage of people perceiving migrants arriving in the Czech Republic as a problem for the country had risen by 9 points to 69, while the ratio of those considering the new arrivals problematic in the specific context of their place of residence had surged from 24 to 35, although admittedly, the numbers have normalised somewhat in the past few years. At present, there seems to be a lower proportion of people compared to 2009 who consider foreigners responsible for the rise in criminality, as a health risk or as a factor increasing overall

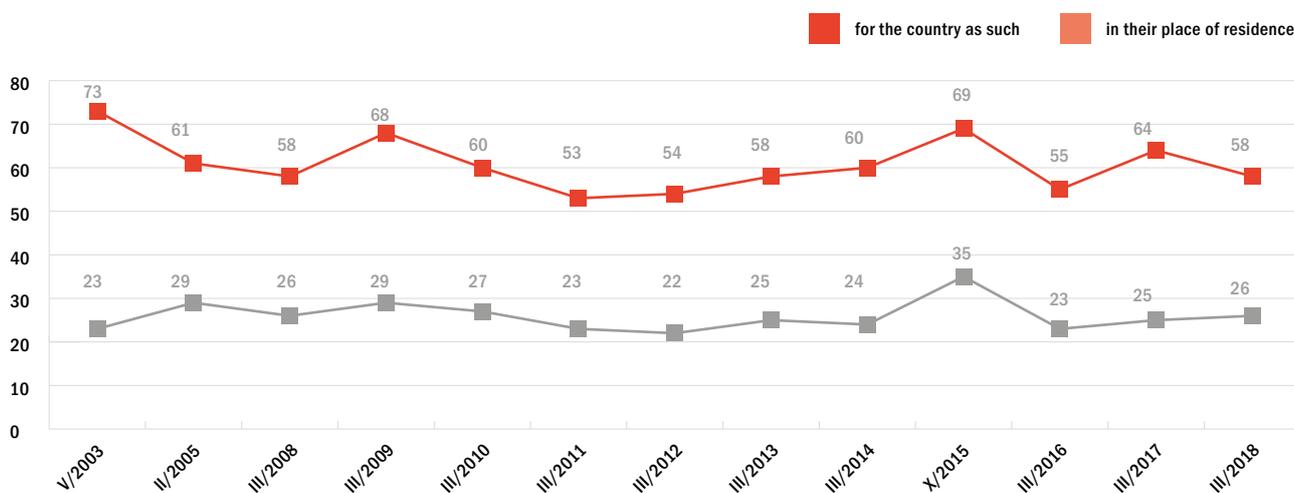


Chart 10: Share of population who consider newly-arrived foreigners a problem, 2003-2018

Source: CVVM

unemployment. On the other hand, more Czechs now see migrants as a threat to their 'way of life' (CVVM 2018).

Unfortunately, while negative sentiments are often kept private, and while the personal experience of many migrants need not be necessarily negative (see below), there has been a most worrying increase in the occurrence of racially or religiously-motivated attacks, sometimes violent, in recent times (Janáková 2015). Islamophobia, in particular, has taken deep root in the country, becoming a nearly mainstream political ideology. The prevailing stereotypes against Muslims are particularly well outlined by Ostránský (2014; 2018). Such indications were more than corroborated by a Pew analysis in 2018, with a mere 12% of Czech respondents claiming they would accept a Muslim into their family – fewer than any other European state with the exception of Armenia (this is also in stark contrast with Czech popular stances towards the LGBT+ community where it ranks among the most tolerant (Pew Research Center 2018). A thorough elaboration on the root causes of this difficult situation is proposed by Čulík (2017).

H. Additional findings from exploratory survey among Mongolian workers

As part of the research for this report, an exploratory study was conducted in the form of a survey among 54 Mongolian citizens working or intending to work in the Czech Republic known to Caritas through its social work (Median 2018).¹⁴ This particular group was selected mainly for the following reasons: it is one of the fastest growing groups of migrants living in the Czech Republic; the community tends to be rather closed and is substantially under-researched; and Caritas Czech Republic works intensively with them, providing even a free hotline in the Mongolian language (see below).

