

**Akční plán realizace dílčích opatření vedoucích k
zamezení zneužívání azylu v nelegální migraci**

Table of content

| | |
|--|----|
| I. Overview of situation and key gaps | 2 |
| Understanding of the NIP | 3 |
| Current situation | 3 |
| Key areas of concern | 4 |
| Funding | 5 |
| II. Building Blocks | 7 |
| 1. Eurodac | 7 |
| 2. Border procedure/Screening | 12 |
| 3. Reception (to incl. pre-integration measures; detention/alternatives to detention) | 21 |
| 4. Asylum Procedure | 25 |
| 5. Return | 31 |
| 6. Responsibility | 38 |
| 7. Solidarity | 48 |
| 8. Contingency/Crisis | 50 |
| 9. Horizontal: Legal Safeguards/Legal Aid/Vulnerability issues/fundamental rights monitoring | 54 |
| 10. Resettlement, Inclusion and Integration | 57 |
| III. Coordination/Governance | 62 |
| IV. Conclusion | 63 |
| Table of abbreviation | 64 |
| Table of cited acts | 67 |
| Table of attachments | 69 |

I. Overview of situation and key gaps

The Pact Implementation – methodology and organisation structure

The Pact on migration and asylum (hereafter Pact) represents a significant step in the internal dimension of migration, marking an important wide consensus within the European Union (hereafter EU). Czechia played an active role during the negotiation phase, and in the second half of 2022, during its EU Presidency, Czechia significantly contributed to the advancement of the complex EU asylum and migration reform. In this regard, the work on progressive implementation of the Pact has been a priority for the Ministry of the Interior (hereafter MV) in recent months.

The MV, primarily through the Department for Asylum and Migration Policy (hereafter OAMP), serves as the leading authority and guarantor of the Pact's implementation. To ensure effective implementation, the OAMP has established a comprehensive coordination structure comprising three Task Forces. The Task Forces are organized as follows:

1. Internal Task Force (TF1): Comprising heads of units related to the various building blocks.
2. Institutional Task Force at the MV (TF2): This group includes additional colleagues from the MV for specific building blocks, such as contingency planning.
3. External/Inter-Ministerial Task Force (TF3): This group consist of representatives from multiple ministries and was created by the Minister's official letter.

At the expert/working level, the working process, including the development of the Needs Assessment (NA) and the subsequent National Implementation Plan (NIP), is organized around the building block structure of the Common Implementation Plan (CIP), each with dedicated group meetings. The NIP was developed in close collaboration with key authorities across the Czech administration, including relevant departments of the MV, the Police of the Czech Republic (hereafter PČR), the Office of the Public Defender of Rights (hereafter KVOP), and the Ministry of Finance (hereafter MF), the Ministry of Health (hereafter MZ), the Ministry of Labour and Social Affairs (hereafter MPSV), the Ministry of Justice (hereafter MSp), the Ministry of Education, Youth and Sports (hereafter MŠMT), and the Ministry of Foreign Affairs (hereafter MZV). The Committee for the European Union of the Government of the Czech Republic approved the final version of the NIP.

Representatives of relevant authorities, academia, non-governmental organizations (NGOs), civil society organizations, and other key stakeholders were also consulted during the drafting process. On October 2, 2024, the MV held an expert consultation on the national-level implementation of the Pact. The event brought together over 40 participants, including representatives from international organizations (IOs), NGOs, social partners, academia, the European Commission (hereafter EC), and representatives of Task Forces. During the consultation, the members of the TF1, led by the Director of the OAMP, introduced the implementation of the Pact and its building blocks scheme. It also addressed the implications for Czechia, covering legislative, technical, administrative, and financial aspects. Participants engaged in discussions were given the opportunity to submit written comments relevant to the NIP preparation.

In addition to the internal capacities, Czechia received technical support under the Technical Support Instrument (TSI) – Support to the preparation of National Implementation Plans under the Pact on Migration and Asylum from August to November 2024. The project contributed to the preparation and successful completion of the NA and, subsequently, NIP, providing the possibility for the assignment of analyses in two building blocks – BB1: A common migration and asylum information system: Eurodac; and BB4: Fair, efficient and convergent asylum procedures. The support played an important role in identifying and assessing current challenges and needs, particularly thanks to the analyses carried out by external experts in the areas of IT infrastructure and the new process requirements of asylum procedures. Technical support was instrumental in addressing critical gaps and ensuring a comprehensive approach to NIP development.

Understanding of the NIP

As the EC explained in its Communication – Common Implementation Plan for the Pact on Migration and Asylum from June, 12, 2024, “each Member State’s National Implementation Pact should therefore map the current situation first”.¹ Indeed, Czechia considers the NIP a living document that serves as a mapping exercise. In this sense, it covers in particular the initial implementation phase of 18 months until June, 2026. Yet, it does by no means represent a final and exhaustive list of future steps and remains as such open to further changes. As it is a mapping exercise, a comprehensive analysis has been made in all building blocks. The very details are nonetheless yet to be outlined, throughout the preparatory implementation phase and possibly even beyond this timeframe.

Moreover, given the interlinked nature of the building blocks, the MV plans to translate the NIP into a flagship of a number of crosscutting projects under Asylum, Migration and Integration Fund (AMIF). Therefore, no clear-cut division between the information on the milestones, funding, capacities etc. on the individual building blocks is possible. The upcoming Multiannual Financial Framework (MFF) Midterm review (MTR) will allow for further development of these projects. Within the first milestone (6 months), the MV plans start with the preparation of these projects under AMIF.

As a whole, Czechia understands the NIP as one part of a broader and long-term reform of the migration and asylum system. This understanding is necessary for the assessment of the information under the different building blocks.

Current situation

Based on the initial baseline assessment and the questions provided by the EC, the MV drafted and submitted the NA, which served as the foundation for developing the NIP. The EC’s initial assessment and recommendations were carefully considered and incorporated both into the draft and the final version of NIP.

Czechia has been preparing for the new asylum and migration framework, planning new requirements through adjustments to the current legislation, and ensuring that the authorities are well-prepared and equipped for the Pact. Czechia also has several positive elements in place already for managing migration that represent a good basis for the transition to the new

¹ COM (2024) 252 final, p. 5.

framework, whose objective is to ensure that the European system works and that all Member States are well-prepared. Czechia is generally well advanced in the preparation for the implementation of the Pact. Furthermore, Czechia already has extensive experience in managing an important influx of arrivals and has demonstrated its capacity and commitment by hosting the highest number of beneficiaries of temporary protection *per capita* in the EU. Drawing on this experience, Czechia is well-positioned to strengthen and adjust its asylum and migration system as required under the new obligations of the Pact.

As indicated in the CIP, the new Eurodac is one of the operational backbones supporting the new legal framework. The timely development and entry into operation of the reformed Eurodac system is a critical precondition for the implementation of all the other elements of the Pact. Following the Eurodac Regulation, a national project to implement the Eurodac reform is currently underway since the revision of the Eurodac system will significantly expand its role in the Justice and Home Affairs (JHA) interoperability framework by adding new data categories, new functionalities and new categories of users. The National Eurodac Project is based on a detailed analysis of the above-mentioned Regulation, which identifies the impacts in the technical, methodological and, where appropriate, legislative areas.

Another significant part of the Pact is the requirements for the reception systems of the Member States. Generally, the reception system is adequate, with the capacity to accommodate the current number of asylum applicants, which remains relatively low. The average time varied between 6 to 8 months over the last three years. All applications are registered in an IT system, gathering all data on asylum proceedings, including the steps in court proceedings. This facilitates the processing of applications and will allow the monitoring of possible bottlenecks which may impact the efficiency of the process. As provided in the Pact, Czechia already facilitates timely integration, e.g., for asylum-seeking children in the education system, by offering free language classes and counselling. Asylum applicants are already able to enter the labour market six months after lodging their applications.

Key areas of concern

There are certain areas where regulatory, administrative and capacity adjustments to the current asylum and migration system will be necessary to align the system with new Pact obligations and tighter procedural deadlines. In this context, there are several challenges that require further attention and consideration, and these are reflected in each building block.

Czechia will have to assess whether the existing arrangements and capacities are adequate to ensure the right to free legal counselling at an administrative stage in all procedures and the right to free legal assistance and representation at the appeal stage. In addition, negative asylum and return decisions are currently issued separately and by different entities. While Czechia has already started amending the legislation to ensure that the two decisions are issued together, it has still to complete the changes. It will also be crucial to enable appeals for both decisions within the same timeframe. Similarly, Czechia will have to address the bottlenecks at the judicial review stage of the asylum proceedings, which impact the efficiency and speed of the process.

While Czechia already has an independent monitoring system for returns in place, it has yet to establish a comprehensive mechanism that will cover all screening and border procedure activities. Another challenge will be to streamline the use of various IT systems, as Czechia

uses several IT systems across asylum, reception and return sectors, which are not yet fully integrated. This would improve the flow of information at each step of the process and among the involved authorities and allow compliance with new time limits and reporting obligations.

Finally, a divergence exists between the national budget cycle, which is proposed before the start of the annual migration management cycle under the Asylum Migration Management Regulation. This may affect the ability of Czechia to allocate funding in a timely manner, including for preparedness and management of migration-related crises and solidarity.

Therefore, also based on the NA, the draft of the NIP and the EC's recommendations, Czechia will focus on the following areas:

Streamlined and fair asylum procedures: to align with the new Pact requirements and improve efficiency, Czechia should review and adjust the rules and working methods for the different steps of the asylum procedure. This includes addressing bottlenecks at the judicial review stage to ensure compliance with tighter deadlines (including by clarifying the definition of 'final decision' to prevent multiple appeals and parallel proceedings). Additionally, a sufficient number of trained, specialised personnel (including judicial capacity) should be factored into the planning. Czechia is also encouraged to assess whether current arrangements and capacities are adequate to ensure the right to free legal counselling at the administrative stage in all procedures, as well as the right to free legal assistance and representation at the appeal stage.

Ensuring an integrated approach to asylum and return and moving towards digitalisation/IT modernisation: Czechia is encouraged to finalise the planned legislative amendments that would allow merging the issuance of negative asylum and return decisions, as well as handling the appeals for both within the same timeframe. Additionally, Czechia should continue the ongoing efforts to integrate and harmonise various IT systems to further enhance access and exchange of data and information related to migration processes among migration authorities. This could include integrating the Reception Information System into the overall asylum and migration management system Azyl III, as well as an integrated asylum and return case management system.

Preparing for the annual migration management cycle: Czechia is encouraged to address the misalignment between the national budget cycle and the annual migration management cycle (for instance, by creating financial contingencies). This could help with a timely allocation of funding, including for preparedness and management of migration-related crises and solidarity.

Monitoring mechanism: Czechia should establish an independent mechanism to monitor fundamental rights during screening activities and the border procedure based on the guidelines developed by the European Union Agency for Fundamental Rights (hereinafter FRA), recalling that an independent mechanism should be one free of any institutional affiliation with the authorities responsible for asylum, border and migration management. The mechanism should also be adequately staffed and resourced to carry out its tasks.

Funding

Funding remains a key issue of the whole implementation process and as such represents a critical question. The V foresees the maximum use of the EU funds, including both the already existing and the upcoming funding options under AMIF and BMVI. This applies also for the

other involved ministries that can access relevant funding options for their Pact costs as part of their EU funding or other issues covered by other funding. Moreover, Czechia plans to change the national programmes in the course of the MTR. Coming back to the understanding of the NIP as a mapping exercise, the details of funding for individual projects still need to be determined.

II. Building Blocks

1. Eurodac

- *State of play: overview of baseline capacities, key administrative actors/competent authorities.*

Eurodac is the EU information system, the central part of which is run by European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA). In Czechia, the functionalities of Eurodac are part of the biometric system of the PČR. Until 2024, it was the Automatic Fingerprint Identification System (AFIS), and since 2024, it has been replaced by a more modern system, Central Biometric Information System (cBIS). The cBIS system administrator is the Institute of Criminalistics of the Police of the Czech Republic (hereafter KÚ), the technical operator is the National Centre of Information and Communication Technologies of the Police of the Czech Republic (hereafter NÚKIB). Since 2004, Eurodac (through AFIS/cBIS) has had operational, security and personnel capacities to enable effective technical administration of the system, its use and development.

Access to the central Eurodac system is technically enabled through the National Access Point, i.e. the back-end part of the cBIS software. User access to Eurodac is via the cBIS workstation.

Following the Eurodac Regulation, a national project to implement the Eurodac reform is currently underway since the revision of the Eurodac system will significantly expand its role in the JHA interoperability framework by adding new data categories, new functionalities and new categories of users. The National Eurodac Project is based on a detailed analysis of the Regulation, which identifies the impacts in the technical, methodological and, where appropriate, legislative areas.

Coordination at the inter-ministerial level and with relevant national information systems is ensured by the eu-INIS Programme, which aims to implement the national parts of EU projects within the JHA interoperability framework. The eu-INIS Programme provides a functioning inter-ministerial platform, which, in addition to project management and coordination, also ensures effective monitoring and appropriate escalation mechanisms. Monitoring reports are typically discussed with a frequency of two months in the eu-INIS Steering Committee.