In line with the general observations regarding the obstacles and barriers they faced while moving to the Czech Republic, 41 of the 54 Mongolian respondents cited 'quite' or 'very' complicated procedures to obtain the required permits to live and work in the country. For 31 respondents, the whole procedure lasted for over 6 months. Only 3 respondents out of the 54 had undertaken a course in the Czech language prior to their departure and a mere 11 had access to essential information on Czech society and its rules and customs. At the same time, in contrast to the self-declared negative sentiments of the Czech public, out of the 28 respondents who had already had personal experience with Czech people, 19 declared their impressions were fully or mostly positive and the remaining 9 said they were neither positive nor negative.

The exploratory research showed that the administrative procedures creates significant barriers for incoming migrants, and as a result, most of the interviewees had to rely on paid services of certain community members who were able to navigate in the system (in 42 cases, the intermediary had secured them work, in 26 cases visas and in 21 cases accommodation). There were, however, multiple cases of people being deceived or simply swindled by the intermediary. When it comes to their experience at work, 15 Mongolians already in employment reported that they were generally satisfied in the job (against 7 who expressed general dissatisfaction). It should be stressed that the survey did not confirm the assumption that the Mongolians living in the Czech Republic would be faced with racist attitudes of the local people.

I. Obstacles in the country of origin

The situation in the countries of origin of migrants may also be a constraining factor when it comes to the full use of their development potential. First, the vast majority of inward migration from third countries to the Czech Republic at present is driven by better opportunities for finding work (and/or better wages) or decent education, as compared to the migrants' country of origin. This probably also applies to incoming EU citizens from states such as Bulgaria, Romania or Poland, and increasingly Greece or Spain. The situation is exacerbated by factors such as the considerably high level of stability and safety in the Czech Republic (see for example the Global Peace Index 2018).

Generally speaking, migration flows are driven by existing inequalities; work opportunities on one hand, and an excessive labour force on the other. Therefore, international migration tends to balance the varying needs, and oscillates towards a certain socio-economic equilibrium. Yet, to make migration work for all, several other conditions must be met. Crucially, migration should be a matter of choice rather than a necessity. The growing volume of displacement due to environmental degradation and/or conflicts, is apparently a negative factor. A recent case in point is the conflict in Ukraine which has motivated thousands of people to seek refuge and opportunities westwards, many of them in Czechia (though admittedly, a majority of them are from the Western regions, according to NGO sources). Other more nuanced factors undermining the benefits of migration in the Czech context could be the relative physical inaccessibility of the countries of origin – relevant not only in case of migration from South-East Asia, but also for Ukraine, as the author can confirm from personal experience – which prevents migrants from regularly reuniting with their families and retaining a bond with their countries of origin.

J. Role of Czech arm manufacturing and trading

The role of Czech armaments exports and utilisation of Czech-made arms, munitions, and military equipment in refugee-producing situations needs also to be addressed, as it may contribute (whether directly or indirectly) to the socio-political instability of particular regions of the world where migrants and refugees come from. The Czech Republic currently stands 18th on the list of arms exporting countries – very high for a small country (SIPRI 2018). While international sales of arms and military equipment may ‘benefit’ the Czech economy, the reality suggests that at least an important portion of exported armaments end up being used in contemporary armed conflicts and civil warfare that in turn have resulted in the forced displacement of hundreds of thousands if not millions of people. As Amnesty International Czech Republic highlighted,

In 2015 the Czech Republic exported military equipment to 34 countries that severely violate human rights while lacking control standards for movement of weapons. These are often repressive regimes where the state does not have democratic control of the armed forces, lacks an independent judiciary system as well as police forces and elites who are loyal to their citizens. In total, these exports of 7.37 billion Kč (€273 million) represent 49.3% of total exports from the Czech Republic. (Amnesty 2018)

Notes

- ¹² There are even cases of medical facilities collecting a non-refundable deposit of approximately €200 from third country nationals who come to the ‘urgent treatment’ department.
- ¹³ While the overall index score is 6.73 for Western Europe, it is mere 2.77 for CEE countries. See <http://news.gallup.com/poll/217841/divided-world-acceptance-migrants.aspx>
- ¹⁴ Independent exploratory research by Median agency in collaboration with Caritas Czech Republic among Mongolian citizens working or intending to work in the Czech Republic. Data collected via “assisted CAWI” method, sample selected by Caritas Czech Republic, June 22 - July 6, 2018.