Under the eu-INIS Programme, a Project Director and a Project Manager have been appointed to lead the National Eurodac Project team. The National Eurodac Project has a complex plan and time schedule in line with the eu-INIS methodology. These materials clearly identify the steps and prerequisites to enable the implementation of the revised Eurodac Regulation while being further specified following developments and progress at the central level and fine-tuning of the technical and methodological requirements of the eu-LISA agency and the EC.

Key administrative actors/competent authorities:

- KÚ – cBIS system administrator (substantive responsibility) including Eurodac; National Access Point for law enforcement purposes; verification of matches
- NÚKIB – technical operator and technical support for National Access Point

- Foreign Police Service (hereafter SCP) and other organisational units within the PČR – principal system users; personal data processors; methodological management
- OAMP – personal data controller; responsibility for fulfilling the obligations under the Eurodac Regulation
- Criminal Police and Investigation Service (hereafter SKPV) – consultations of Eurodac for law enforcement purposes

- *Definition of targets:*

The primary objective is to implement the Eurodac Reform functionalities in the national framework by June 30, 2026 (Phase 1) and then by December 31, 2026 (Phase 2). Furthermore, the objective is to implement the interoperability functionalities in the context of Eurodac – search through the ESP (part of Phase 1 and Phase 2) and detection and management of multiple identities through the multiple identity detector (MID) (expected during 2027 in Phase 3). These objectives involve interoperability with national and EU systems that will operate as part of the interoperability architecture. The implementation of the Interface Control Document Full (ICD) is planned for the end of 2026.

For the implementation of the revised Eurodac Regulation, Czechia plans to use both the web application (WUI) developed by the eu-LISA agency and to implement the relevant services (described in the ICD). The eu-LISA agency released the initial version of the Critical ICD in October 2024 and will proceed with agile development in further iterations until the end of 2025.

The release of the stable version of the Critical ICD will initiate the analysis of the technical documentation and the detailed preparation of the project documentation. At the same moment, the processes leading to the conclusion of the contracts enabling the technical changes will be launched. Following the release of the Full ICD at the end of 2024, the technical analysis will be further fine-tuned, and the requirements for the modification and development of Eurodac will be specified.

- *Requirements: a) legislative/regulatory arrangements b) organisation/administrative processes c) personnel (staffing and training) d) infrastructure e) IT needs f) costing and procurement needs.*

- *a) legislative/regulatory arrangements:*

- Following a detailed legislative analysis, the scope of the changes needed was identified. No major changes to national legislation will be required.
- The adaptation of existing and the drafting of new internal regulations, including methodological ones, is being carried out with the cooperation of all relevant stakeholders in accordance with the Eurodac project schedule.

b) organisation/administrative processes:

- The identification of responsibilities has resulted from a detailed analysis of the revised Eurodac Regulation. Stakeholders' representatives are part of the Eurodac project's working structures. The organisational and administrative arrangements for the implementation of the revised Eurodac Regulation will be put in place in accordance with the project schedule.
- At the same time, the internal regulations, including the methodological ones, will be flexible in response to the progressive development of the secondary legislation and methodological guides developed by the EC and the specification of business requirements by eu-LISA. At the same time, administrative processes will reflect the requirements and obligations arising from the relevant building blocks.

c) personnel (staffing and training):

- The number of working positions within the PČR was increased by 20 as part of the national Eurodac project. Possible further demands for an increase in the personnel capacities of relevant stakeholders will arise following the development of internal regulations and methodological guidelines. Setting up administrative processes within the organisational structure of all relevant actors will allow to assess existing personnel capacities and to determine whether it will be necessary to strengthen the personnel capacities.
- The National Eurodac Project envisages a training programme to ensure that all personnel is fully equipped with the necessary skills and knowledge to enable the tasks arising from the revised Eurodac Regulation.

d) infrastructure:

- The existing Eurodac system, which is technically part of the national cBIS system, is operated on the private cloud technologies of the PČR. The impact of the revised Eurodac Reform will be analysed in the analytical phase of the project.
- Specific requirements and demands will emerge from a detailed analysis of the technical documentation, in particular the Critical and the Full ICD. These documents will provide a clear understanding of all system interfaces and facilitate the understanding of connections between Eurodac, related systems and interoperability components. The Eurodac Reform foresees the use of new technologies – the gRPC Remote Procedure Calls protocol which is also being implemented in the Interoperability and the revised Visa Information System (VIS) projects.

e) IT needs:

- Specifications for the different system components, both on the centre and on the user side of the system, will result from the analysis of the technical documentation, which will also provide guidance for the integration of the changes resulting from the revised

Eurodac Regulation into the existing IT architecture consisting of national and EU systems and databases, in line with the timetable of the national Eurodac project.

- The IT needs of the project will be fully addressed and closely monitored throughout the lifetime of the project. This proactive approach will ensure that all technological requirements are met efficiently, allowing for timely adjustments and optimisations as required. Regular evaluations and updates will be carried out to maintain consistency with the project objectives and to quickly address any emerging issues, thus ensuring the integrity and effectiveness of the Eurodac project.
- Possibly establishing Innovation hub for employing modern IT solutions.

f) costing and procurement needs:

- The National Eurodac Project has created the contractual conditions for the implementation of the Eurodac Reform in advance by concluding a framework agreement for the acquisition, operation and development of the cBIS including both terminal and server equipment. This will eliminate the potential risks associated with public procurement and at the same time simplify the administrative process of finding a supplier and securing a contract.
- The cost of the National Eurodac Project is preliminarily estimated at 60,000,000 CZK. The exact cost will be determined after the publication of the Full ICD and following technical analysis. The preliminary estimation includes all costs for the entire project, including, in addition to the development of Eurodac itself, modifications to the relevant IT systems, training, procurement of terminal and server equipment, etc.
- The Eurodac project has a pledge of national funding for the period 2024-2026, however, due to the possible non-allocation of the funding in full, the possibility of funding from the financial resources dedicated to the implementation of the Pact will be examined.

- *Milestones:*

The implementation of the revised Eurodac Regulation follows a central schedule at the EU level. The deadlines of the central schedule are transferred to the detailed schedule of the National Eurodac Project and any changes at the EU level are adequately reflected in the project documentation of the National Eurodac Project.

Crucial milestones are:

- Release of stable Critical ICD in Q4/2024
- Release of the Full ICD in Q4/2024
- WUI launch Q2/2025
- Eurodac Reform operational by 30 June 2026 (Phase 1)
- Implementation of the full ICD by Q4/2026 (Phase 2)
- MID transition period (Q1-Q2/2027)
- Fully functional MID (from Q3/2027 onwards)

- 6 months: Identification of opportunities to use EU funds for programmes involving this building block and preparation of cross-cutting projects.

2. Border procedure/Screening

- *State of play: overview of baseline capacities, key administrative actors/competent authorities.*

Key administrative actors/competent authorities:

The responsible authorities for border asylum procedure and screening are mainly the PČR Directorate of Foreigner Police Service (hereafter ŘSCP), or individual Departments of SCP at regional police directorates), the MV (OAMP), individual regional courts according to the place of residence of a particular applicant for international protection, the Supreme Administrative Court. The MZ is responsible for organisation and provision of healthcare, nevertheless the MV plays an important role in providing healthcare in asylum and detention facilities.

Screening arrangements²:

Czechia has no external borders other than international airports (mainly the Václav Havel Airport Prague, hereinafter Prague Airport). The SCP performs border checks in accordance with the Schengen Borders Code that comprises (among others) consulting the relevant databases (Schengen Information System (SIS), Integrated Foreigners' Agenda System (ICAS) and national databases), travel document checks, verification of identity and fingerprints in relevant databases (VIS, SIS, etc). The databases used in the first- and second-line checks are almost the same and are available through a single search interface system of the border control (IS KODOX). Medical checks at the external borders are done on an *ad hoc* basis. The checks, as mentioned above, apply *mutatis mutandis* to international protection applicants at the border crossing points. All international protection applicants undergo a medical screening in the first days after arrival at the reception centre. When faced with an important number of unauthorized entries of third-country nationals (TCNs) via land border, Czechia established several registration points within the territory specifically for the identification, fingerprinting and registration of TCNs. Czechia does not have an independent fundamental rights monitoring mechanism for screening activities. Czechia, however, has set up a monitoring mechanism for forced returns (*see BB9*).

Rules for the control of irregular migrants and asylum seekers are applied both at the external and internal border of Czechia as well as within the territory of Czechia. They are implemented in accordance with the Asylum Act, where they are listed and comply with internal management acts. Identity checks are carried out both in the first and second control lines according to the list of Border Inspection Posts (hereinafter SHK). A person without a travel document can also be screened using fingerprints in the VIS). Security is checked against relevant databases and records. The health condition is checked if the foreigner appears to be evidently ill or if the foreigner notifies the checking police officer themselves. Officers are gradually being trained to recognize vulnerable persons as part of a newly developed course.

As part of the border control, police officers collect data listed in/ detectable from a genuine and valid travel document (respectively, the information that a person has identified themselves with an irregular travel document or a document that is not their own, based on so-called similarity of appearance). In addition, biometric data (fingerprints and the display of a person's

² Screening Regulation is implemented by Implementation Plan for the national EIBM Strategy 2024.

image) are collected for the purpose of verification and possibly for subsequent proof of identity.

Communication and the actual handing over of persons are governed by a cooperation agreement between the SCP and the MV and are partly carried out through specific CIS modules. Specific cooperation is dealt with on an *ad hoc* basis.

The SCP has access to the mentioned databases if they are already functional, and OAMP has access to the mentioned records only if they can be searched via CIS (SIS, NS-VIS); otherwise, they can receive information indirectly at the request of police forces.

Asylum border procedure:

Czechia has an asylum border procedure for persons applying for international protection at international airports (Asylum Act Section 73). The applicants are placed by the PČR, which is competent to receive the asylum application, into a closed reception centre at the Prague Airport if there are grounds for such detention according to the law. They are informed that making an application does not entitle them to enter the territory. The MV issues the decision on entry/non-entry into the territory within 5 days of lodging the application. If the asylum border procedure is applied, the MV must issue a decision on the inadmissibility of international protection application or rejection as manifestly unfounded within 4 weeks after the application is lodged. If no decision is made within 4 weeks, the MV allows entry into the territory. An appeal against the decision not to allow entry can be lodged within 15 days from the delivery of the decision; the court decides within 7 working days. An appeal against a manifestly unfounded/inadmissible application decision can also be filed within 15 days; this appeal has an automatic suspensive effect if stated by the law, but the applicant can request suspension (*see BB4*) in any case. If no appeal has been filed against the decision on international protection, or if the court has granted no suspensive effect, the applicant must remain in the reception centre at the airport for the purpose of return for a maximum of 30 days (Asylum Act Section 74(5)).

The competent authority for the asylum border procedure is the MV.

According to Article 2(2)(a) of the Return Directive, an accelerated return procedure at the border for those not applying for asylum is applied in Czechia at the external border at the international airports.

The negative asylum and the return decisions are currently issued in two separate acts by two different entities. Their timelines are not aligned with legislation, and their appeals are not handled jointly. However, Czechia is working on merging the issuance of negative asylum and return decisions and has already started amending the legislation (*see BB5*).

Information about rights/obligations within the screening/border procedure:

Specifically at the external border, there is an obligation for the PČR and the person providing legal aid to provide information to a person who intends to make an application for international protection already at the border crossing point or in the transit zone of an international airport (Asylum Act Section 3a(2)). In addition, information from

United Nations High Commissioner for Refugees (UNHCR) is available at the Prague Airport (displayed on the wall and brochures in several languages). In the case of the recent increase in irregular arrivals via land border, information on the possibility of lodging an application for international protection was communicated without delay when TCNs were transferred to registration points. The information was part of the instruction given to them in writing in a language they could understand.

Legal counselling:

Free legal assistance is provided to persons in detention, those subject to the return procedure and not detained, and those in asylum proceedings. Legal aid is provided by a law company contracted by the MV. If needed, legal assistance is provided with an interpreter (*see BB9*). Moreover, free legal counselling is also provided by NGOs under AMIF project financing. The request for free legal aid to be provided at the court level needs to be addressed to the court.

Identification of special procedural and reception needs:

If identified as vulnerable, applicants have immediate access to the territory from the reception centre at the airport. Based on existing identification indicators, the vulnerability is assessed by officials of the MV and the Refugee facilities administration (hereafter SUZ); subsequently, the reception conditions and the asylum procedure are adapted accordingly (*see BB9*).

Reception capacity/facilities:

There is a closed reception centre in the transit area at Prague Airport for the asylum border procedure. In case of pressure, the law allows the transfer of the applicants to a centre near the airport, but they are still considered as not granted entry into the territory. Czechia has premises for foreigners whose entry was refused. These facilities are not used during the screening procedure. There are 3 facilities used for the detention of foreigners in the territory (capacity of around 1,000 beds); one centre is designed for single women and families only.

Screening at the airport is handled by the SCP within hours, so specialized accommodation has not yet been needed. At international airports, we currently do not have any capacity to accommodate persons whose identity is still being established in order to decide whether the person will be subject to return or asylum procedures. In connection with the stay of families with children and unaccompanied foreign minors (hereinafter UAM), the PČR has no capacity to accommodate these persons. UAMs are dealt with in cooperation with the Authority for Social and Legal Protection of Children (hereinafter OSPOD) and taken to specialized facilities for unaccompanied foreign minors, regardless of their nationality or residence status.

Potential applicants for international protection are then placed in the reception centre, which has a capacity of 36 beds. The reception centre has a safe zone for vulnerable persons, but they can stay there for a maximum of 5 working days, during which time they are transferred to appropriate facilities in the territory, particularly the reception centre Zastávka (see above). The average occupancy rate for the last year was 7 %. UAM are not placed in the airport reception centre at all and are placed immediately in a specialized facility for foreign children in cooperation with the OSPOD.

Reception Centre Prague-Ruzyně:

- Social worker – 1
- Permanent service worker – 2 per shift (24/7)
- Head of the centre – 1
- Security – The facility does not have security guards, as it is located in the airport's transit area. The Police of the Czech Republic, which normally operates at the airport, provides the centre's security.
- Educator of free time – contractual, if necessary
- Psychologist – *ad hoc* contractual, if necessary
- Interpreter – *ad hoc* contractual, if necessary
- Staff from the OAMP responsible for asylum proceedings – 7 (1 leader, 1 administrative force, 5 case officers)
- Medical staff – general nurse – 1

Staff is regularly trained. Workers in direct contact with clients are specifically trained in detection and competence in working with vulnerable persons (e.g., trafficking, multicultural aspects, etc. Methodological supervisors from the Directorate in Prague carry out checks regularly.

Reception and Residential Centre Zastávka:

- Social worker – 5
- Educator of free time – 2
- Permanent service worker – 2 on shift (24/7) + 1 supervisor
- Accommodation provider – 4
- Economic and operational staff (accountants, maintenance, kitchen, etc.) – 28
- Other organizational staff (secretarial, IT, etc.) – 3
- Managers – 4
- Security guards – 2 per shift
- Psychologist – *ad hoc* contractual, if necessary
- Interpreter – *ad hoc* contractual, if necessary
- Staff from OAMP responsible for asylum proceedings – 14: 1 manager, 3 administrative staff, 8 case officers, 2 Dublin staff
- Medical staff – general nurse – 4, driver of medical vehicle – 1, doctor – 1, 8 hours/week

Staff is regularly trained. Workers in direct contact with clients are specifically trained in detection and competence in working with vulnerable persons (e.g., trafficking, multicultural aspects, etc. Methodological supervisors from the Directorate in Prague carry out checks regularly.

Court procedure at borders:

The current legislation does not allow all court proceedings to take place outside the court building. This applies to both civil court proceedings and administrative justice. The only exception is a different court hearing in uncontested civil discovery proceedings (Section 18(2) of the Special Court Proceedings Act). Also, court buildings are practically the only ones adapted in every way to allow court hearings to take place in them. If the capacity should be created so that administrative courts can hold hearings in asylum cases directly in the border area, then the first obstacle can be solved by changing the legislation and the second obstacle by establishing suitable conditions in the border area for holding court hearings. However, relatively high costs are associated with this (especially the costs of setting up suitable spaces outside the court, the costs of their maintenance and operation, as well as the related personnel costs). As regards the holding of court hearings using videoconferencing equipment, the use of videoconferencing equipment during court hearings is already permitted by current legislation (Section 64 Administrative Procedure Code in connection with Section 102a Civil Procedure Code).

For cooperation in the field of returns, as well as other agendas, a Memorandum of Cooperation in the field of video interaction was concluded between the MV, PČR and the MSp in 2019. All facilities for detaining foreigners and the workplace of the MV, responsible for the preparation and implementation of voluntary returns, are equipped with videoconferencing equipment. As part of the preparation for constructing the new facility at the Prague Airport, sufficient connection of this facility to the existing Virtual Channel Identifier (VCI) network will also be ensured. A further Memorandum of Cooperation was signed between the MV, the MZV, and the PČR in March 2024 to use the videoconferencing technology. Within the framework of this cooperation, the embassies of Czechia in Vienna and Berlin will also be connected to the videoconferencing network so that it will be possible to request assistance in conducting consular interviews for the return of foreigners whose home countries do not have diplomatic representation in Czechia.

In order to ensure the availability of return counselling and assistance to all individuals accommodated within airport premises, the return counsellors team extension will be ensured accordingly. There will be 2 new counsellors hired for a new centre to be built after 2030. In the meantime, the existing team will have appointed staff responsible for airport cases. If considered necessary 1 new counsellor will be hired for border procedure cases.

- *Definition of targets:*

1. Setting up new or expanding existing national screening processes for individuals, including mandatory health examinations in accordance with the Screening regulation.
2. In the case of medical examinations at police workplaces, it will be necessary to provide basic equipment for medical examinations; in the case of transportation for medical examinations, it will be necessary to provide escort means, including the necessary equipment.
3. Ensuring follow-up processes and measures to protect public health in the event that a potential health risk is identified as a result of a health screening, including funding for follow-up examinations and possible treatment.

4. Ensuring the provision of essential technical equipment for the PČR to conduct screenings effectively.
 5. Analysing the need to establish suitable capacities for the short-term accommodation of screened individuals, particularly those who are vulnerable.
 6. Streamlining asylum processes, particularly asylum border procedures, by amending legislation and adopting practical measures at all relevant levels, especially at administrative judicial instances. This includes, among others, the possibility of ensuring the presence of a judge directly at the airport, either in person or remotely via video conferencing (the needs depend, *inter alia*, on the outcome of the Analysis on administrative judicial procedure).
 7. Ensuring sufficient accommodation capacities for foreigners who apply for international protection at the external border, with accelerated border and return procedures being handled on-site until their return.
 8. Linking the decision to reject applications for international protection during border procedures with a return decision in order to accelerate the return process.
 9. Ensuring availability of return counselling and assistance for individuals placed in expanded accommodation premises at the external borders.
 10. Strengthening staffing and technical support for the implementation of forced returns from border management and ensuring staff training for new return procedures and practices (*see BB5*).
- *Requirements: a) legislative/regulatory arrangements b) organisation/administrative processes c) personnel (staffing and training) d) infrastructure e) IT needs f) costing and procurement needs.*

a) legislative/regulatory arrangements:

- Legislative changes will be necessary for the Asylum Act, the Act on the Police of the Czech Republic, and likely also the Act on the Residence of Foreign Nationals.
- Amending laws concerning the competence of public health authorities regarding newly implemented screenings, including the definition of the scope of examinations, payment, staffing measures, staff training, etc.

b) organization/administrative processes:

- Changes in the organization of individual administrative actions will be necessary, particularly for the PČR, along with enhanced coordination and cooperation with the MV/OAMP and the SUZ.
- The cooperation between the SCP and the Healthcare Facility of the Ministry of the Interior (hereinafter ZZMV) will also be necessary when a Memorandum of Cooperation is expected to be concluded and other relevant actors involved in health screening.
- The process of health screening, its scope, and any follow-up care if further treatment or suspicion of an infectious disease is needed (statement and opinion of public health

authorities) will have to be established. The transfer of information on the conduct and outcome of health screening between health facilities must also be ensured. The requirements of the Pact regarding the new health screening procedure fall under competence of the MZ.

c) personnel (staffing and training):

- ZZMV: staff reinforcement with medical personnel - new workplaces and new deployment of forces and resources, provision of new personnel in the professions of paramedic, general nurse and doctor.
- SCP: increase by 50 places (Border Police).
- Voluntary Returns Unit (hereinafter ODN): 2 new return counsellors for the new Prague Airport Centre (after 2030), 1 return counsellor for border procedure and other Prague Airport cases.

d) infrastructure:

ZZMV:

- Strengthening mobility and medical equipment – 8 ambulances.
- Protecting doctors, nurses, practices and patients - camera systems, barrier measures for physical and electronic protection - personal cameras of medical staff, and protective equipment in case of attack.
- Security of ZZMV facilities and assault - materials and barriers for migrant care workers in the detention and asylum centres.
- Expansion of the reception center's capacity with standardized equipment for isolation units and general medical practices, with a focus on infectious disease treatment.

SCP:

- Equipment for workplaces carrying out screening, especially with regard to the stay of screened persons - adults, families with children, and vulnerable (within 72 hours).

ODN:

- Office for return counselling
- Office equipment and office supplies

e) IT needs:

International Protection Unit (hereafter OMO), OAMP

- In order to meet the Pact's requirements, particularly in relation to screening and data sharing, improvements of the Azyl III will need to be made.
- Possibly establishing Innovation hub for employing modern IT solutions.

ZZMV:

Extension of the Galen Ambulatory Information System (AIS) including accessories:

- SW - extension of AIS Galen with the "Screening" module
- SW - interconnection of the "Screening" database with other AIS Galen databases
- HW - stations, IT equipment, storage, cybersecurity, etc.

SCP:

- Development of an application for interpreting and ensuring its development, purchase of mobile devices suitable for interpreting.
- Equipping VCI offices for border procedures and judicial proceedings at the border.
- Creation of an IS according to the Return case management system (RECAMAS) model (*see BB5*) with the addition of an IS/application for recording screening operations.

f) costing and procurement needs:

ZZMV:

- Expansion of the capacity of the reception centre: CZK 3,000,000.
- Expansion of the Galen Ambulatory Information System including accessories: CZK 8,000,000.
- Strengthening mobility and medical equipment: CZK 32,000,000.
- Strengthening the safety of healthcare workers: CZK 10,000,000.
- Staff reinforcement by medical staff: CZK 48,000,000 annually.

SCP:

- Increase of 50 police posts (Border Police)
 - One-off costs for armaments, equipment, tools, and vehicles - CZK 3,000,000.
 - Annual costs approximately CZK 12,000,000.
 - Training for border management - lecturer, study materials, premises, aids – approximately CZK 2,000,000.
 - Training for staff working with children and vulnerable persons - approximately CZK 2,000,000.
- Costs associated with equipping workstations for screening at all locations where return decisions are made - approximately 15,000,000 CZK.
- Costs for supplying equipment for medical examinations at all designated workplaces.

- Costs for providing equipment for medical examinations at all workplaces - approximately 4,000,000 CZK.
 - Costs for escort vehicles and equipment adapted for transporting children – approximately CZK 20,000,000.
 - Development of an interpreting application and ensuring its development, purchase of mobile devices suitable for interpreting - approximately CZK 10,000,000
- Equipping VCI offices with equipment for border procedures and court proceedings at the border - CZK 4,000,000.
- Development of an IS according to the RECAMAS model (*see BB5*) with the addition of an IS/application for recording screening operations 2,000,000 CZK (*for additional costs see BB5*).

SUZ:

- Building more flexible capacities (barrier free access, medical background etc.) – approximately CZK 2,000,000.

ODN:

- Return counselling (after 2030) – approximately CZK 2,000,000 per year.
- 1 return counsellor for border procedure and cases at the Airport - approximately CZK 1,000,000 per year.
- Office for return counselling – approximately CZK 1,000,000 per year.
- Office equipment including VCI and office supplies – approximately 1,000,000 CZK per year.

- *Milestones:*

- 6 months: Identification of opportunities to use EU funds for programmes involving this building block and preparation of cross-cutting projects.
- 12 months: Return counselling, border procedure and other Airport return cases
- approximately 18 months: Deployment of the Azyl III system, following development and integration with all relevant systems, is planned to coincide with the implementation of the Pact.
- beyond 18 months: Return counselling, Airport Centre.

3. Reception (to incl. pre-integration measures; detention/alternatives to detention)

- *State of play: overview of baseline capacities, key administrative actors/competent authorities.*

SUZ is responsible for operating asylum facilities, including reception centres (*Přijímací střediska*) and residence centres for applicants for international protection (*Pobytová střediska*). Additionally, the SUZ manages detention facilities for third-country nationals (*Zařízení pro zajištění cizinců*). Reception is managed by the state at a central level.

Reception Capacity:

The current reception capacity stands at 923 beds, with an occupancy rate of 19% (physically residing) and 29% (registered but living outside) as of September 30, 2024. This capacity allows flexibility to increase the number of available places within a few days, as contingency plans are already in place.

Czechia does not have a regulatory framework for reducing reception conditions during emergencies.

In terms of the number of reception staff, the following staff is available:

- Social worker – 17
- Educator of free time – 10
- Permanent service worker – 2 per shift (24/7) – 53
- Accommodation staff – 11
- Economic and facility operations staff (accounting, maintenance, kitchen, etc.) – 75
- Other administrative staff (secretariat, IT, etc.) – 16
- Management – 12
- Security – 16 per shift, 73 in total
- Psychologist – contractual *ad hoc*, available as needed at each centre
- Interpreter – contractual *ad hoc*, available as needed at each centre.

Reception conditions at the same level are available for all applicants for international protection registered in the accommodation centre. In other words, there is only one standard of reception conditions, including access to health care.