Photo: Caritas Internationalis

CHAPTER 6

OPPORTUNITIES FOR MAXIMIZING THE FULL DEVELOPMENTAL POTENTIAL OF MIGRATION

Despite all the above-mentioned policy insufficiencies and the somewhat hostile public sentiments, the Czech case is not entirely negative or even a hopeless one. The experience with the arrival and cohabitation of the two largest groups of third-country nationals (Ukraine and Vietnam) has been in most aspects positive and may serve as inspiration for the future. Immigration has, without a doubt, been an engine of substantial economic growth, and many of its effects have improved the lives of the local population. Until now, there have been no large groups of socially excluded migrants residing in the Czech territory

(Faltová 2018) and the proportion of foreigners at risk of poverty is amongst the lowest in Europe (Czech Statistical Office 2015b: 61). Moreover, the insignificant number of applications for international protection in the past years has provided the government with a significant breathing space for the establishment of a functioning asylum system with adequate reception capacities *vis-à-vis* future humanitarian crises. A structurally positive step has been the adoption of the new Citizenship Act (186/2013 Coll.) which has finally allowed dual citizenship, an option that has since become widely used (Chart 11).

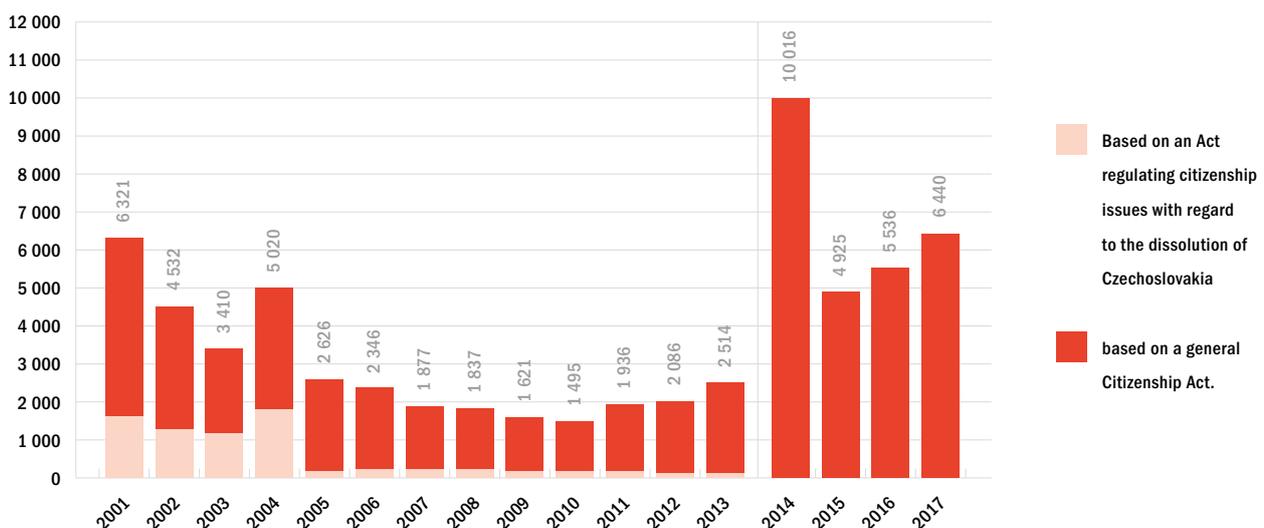


Chart 11: Foreign nationals obtaining Czech citizenship in a given year

Source: Ministry of Interior

All of this creates a solid basis for tapping the development potential of migration both by the Czech society and by the migrants themselves. However, success is far from secured and it can be safely said that there will be contentious points, even conflicts.