All applicants, irrespective of their place of stay in the Czechia, have access to health care at the same level as Czech nationals.

UAMs are usually placed in special facilities under the operation of the MŠMT.

Early integration:

Access to the labour market is allowed after 6 months from the lodging. A work permit (valid for up to two years and only for the position it was issued for) is required to access the labour market. An applicant can be registered with the Labour Office (hereafter ÚP) as a job seeker and is eligible for help arranging a job, career advice or retraining. However, in practice, the

applicants are not considered a specific target group regarding employment services; their potential integration into the labour market is manageable through existing policies aimed at foreigners or beneficiaries of international protection.

Applicants for international protection can use common information sources targeted at foreigners to obtain information about job and employment opportunities as well as about social security and health-care in Czechia. In addition to the information mentioned above sources, employers are also targeted through seminars on the topic of employing foreigners, which are regularly organized in various regions in cooperation with the Ministry of Industry and Trade (hereafter MPO), the MPSV, the MV and the MZV.

Detention and alternatives to detention:

Criteria for detention and alternatives to detention are outlined both in the Asylum Act and the Foreigners Residence Act. Vulnerable asylum seekers cannot generally be subject to detention under the Asylum Act. The Asylum Act provides two alternatives (Section 47), which are also reportedly used in practice: requiring applicants to remain in a specified accommodation centre or report to the MV at designated times. Detention can be applied to verify the identity, if the applicant is impeding the proceedings, if there is a risk of absconding or a threat to public order or security (Asylum Act Section 46a). An individual assessment is conducted on the applicant's situation before placing them in detention.

Detention of the applicant and extending the detention period both require the issuance of a decision in which the MV informs the applicant of the reasons for detention and the right to appeal. The applicant has 15 days to appeal, and the regional administrative court has 7 days to decide (Asylum Act Section 46a(7), (8)). Detained persons have, for example, the right to receive visits (Section 144 Foreigners Residence Act). They can receive up to four visitors simultaneously, once a week, for a maximum of one hour. They also have the right to visit a lawyer. The visits take place in the presence of the PČR, except for visits of lawyers/legal representatives. As regards the possibility of applying for international protection, persons in detention are informed by the Police about their right to apply for asylum within seven days from the date on which they were informed about this.

- *Definition of targets:*

1. Differentiation of the standards for reception conditions, particularly considering secondary migration, including limitations on medical procedures that can be covered by health insurance, according to the requirements and guidelines set forth by the new Reception Conditions Directive (in cooperation with the MZ).
2. Revision of procedures regarding the determination of the residence of applicants for international protection and any resulting new measures, including legislative changes.
3. Evaluation of the need for potential measures for more efficient use of alternatives to detention in case of families with minors.
4. Evaluation of the need for potential legislative and/or non-legislative adjustments regarding guardianship and UAMs.

5. Assessment of the need for potential legislative and/or non-legislative changes regarding employment and/or so-called pre-integration measures for applicants for international protection in accordance with the new Reception Conditions Directive.
 6. If necessary, activate facilities at the borders using existing infrastructure available at the external Schengen border.
 7. Defining the necessary capacities of the reception system.
 8. Establishing pre-integration measures that allow for greater independence for applicants by the Ministry of the Interior.
 9. Development of capacities to increase psychological support and greater protection for families with children and vulnerable groups within the reception system (in cooperation with the MZ and other entities).
- *Requirements: a) legislative/regulatory arrangements b) organisation/administrative processes c) personnel (staffing and training) d) infrastructure e) IT needs f) costing and procurement needs.*

a) legislative/regulatory arrangements:

- Submission of a proposal for an amendment to the Asylum Act and other related laws.
- Potential development of additional internal regulations for individual actors (particularly the OAMP and SUZ).

b) organisation/administrative processes:

- Changes in administrative processes are expected in connection with the amendments that will be primarily described in the proposal for the amendment to the Asylum Act and related legislation.

c) personnel (staffing and training):

- Training of staff specifically working with minors, especially UAMs.
- Increase staff for Czech language courses.
- Provide staff for civic education courses.
- Train staff on reception conditions.
- Train staff on assessing vulnerability/special needs. Ensure access to a child psychologist.

d) infrastructure:

- Depending on the assessment of the need to change the format of the applicant's international protection card, new technical means may be necessary to secure the cards in the new format.

- Formally instructing SUZ to establish necessary capacities for asylum system according to the needs.
- Adjustments to the rules for applicants regarding effective monitoring of arrivals and departures from the facilities.
- Improvement of reception conditions in facilities (leisure time, vulnerable capacities, security conditions, including fire prevention systems etc.)

e) IT needs:

- Adjustment of SW for the needs of vulnerability assessment.
- Possibly establishing Innovation hub for employing modern IT solutions.

f) costing and procurement needs:

- Costs for the translation of informational materials (according to the EUAA model) – approximately 1,000,000 CZK (for all texts).
- Staff costs for providers of Czech language and civic education courses – approximately 1,000,000 CZK.
- Improvement of reception conditions in facilities – 20,000, 000 CZK (3-4 facilities).

- *Milestones:*

- 6 months: Identification of opportunities to use EU funds for programmes involving this building block and preparation of cross-cutting projects.
- Within 18 months: Preparation of a proposal for an amendment to the Asylum Act and related laws. Completion of the consultation process regarding the proposal for an amendment to the Asylum Act and related legislation.

The effectiveness of the new legal regulations from the date of implementation of the legislative instruments of the Pact. Adjustment of internal regulations of the SUZ (and other relevant entities) following the changes resulting from the legislation. Translations of informational materials for applicants.

4. Asylum Procedure

- *State of play: overview of baseline capacities, key administrative actors/competent authorities.*

Competent authorities:

The PČR (ŘSCP, or individual departments of the SCP at regional police directorates), the MV (OAMP), individual regional courts according to the place of residence of a particular applicant for international protection, the Supreme Administrative Court.

Access to procedure:

The Asylum Act distinguishes the phases of making, registering and lodging of an application.

Making an application:

The initial declaration of intention to apply for international protection can be made at the border (to the SCP) or within the territory (to the SCP in a reception centre, in a detention centre or at the Department of SCP of the Regional Police Directorate on the condition that they appear voluntarily, or to the MV if they are undergoing preventive detention, protective treatment, held in custody, or detention if they are placed in an educational institution for institutional or protective care or in a facility for children in need of immediate assistance (Asylum Act Section 3, 3a). After the declaration of intent, the applicant must present him/herself within 24 hours at a reception centre indicated by the MV (Asylum Act Section 3c). The SCP will perform the first security screening to check national databases, control ID cards, fingerprinting, etc. The results of this screening are sent to the OMO and to the Dublin Unit of the MV.

Registering:

The MV is responsible for registering the applications. All applications are registered in an IT system, Azyl III, which gathers all data on asylum proceedings. Registration timelines: within 6 days when the application is made to the PČR; within 3 days if the application is made with the MV (Asylum Act Section 3(6)). In practice, the registration takes place either on the same or the next working day.

Lodging of an application:

The lodging procedure overlaps with the registration of the application and is done by the MV. To lodge the application, third-country nationals use a set form. Subsequently, the MV delivers a written summons - at least 2 working days in advance - for applicants to provide further information supporting their application (Asylum Act Section 10(1)). Applicants provide information using another set form that is filled with the assistance of a MV official and, if required, an interpreter. Filling out this second form is done in person (not possible by proxy) and potentially in the presence of the applicant's legal representative. The form includes information on how applicants left the country of origin, information on family ties, etc. In practice, filling this second form usually takes place within 3-5 working days after the application is lodged.

The application process comprises other actions, including establishing an applicant's identity, taking photographs of the applicants, fingerprinting, personal and luggage checks and security checks, if required. Various practical arrangements assist the person while lodging an

application, including interpretation, provision of written information on rights and obligations in approximately 30 languages, transport to designated reception place, medical examination (in case of health problems), and legal counselling from NGOs (upon request). A list of NGOs and civil society organizations (CSOs) to contact is provided. Since 2023, the MV has maintained a contract with professional lawyers who provide legal advice to applicants. Their contact details are shared directly with applicants.

Documents for the applicants:

The MV issues an International Protection Applicant Identity Card no later than 3 days after the submission of information for the application for international protection (Asylum Act Section 57). The document certifies that the holder is an applicant and serves as an identity document.

Examination of the application:

Czechia applies the inadmissibility (Asylum Act Section 10a) in case of applications submitted by EU citizens if another EU Member State is responsible for examining the application; if the applicant was granted protection in another Member State or could have found protection in the first country of asylum; if repeated applications without providing new elements were submitted; if the applicant arrives from a country that Czechia considers to be a European safe third country or a safe third country. If an application is inadmissible, the authorities don't assess whether the applicant satisfies the criteria for granting asylum or subsidiary protection. Czechia has a list of safe countries of origin. There is no list of safe third countries. Czechia carries out an internal protection alternative assessment when assessing the applications (Asylum Act Section 2(7)).

Withdrawal of the status for security reasons:

The asylum can be withdrawn if there are legitimate reasons to consider the asylum seeker a danger to the security of the state or if the asylum seeker has been convicted of a particularly serious crime and thus poses a danger to society (Asylum Act Section 17).

Issuance of decisions and appeals:

The negative asylum decision and the return decision are currently issued in separate acts by two different entities. Their timelines are not aligned with legislation, and their appeals are not handled jointly. However, Czechia is working on merging the issuance of negative asylum and return decisions and has already started amending the legislation (*see BB5*).

The standard timeline to issue the asylum decision is 6 months from the lodging (possibly extending it to up to 9 months and exceptionally up to an additional 3 months - Asylum Act Section 27). The timeline for rejecting an application as manifestly unfounded is within 90 days (Asylum Act Section 27(5)). In the asylum border procedure, the timeline for rejecting an application as inadmissible or manifestly unfounded is within 4 weeks from the lodging (Asylum Act Section 73(11)). The return decision should be issued as soon as possible after the asylum procedure.

Regarding the appeal of the asylum decision, it must be lodged to the competent regional court within 15 days in case of a manifestly unfounded decision/inadmissible application. One month

in all other cases and two months when instructions to the applicant on how to appeal were missing, incomplete or incorrect (Asylum Act Section 32). The appeal generally has an automatic suspensive effect, except in some cases of discontinuance of proceedings, manifestly unfounded applications and if the applicant comes from a safe country of origin. In cases without automatic suspensive effect, the applicant can request the suspension together with lodging of the appeal within the same deadline. The applicant also has a right to file a cassation complaint with the Supreme Administrative Court within 2 weeks from the delivery of the regional court's decision. The cassation complaint would have a suspensive effect only if the appeal with the regional court had a suspensive effect. In cases without automatic suspensive effect, the applicant can request the suspension together with lodging the cassation complaint within the same deadline.

Capacities (case workers and interpreters):

Czechia generally has a low number of asylum applications. In 2023, Czechia was among Member States that received the least asylum applications per capita (1 397 applications), 1 639 applications in 2022, and 1 313 applications in 2021. As of 2024, Czechia has 39 caseworkers. There are approximately 16 administrative staff members that could also be referred to as registration officers; 10 of them work in detention centres and MV's facilities.

The registration procedures seem efficient, with adequate capacity for refugee status determination. The average application processing time was 8 months in 2023, with 673 pending cases at the end of the year (768 in 2022, 1 506 in 2021). However, some individual cases (specific profiles/security-related) appear to be facing lengthy processing. Interpreters are not employees of the office; the MV has maintained a long-standing contract with a private interpreting agency, selected through a transparent process, to provide translators and interpreters. Their numbers are generally sufficient.

- *Definition of targets:*

1. Change of the legal framework regarding the whole international protection procedure, including both judicial instances according to the Pact's requirements and options through the amendment of the Asylum Acts and other relevant law, particularly regarding new procedural deadlines, mandatory accelerated procedures, new concepts such as legal counselling, definition of final decision etc. The changes at the judicial instance will be assessed on the basis of the analysis of the administrative and judicial procedure, the following workshop organized within the project financed by the EC (TSI), and the outcomes of these activities.
2. Adjustment of practical aspects of first-instance proceedings, especially the follow-up to the screening, the process of identifying individuals with special procedural needs, enhancement and monitoring of the system for addressing UAMs, including the state's guardianship system, adjustments to enable faster and more efficient delivery of documents, recording interviews for applications for international protection, and storing audio recordings, etc.
3. The European Union Agency for Asylum (EUAA) training should be expanded to relevant MV's staff and other stakeholders involved in the process, such as interpreters and guardians.

4. Increased use of new EUAA forms, instructions, and assessment materials in accordance with the Pact's requirements.
 5. Linking the decision to reject an application for international protection with the return decision to expedite the return process.
 6. Interoperability, upgrade of relevant IT systems, and processing of new statistical outputs according to the Pact's requirements.
 7. Increased monitoring of the procedure (*see BB9*).
 8. A facility for staff training in the asylum and migration domain.
- *Requirements: a) legislative/regulatory arrangements b) organisation/administrative processes c) personnel (staffing and training) d) infrastructure e) IT needs f) costing and procurement needs.*

a) legislative/regulatory arrangements:

- Fundamental legislative changes will be necessary regarding the whole international protection procedure, including both judicial instances, particularly in the asylum legislation.

b) organisation/administrative processes:

- Changes will be necessary in some practical aspects of the proceedings and established agendas, particularly concerning the work of the courts. The issue is still under discussion and cannot be precisely determined at this time, requiring further deliberation.

c) personnel (staffing and training):

- It will be necessary to increase the personnel capacities of the asylum and migration policy staff to fulfil the new tasks from the Pact. This includes expanding training for OAMP staff. An increase in staff and new training for court personnel and child social and legal protection authorities is also highly likely.

OAMP:

- In the context of the new obligations introduced by the Pact, in particular regarding the new detailed assessment of vulnerable persons and their possible special procedural safeguards, it will be necessary to reinforce each asylum centre and detention centre with at least 1 staff member.
- In view of the new requirements for statistics and information reporting, it will be necessary to recruit at least 2 new staff to carry out these activities on behalf of the Czechia, as well as to set up and manage the technical interconnection of all necessary IT systems.
- Due to the extension of the training obligation to a number of OAMP staff, but also, for example, interpreters, OSPOD staff, etc., it will be necessary to increase the number of staff responsible for training by at least 2 new staff, especially with regard to the implementation of EUAA training modules.

MSp:

- Need to increase the capacity of the judiciary by at least 1 judge with several years of experience and 4 judicial staff (i.e. senior judicial officers, clerks or assistant judges). Further needs will be reviewed based on the respective analysis.

d) infrastructure:

- Although not addressing the general asylum process, infrastructure improvements are needed specifically for border procedures, including those related to asylum applications submitted at border points (*see BB2*).
- A facility for staff training in the asylum and migration domain.

e) IT needs:

- Changes and adjustments to all existing systems that work with applicants for international protection will be necessary, especially Azyl III.
- Possibly establishing Innovation hub for employing modern IT solutions.

f) costing and procurement needs:

- A significant increase in financial resources for all stakeholders (especially OAMP and courts) will be necessary.

OAMP:

- Strengthening OAMP staff capacity by at least 1 staff member for each centre, including the provision of equipment for new staff and their basic training – 8 persons - approximately 8,000,000 CZK per year.
- New staff for statistics and information reporting, as well as to set up and manage the technical interconnection of all necessary IT systems – 2 persons - approximately 2,000,000 CZK per year.
- New staff responsible for EUAA and other new training – 2 persons – approximately 2,000,000, CZK per year.
- Costs related to the necessary extension of training to a larger number of OAMP staff, as well as staff of other ministries, interpreters, etc., including translation of study materials, organizational arrangements for training, etc. - approximately 3,000,000 CZK as an initial cost.
- Provision of new technical equipment for the implementation of the APR (devices for recording interviews, technical means for storing and protecting recorded records, videoconferencing equipment to speed up proceedings, etc.) - approximately 2,000,000 CZK as an initial cost.
- Development of the Azyl III. system in connection with the new border and return management obligations (*see also BB2*), as well as obligations under the APR of

approximately 12,000,000 CZK for initial adjustments and approximately 1,000,000 CZK per year for ongoing development and adjustments.

- A facility for staff training in the asylum and migration domain – the acquisition and maintenance costs are estimated at approximately 50,000,000 CZK.

MSp:

- Increase the capacity of the judiciary by at least 1 judge and 4 judicial staff (i.e. senior judicial officers, clerks or assistant judges) - approximately 6,000,000 CZK per year.
- *Milestones:*
 - approximately 6 months:
 - Training activities should be to ensure that all OAMP staff and persons involved in international protection proceedings are trained until the full implementation of the Pact, which obliges them to do so.
 - Identification of opportunities to use EU funds for programmes involving this building block and preparation of cross-cutting projects.
 - within approximately 12 months: Strengthening the staff capacity of OAMP and the MSp in all necessary areas will be directed towards full implementation of the Pact,
 - within approximately 18 months: The deployment of the Azyl III version after development and interconnection with all relevant systems is targeted for the implementation date of the Pact.

5. Return

- *State of play: overview of baseline capacities, key administrative actors/ competent authorities.*

The negative asylum or residence permit decision and the return decision are currently issued in two separate acts by two different entities (the MV for asylum/residence permit decisions and the SCP for return decisions). Their timelines are not aligned with legislation, and their appeals are not handled jointly. As required by the Schengen evaluations with reference to the Return Directive, a return decision should be issued together or as soon as possible after the asylum procedure or the termination of the residence permit.

Czechia has initiated work on merging the issuance of negative asylum, residence permit, and return decisions and has already started amending the legislation. It is assumed that the planned amendments will create a legal framework for all the new rules established by the Pact.

The amendment of the legislation will be prepared in such a way that it reflects the new rules in the asylum procedure, i.e. where the reasons for imposing an entry ban are not given, there will be one decision on both asylum and return issued by the asylum authority³. With regard to the new obligations related to the issuance of return decisions, the extension of lustrations to other systems and the sharing of decisions and information about completed proceedings, it might be considered necessary to extend the team of responsible experts at all workplaces by at least 1 person, approximately 8 people in total (*see more details and related costs in BB4*). At the same time, all new and existing employees will have to be trained.

Since appeals are not processed jointly, there is an ongoing debate regarding the specific structure of the system. This discussion ensures that a dedicated workflow between different branches of the courts allows appeals to be handled within the same deadlines. In addition to legislative matters, administrative, technical, and systemic issues are also being addressed as part of this debate.

Within the framework of the Pact implementation and the already ongoing development of new European and national information systems (such as Azyl III and ICAS, and CIS II/RECAMAS), the emphasis is on ensuring effective communication between relevant national and European systems. Hence, all information from previous procedures is available, also for return purposes. The search for the most suitable IT solution for connecting the systems is currently underway at an expert level.

As regards detention, there are three facilities for the detention of foreigners in Czechia: Bělá - Jezová (in the Central Bohemian Region, only for single women, single-parent families, families and UAMs over 15 years old or vulnerable persons), Vyšní Lhoty (in the Moravian Silesian Region) and Balková (in the Pilsen Region), with a total regular capacity of approximately 1 000 beds. In case of an unforeseen increase in the number of detained persons, capacities can be enlarged. Czechia has a legal frame for following alternatives to detention: mandatory reporting to authorities; obligation to remain at a designated place; obligation to notify the residence address; and financial guarantees (*see BB6*).

Return counselling:

Czechia has return counselling available at all stages of the migration process (at the time of detection of irregular stay, at the beginning of the asylum procedure, after a negative decision during the return decision procedure, and after the issuance of the return decision or during detention). Voluntary return counselling is provided to all third-country nationals interested in return assistance, mainly focusing on those in detention centres. In order to ensure easy accessibility to return counselling to all eligible groups once asylum decisions and decisions ending legal stay become return decisions, the option of opening of four new return offices will be considered in the near future. In relation to external border procedure, one return counsellor will be hired shortly to provide return counselling and return assistance at the Prague Airport, and 2 more staff members will be hired once the accommodation premises are extended and further developed.

Reintegration assistance:

Assistance in the post-return period is provided within the Frontex EU Reintegration Program. The MV manages the administration of admissions to the program. There is no separate national reintegration assistance scheme in place at the moment; however, the option of its establishment has been under consideration since the obligation of such a system has been discussed within the recast of the Return Directive. As a part of the Pact, an implementation of a small-scale reintegration program will be designed and implemented for 100 returnees as a pilot. A reintegration officer will also be hired to implement this scheme.

Strategic planning:

A national strategy for the application of the return acquis is part of the approved national strategy for the European Integrated Border Management (EIBM). The operational plan for return (as per Article 9(2) of the European Border and Coast Guard Regulation (EU)) has been approved and will be updated accordingly. See the approved and updated 2024 Strategy of Czechia for European Integrated Border Management (EIBM Strategy 2024-2029) attached to this document.

Return procedures and enforcement:

Structures to ensure that decisions are effectively followed up and enforced/workflows between authorities responsible for return and asylum are both well-functioning. The cooperation of authorities responsible for the enforcement of return decisions is operationally set up at the management and working level between the MV and the ŘSCP. Generally, the communication between the SCP and the MV regarding returns is held daily in both formal and informal ways. Within the implementation of the Pact (see *BB2 and BB5*), the transport of data regarding individuals whose cases are decided in the scope of competence of the MV to the ŘSCP must be fostered, and cooperation on those cases must be made more effective. Other departments are involved as necessary (e.g., the Visa Department of the MZV assesses the bilateral relations with third countries of return and provides the required supporting information to the MV).

To comply with the requirements of the Pact, a sufficient number of staff will be hired and trained to handle border procedures and accelerated returns. Additionally, adequate technical

resources must be provided to implement forced returns, including transportation options for families with children.

Implementation of returns:

In order to overcome issues related to delays and burdens experienced when booking flights at short time notice, an option of organizing dedicated charter flights or renting flying hours will be explored in relation to accelerated return and Dublin procedures. The best possible solution will be evaluated. The provision of air transport then falls under the implementation of BB5 and BB6. Within the scope of BB6, the composition of passengers is challenging; flights are usually required on very busy lines or not sufficiently covered lines. Implementation of flights is requested on very short notice, and costs are increased, especially regarding escorted flights. For these reasons, the possibility of organizing flights would significantly speed up and facilitate the whole process (*see BB6*).

Readmission cooperation:

The main third countries of return in 2023 are Moldova, Uzbekistan, Georgia, Türkiye, and Vietnam. The main third countries where problems are encountered in terms of readmission cooperation in 2024 are Nigeria, India, and Russia.

IT systems to process returns/link to other relevant authorities (asylum, legal migration): Czechia uses several IT systems with different purposes and different types of data (such as the IS KODOX border control system for verifying conditions of entry/exit or the CIS foreign information system to register and manage individual events concerning TCNs). To streamline the return process and provide a better overview of foreigners in Czechia and the possibility of sharing the required statistical information, a project to build a new Information System based on the RECAMAS (return case management system) model was launched in 2023.

As part of the currently ongoing creation of two separate parallel systems, ICAS and CIS II (containing the RECAMAS module), functional interoperability will have to be ensured in order to enable easy control of the execution of decisions, whether in the form of voluntary departure (SIS), assisted voluntary return (CIS II/ RECAMAS) or enforcement of forced return decision (CIS II/RECAMAS). Interoperability of systems is requested by the 17th call of OP AMIF – Support of the return mechanism. Interoperability between all three systems must be ensured, i.e. CIS II/RECAMAS for returns, Azyl III for all stages of the asylum procedure and ICAS – legal migration in relation to return processes, especially termination of the validity of the residence permit. The search for the most suitable IT solution for connecting systems is currently taking place at an expert level. In order to facilitate expertise in the migration area, an IT consultancy position will be established for IT solutions for voluntary returns and asylum procedures. Developing the aforementioned IT systems is a sincerely challenging process bounded by a number of pre-conditions that need to be fulfilled as a primary step. The completion of the legislative process of the new law on the entry and residence of foreigners is on the top of the list, but also the launch of EU IT systems such as EU INIS and eu-LISA that must be available to support proper functioning of the entire system. In the context of various options for further development, a variant solution is, therefore, possible to complete the development of new systems (ICAS and CIS II/RECAMAS) or to update the existing CIS I system so that it can provide all the functionalities required within the framework of the implementation of the Pact. In order to reflect this, there are two options for related costs

defined in the relevant section of this document. The first option assumes that the legislative process and the development of IS ICAS will be completed within the planned deadlines. The second option is calculated for the case when the requirements of the Pact will have to be reflected in the existing IS CIS I as the approval of new legislation, and thus, the ICAS system will be delayed.

- *Definition of targets:*

1. Increasing the effectiveness of return processes following decisions in administrative proceedings on asylum, legal residence and return.
2. Updating the legal framework with the aim of ensuring a close connection of return processes with negative decisions on asylum and/or decisions on termination of legal residence in order to accelerate return processes (*interconnected with BB2*).
3. Creating a legal, systemic and technical framework enabling temporal continuity of administrative and court appeal proceedings in matters of residence, asylum and return.
4. Building/ updating national information systems (ICAS, CIS II, Azyl III) and their mutual communication with the aim of streamlining the use of collected information in the return process.
5. Ensuring a sufficient number of trained staff and technical background for forced returns
6. Ensuring a sufficient number of trained staff, technical background and equipment for voluntary returns
7. Ensuring functional communication of all national systems with EU systems (especially SIS and Eurodac).
8. Updating the operational plan for returns pursuant to Article 9/2 of the Border and Coast Guard Regulation (EU)).
9. Ensuring adequately trained personnel and technical capacities for the area of return in relation to asylum procedure. (*Related costs are reflected in BB2 budget.*)
10. Providing analysis and implementation of the recommendations and relevant good practices contained in the evaluation report provided within the thematic Schengen evaluations for the area of returns taking place in 2024.
11. Streamlining cooperation between the SCP and the MV on the transfer of data on persons falling under the competence of the MV (*see BB2*).
12. Ensuring sufficient transportation means for border, return and Dublin procedures.