A. Integration efforts

Maximising the developmental potential of immigration to the Czech Republic requires successful integration schemes (European Economic and Social Committee 2018). Spatial segregation, overqualification, discrimination in everyday life, mistreatment in the workplace, lack of opportunities for developing language competences – these are just a few of the phenomena that may substantially hamper migrants' developmental potential. As noted above, the often-negative public sentiments are making the situation even more difficult. Nevertheless, there is also an increasing number of good practices that deserve a mention and possible future replication. It is clear that those spanning sectors, bringing together CSOs, public administration, local government, businesses and other stakeholders are often the ones with the largest potential.

A case in point of a remarkable integration project carried out in partnership is the Brno Expat Centre, mentioned above. Formally a CSO, co-funded by involved private companies and the municipality, it offers a set of services (counselling, interpretation, networking, etc.) to all English-speaking foreign nationals living in the city of Brno, and certain premium services to employees of partner companies. It would be very desirable to ensure that not only 'expats' had access to such services and that this would become a common model available to all migrant workers across the country. As a matter of fact, there are some indications that a growing number of private entities are becoming more open to such considerations, not only to show goodwill towards their employees but also because they begin to realise that successful integration is very much in their own interest in the long run. Also, the Interior Ministry can use conditionality when dealing with (mostly large industrial) employers who are partaking in special schemes for economic migration. Thus, in addition to all the benefits that firms have from migrant workers, they can also become directly involved in integration efforts, provide financing for related services, and actively collaborate with municipalities, regional integration centres and other stakeholders.

The Czech Migration Consortium and many of its 20 member organisations have become increasingly active facilitators of networking efforts leading to an inclusive drafting and implementation of integration strategies at the

local level. A case in point is the Association for Integration and Migration's EU-funded and currently ongoing project 'MIS' (Cities and Inclusive Strategies, Migrace.com 2017), which in selected localities provides a detailed analysis of the integration of various groups of foreign citizens, builds a knowledge platform for relevant stakeholders (including a database of all projects focusing on local integration undertaken in the past two decades), and aims to trigger positive policy change. A closer involvement of migrant-led organisations and the general political mobilisation of foreigners residing in Czechia, remains a standing challenge.

Shifting focus to the notable efforts of Caritas in the Czech Republic, two integration projects deserve a mention. Firstly, a hotline in Mongolian, Ukrainian and Vietnamese languages, often reaching people who are not covered by in-person integration services. The hotline ensures free, anonymous and safe information-sharing on laws and regulations linked to residence and employment in the Czech Republic, provides psycho-social support for people dealing with difficult situations, and also offers on-the-phone interpretation when needed (Charita Česká republika 2018a). Secondly, Caritas Czech Republic runs one of the regional integration centres (most are managed by an agency of the Interior Ministry, some by a regional or municipal authority), in the Hradec Králové region. Here, complex integration services are offered to refugees and other migrants, including social and legal counselling, interpretation, language courses, helping children with school tasks, organising community activities and providing material aid. The centre also serves as a networking hub bringing together various stakeholders engaged in migrant integration and maintaining a flow of information (Charita Česká republika 2018b).

While certainly not all the foreign nationals who have been migrating to the Czech Republic over the past years will stay indefinitely, the constantly growing number of permanent residents suggests that most will. Making sure that they feel included in the society, are protected against exploitation, have access to services, that they learn the Czech language, that they identify with the values of the country or that their children benefit from opportunities of social mobility – these are the challenges that lie ahead.

B. External aspects

When it comes to the broader European asylum/migration debate and to the external aspects of Czech policies, there is clearly much more the authorities could do to alleviate the structural drivers of displacement. Whereas the Czech Prime Minister lost no time to speak of launching

a “Marshall Plan for Africa” (Kopecký 2018), in reality, the overall ODA relative to gross national income of the Czech Republic is standing at a dismal 0.14% (Ministry of Foreign Affairs 2017), far below the UN-set target of 0.7%, and even the EU goal of 0.33% for the new EU Member States. A holistic approach to migration entrenched in a broader development agenda would thus require a substantial increase of such funds which should not be then spent on security and repressive measures in third countries, as commonly conceptualised in the present political climate.