- *Requirements a) legislative/regulatory arrangements b) organisation/administrative processes c) personnel (staffing and training) d) infrastructure e) IT needs f) costing and procurement needs.*

- a) *legislative/regulatory arrangements:*

- The new Act on the Entry and Residence of Foreigners is already in the legislative process and shall be in force accordingly. Further amendments will probably be necessary for the

legal norms governing judicial proceedings in administrative proceedings in the Asylum Act, Administrative Court Code and other legal norms. The results may be identified by the analysis of the judicial procedure that is under development.

- In relation to data communication with SIS, additional amendment of the Asylum Act will be done to ensure data protection of asylum seekers.
- Amendments of related legislation, e.g., the Criminal Code regarding expulsion issued as a criminal sanction.

b) organisation/administrative processes:

- New settings might be requested in organization of voluntary return services.
- As part of proceedings in the matter of international protection, it will be necessary to set up new practical processes to supplement the return process, in particular, the technical setting of the connection of records.

c) personnel (staffing and training):

- Staff training regarding new procedures, including return management (lecturer, study materials, premises for training), (*see details, including related costs, in BB4*).
- Strengthening of staff capacity and technical support for the implementation of forced returns (returns and border procedure).
- Ensure staff training within the framework of interoperability of both national (CIS II/RECAMAC, ICAS, Azyl III) and EU IT systems.
- Employing IT consultant for Assisted Voluntary Return (AVR) and asylum – 1 person full-time.
- Ensure return counselling in the current external border procedure – 1 + 2 full-time return counsellors and their training.
- Employing and training 8 new asylum case workers in all 8 facilities within the Czech territory (*see details, including related costs, in BB4*).

d) infrastructure:

In order to ensure the return border procedure is followed, the current infrastructure must be adjusted. The issue is still under discussion, and the estimation below will be elaborated further.

- Ensuring the equipment of workplaces and vehicles for the needs of minors and families with children for the return process (and screening) is also covered (*see BB2*).
- To the maximum extent possible, reflect the Commission's recommendation (EU) 2024/268 when returning nationals of third countries.
- Ensuring the workplaces have the necessary equipment, including VCI, for the new asylum procedure officers and return counsellors.

e) IT needs:

- Information systems play a main role in increasing the effectiveness of return procedures. The development of all three national IT systems (Azyl III, ICAS and CIS II/RECAMAS) shall be completed with effective mutual communication. Effective communication with European systems (SIS and Eurodac) needs to be further ensured. The discussion continues on the necessary steps and adjustments for each individual information system, as well as the mutual communication needed to speed up and properly record the return process and the implementation of returns. Due to unexpected delays that may influence the implementation of all IS projects, two budgetary options are introduced in the text below.
- Possibly establishing Innovation hub for employing modern IT solutions.

f) costing and procurement needs:

The MV voluntary return costs:

- 7 Return Counsellors – annual cost 7,000,000 CZK.
- 1 Reintegration Counsellor – annual cost 1,000,000 CZK.
- Reintegration Scheme – unit cost 100,000,00 CZK, annual cost 10,000,000 CZK.
- ICAS – return module development (including personal and operation costs) – initial cost 35,100,000 CZK, annual cost 5,000,000 CZK.
- Transportation – annual cost 20,000,000 CZK.
- Airport Offices – annual cost 1,000,000 CZK.
- Offices for return counselling (VCI included) – initial cost 3,000,000 CZK, annual cost 2,000,000 CZK.
- IT consultant – unit cost 30,000 CZK, annual cost 4,000,000 CZK.

Asylum procedure related costs:

- IT consultant – unit cost 30,000 CZK, annual cost 4,000,000 CZK.
- Development of IS Azyl III – 10,000,000 CZK in total.

IT systems – ICAS/CIS II (RECAMAS) – option 1 – with existence of ICAS:

- Development of CIS II (RECAMAS) according to the Pact – annual cost 5,000,000 CZK, 25,000,000 CZK in total.
- Modifications of the IS Mobile secure platform of the PČR – 9,000,000 CZK in total.

IT systems – CIS I – option 2 – without existence of ICAS:

- Development of CIS I – 45,400,000 CZK in total.
- Modifications of the IS Mobile secure platform of the PČR – 9,000,000 CZK in total.

- Fixed support – annual cost 23,000,000 CZK.

Forced return FPS/DFPS costs:

- Trainings of staff in new procedures and return management procedures – 2,000,000 CZK in total.
 - Technical and personal background for implementation of forced returns – 5,000,000 CZK, annual cost 500,000 CZK.
 - Strengthening of personnel and technical support for the implementation of forced returns – 1,000,000 CZK, annual cost 500,000 CZK.
- *Milestones:*
 - 6 months: Identification of opportunities to use EU funds for programmes involving this building block and preparation of cross-cutting projects.
 - Within 18 months and beyond: The vast majority of activities and actions described above will be implemented within 18 months or longer. In particular:
 - The new Act on the Entry and Residence of Foreigners is supposed to come into force by January 1, 2026. The expected launch date of the new ICAS system is planned for January 1, 2026.
 - The CIS II/RECAMAS project is scheduled for completion by January 31, 2027. By then, interoperability between IT systems for return-related components will be finalized, staff training completed, and necessary equipment procured.
 - Azyl III is set to launch after development and integration with all relevant systems, targeting implementation in line with the Pact.

6. Responsibility

- *State of play: overview of baseline capacities, key administrative actors/competent authorities.*

The Dublin Unit is part of the OAMP. There are 7 Dublin caseworkers, one head of the Unit and one administrative officer. In total, the Dublin unit consists of 9 persons. The Czech Dublin Unit is centralised in Prague; however, two caseworkers are dislocated in the reception centre in Zastávka. Dublin officers in the reception centre are primarily focused on outgoing Dublin cases from the reception centre. The Dublin caseworkers located in Prague deal with all incoming and outgoing cases, usually based on Eurodac HIT, that occur in detention centres. Each potential Dublin case is considered individually based on its circumstances. The caseworkers are trained in all aspects of the implementation of the Dublin regulation, its rules, principles, deadlines, etc. There is no formal procedure in place for accepting/rejecting a request or assessing which request to send or not.

The agenda of the Czech Dublin unit covers all aspects of the Dublin procedure, including the registration of Dublin cases, processing of outgoing and incoming cases, implementation of Dublin transfer, info requests procedure, etc. Due to the small size of the Dublin Unit and in order to guarantee replaceability within the Unit, all Dublin caseworkers cover all aspects of the agenda related to Dublin cases except the registration part. 2. Caseworkers can register the person in the system if an administrative officer is absent at the workplace. It is worth mentioning that the variability of Dublin cases in Czechia is not so wide; the family and UAM cases are very rare. However, 2 caseworkers can also be regarded as specialists in family cases, and 1 caseworker and the head of the Unit can be considered specialists in UAM cases. In any case, the family and UAM cases are always prioritized and under the special supervision of the head of the Unit.

According to Eurostat data, in 2022, there were 633 outgoing Dublin requests (493 take charge requests and 140 take back requests) and 818 incoming Dublin requests (564 take charge requests and 254 take back requests), which makes a total of 1451 Dublin requests. According to Eurostat data, in 2023, there were 660 incoming Dublin requests (405 take charge requests and 255 take back requests). Furthermore, there were 440 outgoing Dublin requests (202 take charge requests and 238 take back requests), which makes 1 100 Dublin requests in total. The ratio of Dublin requests to Dublin casework officers was 207 in 2022 and 157 in 2023. The standard time to issue a transfer decision takes about several weeks – 3 to 5 weeks and depends on whether the person can be easily reached by the asylum authority. In detention cases, the average time to issue a decision is about 10 days to 2 weeks.

In 2022, there were 364 positive decisions out of 633 outgoing requests; the ratio was 57.7 %, and 102 Dublin outgoing transfers were successfully carried out. In 2023, there were 264 positive decisions on outgoing Dublin requests out of 440 outgoing requests; the ratio was 60 %, and 104 outgoing Dublin transfers were carried out. In 2022, there were 399 positive decisions on incoming Dublin requests, and 75 Dublin transfers were carried out to Czechia. In 2023, there were 526 decisions on incoming Dublin requests. However, only 103 incoming Dublin transfers were carried out.⁴

⁴ EUAA IDS.

Regarding incoming transfers, the top sending countries in 2022 and 2023 were Germany, Sweden and Austria. Regarding outgoing transfers, the top receiving countries in 2022 and in 2023 were Austria, Germany, Bulgaria and Romania⁵.

There is no specific mechanism in place for identifying special needs in the context of the Dublin procedure⁶. All applicants go through a screening for vulnerabilities, typically at the reception centre, a few days after arrival. The possibility and the conditions of the Dublin transfer are determined case-by-case based on this screening. There is no specific procedure for assessing the best interest of the child within the Dublin procedure, but the circumstances of the child are always assessed individually (*see BB9*).

Providing information to applicants about the Dublin criteria/procedure⁷:

General written information on the asylum procedure, including information on the Dublin procedure, is provided during registration. Applicants receive an information leaflet, which is available in around 30 languages, and if necessary, an interpreter is available to translate the information to other languages. A common information leaflet on the Dublin procedure is provided separately to the applicant. There is nothing specific for applications from detention or at the border; the leaflets are also available at these facilities. The officer from the MV or the PCR (when in detention or at the border) provides further details in person, typically only when the applicant requires it and has additional questions. UAMs receive information on the Dublin procedure from their guardian (*see BB 9*).

Access to legal counselling during the administrative stage:

According to the Asylum Act (Section 21), a participant in the proceedings has the right to request free legal assistance (*see BB9*).

Personal interview⁸:

In Dublin cases, the form used for the personal interview includes a set of questions relevant to the determination of the Member State responsible for the application, including the travel route of the applicant, eventual earlier asylum applications, the existence of a visa or residence permit, and family members or relatives who may be present on the territory of another Member State.

IT systems:

The national case management system used for Dublin cases is the new information system IS Azyl III, which was developed to manage the registration of applications for international protection and related information.

The national case management system for Dublin cases is part of a case management system for applications for international protection. Each Dublin case is registered there, each step of the Dublin process is recorded, and the list of all documents is also available there. The electronic version of the transfer decision and interview protocols can be found in this case

⁵ EUAA IDS.

⁶ EUAA IDS.

⁷ EUAA IDS.

⁸ EUAA IDS.

management system. Czechia is now in the process of greater automatization of the system. The DubliNet is not integrated into the national case management system. All Dublin staff located in Prague have access to DubliNet.

Internal organisation of transfers⁹:

The Dublin Unit arranges all Dublin transfers and decides on the type of transfer on a case-by-case basis. However, other stakeholders are involved in the process of implementation of the transfer as well, namely the SUZ, the SCP, the ZZMV (in case of transfer UAM, the representative/guardian is involved and the staff of facility where the minor is accommodated). Generally, the arrangement of incoming transfers requires fewer persons to be involved than outgoing transfers. However, in the case of Dublin transfers of persons with serious health problems, more people participate in the transfer process.

Numbers of persons involved in outgoing transfer:

- Applicant accommodated in the asylum facility: transfer by air – 12; by land – 9
- Applicant accommodated in the detention centre: transfer by air - 18; by land - 15
- Applicant accommodated at a private address – 4
- In medical cases, other 2-8 persons from ZZMV can also be involved during the transfer, depending on the current health status of transferee.

Number of persons involved in incoming transfers:

- Applicant who is obliged to report herself/himself at the reception centre: 5 to 10 persons are involved, depending on several circumstances, such as whether the person needs to be accompanied to the asylum facility by police/medical staff, etc.

No special reception centres¹⁰ for accommodating exclusively Dublin cases. They are accommodated either in reception centres or, in some cases, in detention centres.

Limiting absconding/detention:

Detention for the purpose of transfer is applied exceptionally. The criteria for detention and alternatives to detention are outlined in both the Asylum Act and the Foreigners Residence Act (one of the grounds for detention is the risk of absconding/avoiding the transfer, Asylum Act Section 46a and Foreigners Residence Act Section 129(4)). An individual assessment is carried out on the situation of the applicant before placing him/her in detention. As regards alternatives to detention, the Asylum Act provides two alternatives (Section 47): the obligation of the applicant to remain in the accommodation centre specified by the MV or to report to the MV at the indicated date and time. The Foreigners Residence Act (Section 123b(1)) provides for four alternatives to detention: obligation to notify the residence address to the PČR and to stay there at specified times; obligation to regularly report to the PČR in person at specified times; financial guarantee; and obligation to remain at the place indicated by the PČR (usually a reception asylum centre) and to be present there at specified times.

⁹ EUAA IDS

¹⁰ [Provoz zařízení | suz.cz](https://www.suz.cz) (Overview of reception centres in Czechia)

The risk of absconding is defined as follows:

- A serious risk of absconding is considered, particularly if the foreigner has stayed in the territory illegally, has previously avoided transfer to the member state responsible, or has attempted to abscond, or has expressed an intention not to respect a final decision on transfer to the member state responsible, or if such intention is apparent from his actions.
- If there is a serious risk of absconding, especially if the foreigner has avoided transfer in the past, or has attempted to abscond, or has expressed an intention not to respect a final decision on transfer to the member state responsible, or if such an intention is evident from his actions.