It is clear that some projects are being implemented with a real positive impact on the situation of migrants in third countries, and potentially also the local native population (Ministry of Interior 2018e). These include MEDEVAC, which brings Czech medical doctors and staff to regions affected by the arrivals of displaced people to undertake surgeries otherwise unthinkable under the local conditions. Moreover, housing investments were financed by the Czech government in the Jordan refugee camp of Azraq. However, these projects do not have a large budget and are implemented by the Interior Ministry rather than the Foreign Ministry (responsible for development cooperation in general), with the former having less understanding for principles of development effectiveness, lacking long-term goals and commitments, and showing a preparedness to bend the projects to meet their priorities in terms of ‘migration management’.

Admittedly, the concerns voiced here towards the increased conditionality of Czech aid based on migration criteria, are applicable to the overall direction of the European debate. As illustrated by the CONCORD Europe report on the EU Trust Fund for Africa (2018), development funds are being increasingly channelled for security purposes, where they do not have any positive effect for either the migrants or the local population. To prevent the Czech Republic from following such a logic in its projects, a reversal of this pan-European trend is much needed. Otherwise, rather than securing the much-needed (and oft recalled) help in migrants’ countries of origin or transit, the future funds may just end up arming border guards.



Photo: Caritas Internationalis



CHAPTER 7

FINDINGS AND CONCLUSIONS

Examining the Czech migration situation from a broader perspective, it can be safely concluded that immigration brings immediate benefits to the country's economy and its society. Faced with declining unemployment, labour migration has been on the rise lately. Indeed, it is not governed in a systemic way, integration support is often lacking, and the mindset of the general public is not always welcoming towards the newcomers. However, just how much of a positive difference this type of migration makes on the ground becomes apparent in comparison with the situation currently faced by Hungary. The fact that many young people seek opportunities abroad combined with a restrictive migration policy – one of the fundamentals of Viktor Orbán's rule – has led to an acute shortage in the labour force. Prime Minister Orbán has attempted to remedy it by raising the ceiling of annual overtime hours that may be demanded from employees from 250 to 400 (approx. 8 hours/week), instantly triggering mass protests, with the opposition dubbing the bill a 'slave law' (Beauchamp 2018).

The Czech Republic's open-door policy towards labour migration (though often limited to certain priority countries of origin) therefore offers a more sensible alternative. In addition, although Czech Republic is not a prominent emigration country, its 250,000 or so citizens living and working abroad are channelling back a considerable sum of money in remittances (surpassing the amount sent out from the country in remittances), particularly as most of the Czechs living abroad work for higher wages than they would have back home.

To complement the picture sketched thus far, a set of recommendations is proposed, aiming at ensuring that migration meets its full developmental potential in the Czech context – both for the migrants themselves, for their country of origin, and not least for the host country. These recommendations are addressed in particular to the Czech national authorities, but also to local and transnational migration policy stakeholders.

A. Enhanced migration governance

Migration governance in the Czech Republic, as it has been conceptualized and implemented in the past three decades, is showing structural deficiencies in face of current challenges. Some systemic changes including mindset alterations are rapidly needed.

First, it is no longer conceivable to deal with this matter in an overwhelmingly technocratic manner, away from public scrutiny. Even if immediate migration-related challenges become less pressing, there is no going back to the point where this issue had a very low political salience. This means that key decisions related to migration including both foreign workers and asylum-seekers need to be taken at the highest political level and should include a pro-active consultation with the general public. Much more open communication on behalf of the responsible sectors of the public administration is clearly required, including a translation of the specific expertise into widely comprehensible messages. To start with, 'No labour migration without integration' could become the new principle leading all of the government's efforts in this field, especially as there have been recent worrying efforts to introduce short-term 'guest-worker' schemes under which the incoming workers would have extremely limited rights, would not be able to partake in integration programmes, and would be forced to leave the country after 12 months.

Second, at the horizontal level, there should be a re-thinking of the present system in which the Ministry of Interior has sovereignty over migration-related governance. Integration policy should be decoupled from migration control and organically incorporated into the agenda of the Ministry of Labour and Social Affairs. At the same time, international development cooperation must remain free of migration control conditionality as pursued by the Interior Ministry. Other ministries such as Education, Justice,

Trade or Foreign Affairs must be encouraged to become and/or remain active in matters related to foreign citizens. What the Czech Republic clearly needs is an effective coordination mechanism at the governmental level, tasked with pursuing a data and knowledge-driven approach, and the streamlining of all migration and integration-related policies. Moreover, these must form an integral part of a broader agenda of socio-economic development, in line with the UN SDGs and 2030 Agenda.

Third, particularly when it comes to migrants' inclusion and integration, the role of regional and local governments should be substantially strengthened. The long-standing top-down approach of the Interior Ministry has yielded limited competences and responsibilities of such entities in this field. This needs to be overcome now; a bottom-up approach building upon local needs and experience is paramount and irreplaceable. With both positive and negative incentives, local and regional administrations must be encouraged to perceiving migrants, regardless of their particular status, as both target groups and co-drafters of their policies. New designs should thus organically include an active involvement of migrant communities in self-government, an area in which very little has been done thus far.

B. Improvement of data collection for understanding the migration-development nexus

An important prerequisite to understand the migration-development nexus and to improve conditions for migrants to contribute to development in their countries of origin and destination is the availability of reliable and disaggregated quantitative and qualitative data. Statistical data and information illustrating migrants' contribution to development should be broadened to cover various aspects including economic contribution, as well as cultural, social and political contributions. Data to support good law, policy and practice is also needed on migrants' employment, educational attainment, social protection, health, housing and social conditions (along with those of nationals of course). Furthermore, projects, initiatives and engagement in the area of migration and development need to be documented, shared with others and even more importantly evaluated. Monitoring and evaluation of projects allows others to learn and improve their own work. For the future it is important to generate more knowledge and learn from past experiences. The (voluntary) engagement of migrants should be the subject of scientific research in qualitative and quantitative terms in order to support it in a more targeted and sustainable way.

C. Simplification of laws and shortening of proceedings

It has already been underlined that the legal framework governing migration governance and integration policy in the Czech Republic is confusing, frequently amended, and it is simply impossible for foreigners to navigate in without professional help from outside. In addition, there are the usual delays in the relevant proceedings – both within migration and asylum – even if the situation has been somewhat improving lately. An overhaul of the current legal framework would thus be much desired although the political implications might lead to many increased restrictions. If it takes place, this legislative effort would be institutionally led by the Interior Ministry. We recommend that it ensures that laws and procedures are simplified, and that their application is consistent and predictable. It is unimaginable that such an endeavour would take place without the direct participation of those who have direct experience with the impacts of the current frameworks – migrants themselves, and the CSOs that help them. In addition, increasing the certainty of migrants' status, including a realistic prospect of obtaining citizenship, is a much-needed step in the direction of predictability, reliability and integration.

D. Protecting labour and social rights of migrants

As indicated above, the inadequate protection of migrants' labour and social rights is of longstanding concern. There is a clear need to increase capacities so as to increase the number and scope of labour inspections in the workplace to identify and harshly punish cases of exploitation, mistreatment or unlawful exposure to health risks. The same obviously goes for employees who are Czech nationals, although it is foreigners who are often most at risk. In addition, the current practice of coupling labour inspection with police check-ups on migrants' status commonly contributes to a lack of migrants' collaboration, which in turn makes it impossible to prove transgressions. The establishment of an effective extra-judicial complaints mechanism allowing migrant workers to claim the wages that they are commonly owed would be an important positive step. Moreover, a special focus should be given to domestic workers whose situation predominantly evades just about any administrative oversight. The Czech authorities could start off by ratifying the ILO Convention 189 on Domestic Workers.

E. Integration and services

While for the reasons elaborated above, migration in its present form is an overwhelmingly positive phenomenon for the Czech Republic, both negative popular sentiments, and the improving but underdeveloped institutional infrastructure hamper the goal of the successful settlement and integration of newcomers, and hence maximisation of their development potential. In order to prevent future social exclusion, migrants must cease to be perceived as a disposable workforce. Instead, they should always be referred to as integral human beings with a set of rights and needs to be met. Integration, to this end, should be presented as beneficial for all the population – as it surely is. Integration is indeed a process that must start from day one when the migrant sets foot in the country with an intention to stay. To that end, both Czech language courses (including advanced and profession-specific ones), and orientation courses must be made available to all. The costs should be covered by the state, or alternatively paid for by the employers who attract migrants as workers. Community-based activities, particularly those organised by municipal governments are yet another way to foster inclusion and should be promoted much more.