Tools for determining if an individual has absconded:

- Tracking asylum applicants' entries and exits at asylum facilities.
- Daily monitoring by social workers, focusing particularly on whether the individual has eaten in the canteen.
- Regular counting of individuals accommodated in the detention centre.
- Inability to deliver official letters from the asylum authority.
- Conducting police checks at the individual's private address.

Based on the Asylum Act, in 2022, 16 detention orders were issued. In 2023, 19 detention orders were issued.

Based on the Foreigners Residence Act, in 2022, the PČR issued 379 detention orders. In 2023, the PČR issued 144 decisions on detention.

System of appeal and review:

Applicable rules are defined in the Asylum Act (Section 10a(1)(b) and Section 32). The competent regional administrative courts are responsible for appeals against the decision on inadmissibility and on transfer to the responsible country. The applicant has 15 days to appeal from the delivery of the decision. The applicant can further appeal and lodge a complaint for cassation at the Supreme Administrative Court within 2 weeks from the notification of the appeal decision. Dublin appeals are prioritised by national courts to ensure that requests for a suspensive effect or the final decision on an appeal or review (in case a suspensive effect is granted) are taken as quickly as possible¹¹. The appeal has no automatic suspensive effect¹², neither in front of the regional administrative courts nor in front of the supreme administrative court, however, the applicant can request the suspension of the implementation of the transfer decision within 15 days, together with the lodging of the appeal. The regional administrative court or the supreme administrative court then decides on the suspensive effect within 30 days. The person concerned will leave the Czech territory within 30 days if the suspension effect is not granted.

¹¹ Commission Staff Working Document on the Dublin Roadmap

¹² EUAA IDS

The national administrative courts in Dublin cases for Hungary cases state that there is a potential risk of inhuman and degrading treatment if a person is transferred to this country.

Czechia is not aware of any such judgements made by national courts of other member states towards Czechia.

- *Definition of targets:*

1. Setting up new procedures, particularly:

- a) Audio recording of personal interviews:

- This requires securing technical equipment in individual asylum and detention facilities that allows for audio recording of personal interviews. It is necessary to determine the recording media and set procedures for its storage, safekeeping, archiving, disposal, etc., including procedures on how to hand over these media or information from these media for the purposes of judicial proceedings.

- b) Applying the new criterion under Article 30:

- Diplomas and other qualifications requires establishing cooperation with the MŠMT to verify the validity and authenticity of issued diplomas and professional qualifications. It requires training for case handlers to acquire the necessary knowledge for applying the criterion and creating a basic manual for assessing this criterion in the procedure for determining the responsible Member State.

- c) The provision of legal information relates to the implementation of the Asylum Procedure Regulation (APR), as seen in BB4.

- d) Ensuring the availability of information to applicants

- This relates to the implementation of APR (*see BB4*). It requires establishing procedures to ensure applicants can access informational brochures online.

2. Change of existing procedures:

- a) Adjustment of methodological procedures for handling Dublin cases involving family members:

- Due to the low number of such cases in Czechia, there are no formally established procedures for resolving these cases. Appointment of a case worker specifically trained to handle these cases with vulnerability element.

- b) Adjustment of methodological procedures for Dublin cases of UAMs:

- Due to the low number of these cases in Czechia, there are no formally established procedures for resolving these cases. Establishing cooperation with the OSPOD regarding the appointment of a representative within 15 working days, relates to the implementation of APR (*see BB4*). Additionally, formal procedures for assessing the child's best interests should be adjusted, and a decision-maker should be appointed to

deal with these cases primarily – provision of training for the decision-maker – e.g., conducting interviews with UAMs.

c) Setting up Take Back notifications as a new method replacing requests for re-admission:

- In connection with introducing a new "form" replacing the request for re-admission, which the EUAA agency is preparing.

d) Establishing a procedure aimed at ensuring the issuance of a transfer decision within two weeks of receiving acceptance:

- It will be necessary to address the intermediate step currently in practice due to court jurisprudence, namely the cancellation of the administrative act of informing the parties about the basis for the decision and the submission of documents into the file/comments on the basis, etc. – a legislative change is required.

e) Adjustment of the ruling part of the transfer decision:

- In relation to the new adjustment of the APR, which is not in line with national legislation (grounds for inadmissibility of the application). Separation of the Dublin transfer decision from other decisions on international protection as a completely independent type of decision.

3. Adjustment of informational leaflets:

- a) General information on the Dublin procedure
- b) For minors
- c) For UAMs
- d) *Ad hoc*

The EUAA agency will create most of the informational brochures and templates. The information in these brochures and templates must be adapted to Czech practice.

4. Ensuring specialized training for employees and other entities involved in implementing Dublin rules:

- The regulation clearly mandates the obligation to provide professional training for staff conducting personal interviews with and working with minors. General and specialized training for case workers and other entities – e.g., training on vulnerability for the ZZMV.

5. Adjustment of judicial review to the Pact requirements:

- This requires legislative changes to expedite the entire process of determining the responsible member state. (*It also relates to BB4.*)

6. Ensuring access to information from various information systems:

- Ensuring access to the Entry/ Exit System (EES), European Travel Information and Authorisation System (ETIAS), and ICAS, CIS II systems.

7. Update the Azyl III information system:

- By adding certain functionalities to improve work with information for statistical purposes, recording data from the Eurodac system, automatic notifications, etc., connection to other national IS for greater user comfort, gradual elimination of manual data entry, better transfer of information.

8. Update of the DubliNet communication network:

- Formal establishment of roles, duties, and responsibilities of the various involved units and precise determination of the communication network's management. Concurrently, in connection with the implementation of the Pact, a gradual upgrade of the DubliNet network will be necessary, divided into three phases until 2030. The eu-LISA agency will create an ICD for technical administrators and other necessary specifications. There is a need to formalize the procedures for working with the DubliNet communication network in an internal management regulation.

9. Increasing the efficiency of transfers:

- Establishing measures to prevent absconding (or possibly creating facilities/centres for individuals subject to transfer); restriction of freedom of movement, enhancing detention capacities more respectfully to medical shortages and vulnerabilities.
- *Requirements: a) legislative/regulatory arrangements b) organisation/administrative processes c) personnel (staffing and training) d) infrastructure e) IT needs f) costing and procurement needs.*

a) *legislative/regulatory arrangements:*

- Amendment of the relevant provisions of the Asylum Act and the Foreigners Act.
- Update of internal management regulations related to Dublin procedures and inclusion of methodological procedures for managing the DubliNet communication network.
- Creation of internal methodological guidelines for handling Dublin cases with detected vulnerability, cases of UAMs, families with children, including a methodology for assessing the best interests of the child.

b) *organisation/administrative processes:*

- At the level of the OAMP, significant organizational changes are not anticipated; only possible changes within units, the formal establishment of the division of decision-makers by case types, particularly determining who will handle UAMs, families with children, etc.
- Internal organizational changes are anticipated at the police level.

- At the level of ZZMV, organizational changes will be necessary regarding the implementation of the screening regulation (*see BB2*). This will certainly have impacts on Dublin procedures. Organizational changes are also expected in the implementation of Dublin transfer of persons with health issues.

c) *personnel (staffing and training):*

- OAMP – staffing is required to reinforce the units at the reception centre in *Zastávka*, headquarters in Prague, and in detention centres.
- Ensuring training for all involved parties, i.e., OAMP, PČR and SUZ.
- Strengthening personnel capacities for the effective implementation of Dublin transfers, namely for the PČR and for the ZZMV.
- Personnel impacts in administrative judiciary related to the Pact implementation.

d) *infrastructure:*

- ZZMV identified infrastructure changes in relation to the analysis of screening issues (*see BB2*). This is a comprehensive estimate of the impact on ZZMV, which includes the impact on the Dublin procedures. In this context, we refer to BB2 to avoid duplication, as the key changes for the ZZMV will mainly concern the implementation of BB2
- As part of the assessment of infrastructure changes and requirements, the need to provide barrier-free access was identified, particularly in detention/re-entry facilities.

e) *IT needs:*

- Upgrade of the DubliNet communication network, integration of DubliNet into the case management system, and expansion of the communication network to individual staff PCs. In relation to the implementation of the Pact, the first phase of the development of the DubliNet network envisaged for the years 2024 to 2026 is relevant. The release of the ICD containing the technical specifications for the development and the publication of a new implementing regulation by the EC will be crucial. Phases II and III should be considered as well.
- Ensuring access to other information systems (ETIAS, EES, national systems – ICAS, CIS II etc.).
- Development of the Azyl III system, linking the Azyl III system to other national systems (CIS, ICAS, cBIS) (*see BB4*).
- ZZMV estimates the need to develop the Galen information system, (*see BB2*).
- Possibly establishing Innovation hub for employing modern IT solutions.

f) *costing and procurement needs:*

- Costs related to providing audio equipment and recording media for each workplace where interviews are conducted as part of the procedure to determine the responsible

Member State are estimated at approximately CZK 100,000, including the recording medium.

- Personnel Strengthening Costs: OAMP estimates an increase of at least 4 staff members in the responsible unit, with an annual cost of approximately CZK 3,000,000.
- Staff Training Costs: Basic and ongoing training for all relevant staff is estimated to cost CZK 200,000 per year.
- Barrier-Free Access in Detention/Recovery Facilities: Ensuring barrier-free access in these facilities will incur costs of approximately CZK 3,000,000.
- Development of the Azyl III Information System: Costs for the development and integration of the Azyl III system with other national systems are detailed in BB4.
- The costs associated with ensuring barrier-free access in detention/recovery facilities – approximately CZK 3,000,000.
- The development and updating of DubliNet – Estimating the cost of developing the DubliNet communication network is challenging, as it depends on the publication of the new Implementing Regulation and the technical requirements outlined therein, as well as the release of the technical specifications (ICD) by eu-LISA. However, lessons can be drawn from similar projects that Czechia has previously undertaken. For the first phase of the DubliNet network's development, the estimated cost is approximately CZK 5,000,000. Phase 2 is projected to cost an additional CZK 2,000,000, while Phase 3 would require an additional CZK 3,000,000.

Implementation of Dublin transfers and implementation of returns:

- In order to overcome issues related to delays and burdens experienced when booking flights at short notice, the option of organizing dedicated charters or renting flying hours will be explored in relation to accelerated Dublin and return procedures. The best possible solution will be evaluated. The provision of air transport then falls under the implementation of BB5 and BB6. For BB6, it is a complicated composition of transferees, lack of direct flights, necessity of escorts, flights required on very busy routes, short lead times for the realization of flights, etc. For these reasons, the possibility of having your own flights would significantly speed up and facilitate the whole process. Estimated costs are detailed in BB5.
- ZZMV also identified an increase in medical staff or provision of additional equipment in relation to the implementation of Dublin transfers. However, this is a partial impact of the overall need to ensure sufficient staffing and technical capacity of the ZZMV in the framework of the implementation of the Pact (*see BB2*).
- Similarly, the PČR apply similar personnel and other material requirements. As this is a comprehensive assessment of the impact of the implementation of the Pact on the activities of the PČR, particularly in relation to BB2, we therefore refer to the information on the cost proposal for the PČR for BB2.

- *Milestones:*
 - 6 months: Identification of opportunities to use EU funds for programmes involving this building block and preparation of cross-cutting projects.
 - approximately 18 months: Given the objectives and targets outlined above, it should be noted that most of them will require additional time for preparation and implementation, likely within the 18-month timeframe.

7. Solidarity

- *State of play: overview of baseline capacities, key administrative actors/competent authorities.*

In June 2022, Czechia joined the Solidarity Declaration, providing a voluntary and temporary solidarity mechanism (VSM). Czechia is participating in the financial solidarity strand by supporting migration management-related projects in the countries of origin, transit, and first reception countries in cooperation with Member States most affected by migratory flows in the Mediterranean. Czechia has enacted Government Resolution No. 439 suspending, as of 5 June 2017, its participation in resettlement and relocation.

The MV (OAMP) is currently the main focal point for the solidarity mechanism. The Department's staff charged with the implementation of the VSM (currently one policy officer financed from AMIF) will be responsible for the coordination of participation in the new solidarity mechanism. The inter-ministerial taskforce, including relevant departments from the MV and the MF, has been set up to coordinate and implement the solidarity measures. The task force has been active since June 2024.

Concerning reporting data relevant to the European Annual Asylum and Migration Report, Czechia has an IT system that gathers all asylum proceedings data (Azyl III). Czechia currently reports on the existing data collection to HOME Agencies and Eurostat. Internal mechanisms for data sharing are set up. Most of the data are reported in a complete and timely manner. However, the 2023 transition to a new IT system, Azyl III, caused a few shortcomings related to data sharing, mainly with the EUAA. Processes are in place to overcome this issue.