Moreover, increasing the certainty of one's migration status along with increased opportunities for family reunion are known to be positive drivers of integration. However, integration cannot be successful unless migrants' basic needs are accommodated. First, this entails ensuring accessible and adequate housing. The options for the public authorities are limited in an environment where privatisation of public property has taken place extensively in the past decades. Still, while working towards the adoption of the new law on social/affordable housing, Czech policy-makers should include long-term foreign residents among the eligible groups. Protection of migrant workers' rights at the workplace must be enhanced, including increased inspections and harsher penalties for employers who violate the law. Access to healthcare, on equal footing with Czech citizens, needs to be ensured to end the current practice of discrimination of foreigners in medical facilities, and their abuse by private insurance companies. Inclusive education of migrant children requires a substantial increase in funding as well as curricular reform.

F. An asylum system that protects

Although the asylum system is generally up and running, it suffers from multiple deficiencies. It would almost certainly prove not fit for purpose in case of a sudden arrival of thousands of asylum-seekers, being designed for around

1,500 applications for protection annually. Second, there are reported police pushbacks of potentially vulnerable persons claiming asylum at Prague Airport, and any independent oversight is lacking. Third, the recognition rates are low even for applicants from war-torn countries, especially when compared with Western European states. Fourth, detentions remain overused – including for families with children, in violation of their best interests – and community alternatives are not being honestly explored. Fifth, the State Integration Programme needs to be constantly developed so as to meet the needs of the recognised refugees, and creating conditions for their integration. Having in mind Czechia's geographic position, the annual number of applications, and its vocalized reluctance to relocate or even resettle any refugees, it could be at the very least expected that people who have legitimate claims are in fact awarded asylum or subsidiary protection and are provided with the necessary support.

G. Combatting racism and xenophobia

Each piece of hate speech that appears on social media, every act of discrimination on the basis of race or creed, and all racist statements by political elites undermine long-term efforts for peaceful cohabitation and the successful integration of foreign citizens residing in the Czech Republic. This is a matter not to be taken lightly. The normalisation of aggressive behaviour towards people of colour or a specific creed is indeed a trend which may be observed in many places around the world. It is very hard to imagine making the most of the positive aspects of migration unless this issue receives adequate attention and response at the highest political level. Strict punishment for any racially or religiously-motivated crimes including meticulous persecution of hate speech in virtual space is only the first step. Political elites need to be consistently sending a strong signal that racist, xenophobic and, in particular, islamophobic behaviour is unacceptable in the public sphere. At the same time, they need to ensure the safety of foreigners living in the country who may be subject to intimidating or violent behaviour.

Finally, it should be acknowledged that it is not only the migrants themselves who are a common target of hate speech or even violence but that such behaviour is also commonly aimed at people who help them, be it volunteers or professional social workers. These, too, deserve respect and support from stakeholders.

H. Change in external policies

All of the above points contribute to a holistic and humane approach to migration governance. They would also create the backbone of the national contribution to SDGs, and to the 2030 Agenda, which has so far seen relatively little attention from the highest political circles, and even less cross-sectoral implementation. This should be supplemented by Czech external policies, with a particular focus on development and humanitarian relief. Whereas in the past, the main narrative present in Czech Republic's foreign policy has been based on rights, needs and solidarity (owing much to Václav Havel's highly ethical politics), the last few years have seen a much less value-based and much more utilitarian approach. For example, the channelling of development funds, appears to use whichever measures are available in order to stem irregular migration and pressure states to readmit their citizens. A reversal of this trend is very much required, alongside a substantial increase in the money that is currently channelled as ODA to priority countries and elsewhere. The indicators and benchmarks should be clearly based on the SDGs, including poverty eradication, accessible education and healthcare or decent work and economic growth, so as to achieve the frequent claims about 'helping in the place of migrants' origin'.



CHAPTER 8

RECOMMENDATIONS

Enhancing good governance in the context of migration:

- 1 Proactive communication by the public administration of objective facts related to migration and the encouragement of the integration of refugees and other migrants to Czech labour market and the society.
- 2 Involvement of the whole government in the revision and implementation of Czech migration and asylum policy, ensuring national development and human welfare outcomes and providing ample avenues for immigration and integration while discouraging the exploitation of foreign workers.
- 3 Integration of migration and asylum policy within the national implementation of socioeconomic development, in line with the UN SDGs and 2030 Agenda.
- 4 Elaboration of ‘whole of government’ and ‘whole of society’ governance mechanisms on migration, with national consultative coordination and co-operation mechanisms including all concerned ministries and institutions as well as relevant civil society and migrant organisations.
- 5 Strengthening the roles and actions of local government in promoting and facilitating migrants’ inclusion and integration. Ensuring that local governments involve all residents including permanently settled migrants in administration on the community level.
- 6 Improving the collection, analysis and application of data and knowledge on migration. Using the migration-development nexus for policy-making and public communication on the local level.

Legislation and procedures: protecting rights, sustaining cohesion:

- 7 Conducting a review of the national legislative framework regarding human rights protection and the upholding of international labour standards and norms.
- 8 Ensuring the implementation and enforcement of migrants’ labour rights in accordance with ratified International Labour Standards and European directives.
- 9 Ratification of key migration governance conventions to strengthen national laws and policy in line with international standards, namely the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, ILO Convention No. 97 on Migration for Employment, ILO Convention No 143 on Migrant Workers, and ILO Convention 189 on Decent Work for Domestic Workers.
- 10 Ensuring that labour inspection has adequate mandates and capacities to uphold national labour, health, safety and decent work standards in all places of employment – especially where migrants are present.
- 11 Simplify administrative laws and procedures regarding immigration, asylum, residency, access to employment, social security and related concerns, and ensure that their application is consistent and predictable.
- 12 Guarantee unimpeded access to fair and just asylum procedures in Czechia and ensure that the determination of asylum is based solely on normative standards and evidence of the risk to safety of each individual, and not on domestic political considerations or general country situation assessments.

Preventing discrimination and xenophobia; promoting respect, equality and human development:

13 Strengthen national anti-discrimination, anti-racism and equality legislation and its implementation in line with international treaty obligations, jurisprudence and good practices.

14 Ensure support for and solidarity with foreign nationals, ethnic and other minorities as well as persons and groups defending human rights and dignity, particularly of migrants and refugees.

Integration and participation:

15 Recognise migrants and refugees as persons with equal rights and dignity, entitled to share the benefits and costs of national society and local communities.

16 Promote and facilitate integration which is beneficial for all, comprising mutual accommodation and respect.

17 Promote specific attention, along with infrastructure and resources from all of government – national and local – and the whole of society including the private sector to ensure:

- Accessible information and availability of integration activities from ‘day one’ when migrants arrive;
- accessible and adequate housing to be taken account in the new law on social/affordable housing;
- access to healthcare and broadened access to medical insurance;
- access to social protection and social security;
- access to schools and inclusive education for all children of migrants and refugees;
- Czech language courses and orientation courses available to all;
- the recognition of qualifications, education and experience for employment;
- access to professional, vocational and technical training and requalification to access decent work;
- community-based activities, particularly organised by municipal governments;
- increased opportunities for family reunification.

International policy:

18 Define ‘integral human development’ as the backbone of the national contribution to the realization of the UN 2030 Sustainable Development Agenda.

19 Restore the defining basis of Czech international development policy and foreign relations on rights, needs and solidarity, especially in the allocation of development funds.

20 Substantially increase national ODA allocations, particularly to priority countries hosting large populations of refugees and IDPs, and elsewhere, with indicators and benchmarks based on the SDGs.

21 Stop the sales and exports of arms, munitions and military goods from Czechia, first and foremost of those that may end up in countries and regions in armed conflict.

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