- *Definition of targets:*
 - IT system Azyl III is fully operational.
 - Creation of sustainable solutions and tools in order to bridge the discrepancy between the solidarity mechanism cycle and the national budget cycle.
- *Requirements: a) legislative/regulatory arrangements b) organisation/administrative processes c) personnel (staffing and training) d) infrastructure e) IT needs f) costing and procurement needs.*
 - No adjustments to Czechia's regulatory framework are identified in order to ensure its participation in the solidarity mechanism. All solidarity measures would be subject to the annual governmental decisions.
 - Various options to overcome the discrepancy between the solidarity mechanism cycle and the national budget cycle are currently under consideration, incl. government budgetary reserve.
 - Additional MV's operational level staff (1 – 2 persons) will be needed for coordination and implementation of the solidarity measures. Personnel needs will be further assessed after the first year of the solidarity mechanism cycle.
 - The current information system Azyl III provides data on international protection. The MV has identified needs that would ease the process of data extraction, transformation

and reporting. Implementing these processes would significantly speed up the preparation of statistics and reports needed to fulfil requirements connected to the Pact. These services can be provided only by external experts/companies since the MV does not have sufficient capacity. IT needs will be further assessed after the first year of the solidarity mechanism cycle.

- *Milestones:*

- 6 months: Identification of opportunities to use EU funds for programmes involving this building block and preparation of cross-cutting projects.
- 12 months: Creation of sustainable solutions and tools in order to bridge the discrepancy between the solidarity mechanism cycle and the national budget cycle
- 18 months: IT system Azyl III is fully operational

8. Contingency/Crisis

- *State of play: overview of baseline capacities, key administrative actors/competent authorities.*

In Czechia, a system exists to **manage crisis situations**. When a situation exceeds the capacity of standard procedures, crisis management is activated, which includes forming a crisis task force and declaring a specific state of emergency. The crisis is addressed according to pre-established crisis plans, utilizing special measures and procedures. These include streamlined access to essential resources, personnel, and tools, ensuring effective crisis response.

In the event of a sudden and large-scale influx of nationals from third countries, a specialized document has been developed: the national contingency strategy, The Large-Scale Migration Wave Contingency Plan. This plan outlines the procedures and measures to be implemented in response to excessive migration pressure. The document is prepared by the MV, the lead agency in managing migration issues.

The indicators in the contingency plan define the thresholds for a migration crisis, which necessitates actions beyond standard procedures, such as declaring a state of emergency and implementing crisis measures.

However, challenges in managing increased migration pressure, along with disproportionate demands on personnel and reception system capacity, can be expected given the current limitations (as outlined below), even at migration levels that fall short of the necessity to declare a state of emergency. At present, Czechia plans comprehensive procedures and measures to effectively handle such a scenario.

Overview of baseline capacities:

Reception system capacity:

- 923 beds in reception and accommodation facilities for applicants for international protection (including 36 beds in a closed reception centre at the international airport).

Personnel capacities:

- 100 posts attributed within the OAMP for international protection matters – 55 posts attributed for conducting administrative procedures related to international protection (decision-makers and administrative staff), 45 posts attributed for other agendas (Dublin procedures, representation in courts – second-instance agenda).
- 267 posts were attributed to the SUZ, which was responsible for the operation of the reception system.
- 40 posts were attributed to the SCP (police officers responsible for processing applications for international protection in reception centres).
- 7 posts attributed within the ZZMV (medical staff in reception facilities).

Overview of key administrative actors/competent authorities:

- OAMP – registration of applications for international protection, management of administrative proceedings for granting international protection.
- SCP – submission of applications for international protection, initial identification, and security screening of applicants.
- SUZ – management and operation of reception, accommodation, and detention facilities, ensuring housing and other services for applicants for international protection.
- ZZMV – providing healthcare to applicants for international protection.
- In connection with UAMs, for whom a special procedure is in place, the key entities are:
- OSPOD under the MPSV – guardianship agenda.
- Facilities for Foreign Children under the MŠMT – operation of specialized centres for UAMs.

In the event of a declared crisis state, other components (integrated rescue system) and ministries (healthcare, defence, finance, education, labour and social affairs), as well as the administration of material reserves, etc., also become involved in addressing the crisis situation.

- *Definition of targets:*

1. Develop a national emergency plan for reception and asylum aligned with the EUAA template, ensuring it is consistent with and complementary to the existing Large-Scale Migration Wave Contingency Plan, which serves as the core planning document for crisis management in migration.
2. Identify measures and establish procedures to ensure that responsible entities are prepared for a potential increase in arrivals from third countries seeking international protection. The objective is to guarantee the availability of adequate resources and ensure their swift activation when necessary, preventing any gap between the conditions that trigger a declaration of the crisis state under the Large-Scale Migration Wave Plan and the current capacity and staffing of the reception system.
3. Develop specific procedures to manage situations involving a rise in the number of UAMs arriving.

- *Requirements: a) legislative/regulatory arrangements b) organisation/administrative processes c) personnel (staffing and training) d) infrastructure e) IT needs f) costing and procurement needs.*

- a) legislative/regulatory arrangements:*

- The Asylum Act will need to be revised to allow for a temporary reduction in reception standards in response to increased migration pressure.
- Additionally, it will likely be necessary to incorporate a requirement for a national emergency plan to manage heightened migration pressure in the forthcoming national adaptation legislation.

- In light of the upcoming changes to national crisis legislation (expected to take effect in 2025, with implementing regulations in 2026), the Large-Scale Migration Wave Plan will need to be updated to comply with the new requirements.

b) organisation/administrative processes:

- New requirements are not anticipated; existing management and coordination mechanisms will be used.

c) personnel (staffing and training):

After developing the national emergency plan in line with the EUAA template, it will be essential to identify staffing methods (capacity reinforcement) for different scenarios, including the necessary training or establishment of a training system. These methods should include:

- Reassigning existing staff to other activities (short-term measure)
- Temporarily hiring new personnel through flexible employment contracts, such as work agreements (medium-term measure)
- Strengthening personnel through changes in systematisation (long-term measure)
- Exploring outsourcing options for additional support

d) Infrastructure:

It will be necessary to address the provision of accommodation capacities for applicants for international protection, as well as the provision of additional office space (if personnel reinforcement is necessary), through one of the following methods:

- Expansion of existing reception facilities (or modification of existing facilities to enable a rapid increase in their capacity)
- Identification/designation of available accommodation capacities within the Ministry of the Interior/state/region
- Outsourcing (leasing of space)
- Construction of new infrastructure (including establishing how it will be utilized during non-crisis situations with regard to efficiency and effective resource allocation).

e) IT needs:

- Options for utilizing existing information systems will be assessed (identification of necessary adjustments and developments), including the possibility of ensuring the system 's interoperability.
- Possibly establishing Innovation hub for employing modern IT solutions.

f) costing and procurement needs:

- Following the selected measures, a cost calculation and identification of appropriate funding sources will be necessary. Given the likely scale of the identified needs, which may exceed the capacity of national resources, securing financial support from other sources will be essential. This could involve utilizing existing EU funding mechanisms or obtaining additional EU financial assistance.
- *Milestones:*
 - 6 months:
 - Identification of opportunities to use EU funds for programmes involving this building block and preparation of cross-cutting projects.
 - Development of the national emergency plan for reception and asylum according to the EUAA template. Preparation of a draft amendment to the Asylum Act and related legislation.
 - 18 months: Effectiveness of the new legal regulation on the effective date of the legislative instruments of the Pact.

9. Horizontal: Legal Safeguards/Legal Aid/Vulnerability issues/fundamental rights monitoring

- *State of play: overview of baseline capacities, key administrative actors/competent authorities.*

Legal safeguards are available, including relevant information provisions and the right to access legal aid. National law (Asylum Act and Foreigners Act) obliges the meeting of the standards during all asylum and migration procedures.

Legal aid:

According to the Asylum Act (Section 21), a participant in the proceedings has the right to request free legal assistance. Applicants are not automatically provided with a lawyer free of charge. This assistance is typically provided by NGOs or law companies contracted by the MV. Free legal assistance is provided under the same arrangement to persons in detention facilities and TCNs subject to return procedure. At the appeal stage, asylum seekers and TCN must request the court provide them with free legal aid and prove they do not have sufficient means. Moreover, a general law on access to free legal aid also covers foreigners.

Protection of children:

Czech law does not expressly address a procedure for assessing and identifying the best interests of the child, either in general terms or specifically with respect to UAMs. However, the Convention on the Rights of the Child and the Charter of the EU are applicable.

The instrument in place to ensure the statutory legal protection of children is an ongoing assessment and creation of an individual child protection plan by the OSPOD. By law, all persons under 18 years of age must be represented in international protection proceedings by a legal guardian (father, mother) or, if impossible, by a different representative (another family member or appointed guardian) from the moment of lodging their application. Guardianship is exercised by the OSPOD until the court appoints a guardian for the child or until she/he assumes office.

Czechia has a substitute care system involving family and institutional forms of care. This system is applied to all children in need, and the only special measure concerning UAMs is the setting up of the Facility for foreign national children, operated by the MŠMT. UAMs may also be placed in a facility for children requiring immediate assistance (social and legal protection service under the MPSV) at the beginning of their care for no longer than six months. UAMs enrolled in education can stay in the Facility for foreign national children until the end of their studies or until age 26 (end of the student status). In general, UAMs have the same rights as Czech minors in institutional care. They are provided with full direct support and access to adequate living and studying conditions.

In UAMs cases, it is necessary to inform the UMPOD, which then coordinates steps within its jurisdiction to fulfil obligations to protect children in accordance with other instruments of international treaty law or EU law.

Special procedural guaranties and special reception conditions:

The Asylum Act provides a non-exhaustive list of vulnerable persons that could require special procedural safeguards and/or reception conditions in the asylum procedure. If an applicant for international protection is deemed a vulnerable person, the MV will determine whether they require assistance in exercising their rights and fulfilling their obligations related to the proceedings. Should the need arise, the MV will provide assistance to these applicants throughout the international protection proceedings. Moreover, officials from the SUZ identify the specific reception needs of each person, especially those in vulnerable groups, and work with each of them individually.

Monitoring mechanism of fundamental rights:

The KVOP is responsible for monitoring forced returns, reception centres, and detention centres. The KVOP is elected by the Chamber of Deputies. The KVOP's mandate goes beyond the Return directive, as he/she can also monitor readmissions and Dublin transfers; however, his/her main focus lies on forced returns.

- Definition of targets (note: In this version, the information on targets provided below apply to KVOP only):
 1. Establishment of monitoring compliance with fundamental rights in the context of checks at external borders and on the territory, including monitoring of border asylum procedures according to the requirements of the Screening regulation and the Regulation and the Common EU Asylum Procedure regulation.
 2. Assessment of the need for legislative and/or non-legislative adjustments regarding guardianship and UAMs.
 3. Assessment of the need for non-legislative (technical, methodological) measures regarding the evaluation of the child's best interests, material conditions of reception, and special procedural safeguards.
 4. Assessment of the need for legislative or non-legislative measures in response to new rights and obligations of both the administrative authority and the applicant for international protection during the international protection procedure.
 5. Review of existing procedures regarding age assessment.
 6. Assessment of the method for implementing the new institution of "provision of legal information" according to Article 16 of the APR upon request during the first-instance international protection procedure into national law or practice.
- *Requirements: a) legislative/regulatory arrangements b) organisation/administrative processes c) personnel (staffing and training) d) infrastructure e) IT needs f) costing and procurement needs.*

a) legislative/regulatory arrangements:

- Changes to the Asylum Act and other related legislation.

b) organisation/administrative processes:

- Establishment of organizational and administrative processes related to the points in the section "Definition of targets."

c) personnel (staffing and training):

- The KVOP should be the authority responsible for carrying out the monitoring. KVOP's needs adequate and sustainable funding to cover monitoring activities related to screening or border asylum procedures.
- The KVOP welcomes the recommendations from the EC and FRA regarding the issue of adequate funding for the monitoring mechanism.
- The Pact places significant financial, time, and organizational demands not only on the Police but also on the KVOP. A preliminary cost estimate to cover monitoring activities based on an internal assessment of the number of foreigners who may have been subjected to screening in recent years (2021-2023), is to increase the staff by four positions.

The KVOP emphasizes that in addition to the field activities, it is also necessary to cover the related complaint agenda (as anticipated in the Screening Regulation), administration, and communication with relevant partners.

d) Infrastructure - NA

e) IT needs - NA

f) costing and procurement needs

KVOP

Preliminary total cost estimate related to monitoring activities as per the new requirements of the Pact to be carried out by the KVOP is approximately 5,800,000, CZK for the first year.

- *Milestones (applying to the MV):*
 - 6 months: Identification of opportunities to use EU funds for programmes involving this building block and preparation of cross-cutting projects.

10. Resettlement, Inclusion and Integration

- *State of play: overview of baseline capacities, key administrative actors/competent authorities.*

Competent authorities:

The responsible authorities for resettlement, inclusion and integration are mainly the Ministry of the Interior (OAMP and SUZ), the MŠMT for the part concerning the education of beneficiaries of international protection, the MPSV for the part concerning employment and social benefits, and the MZ for the provision of health care. In resettlement, the agenda also concerns the MZV and the ÚV as the central authority that can only decide on resettlement.

Resettlement:

Czechia's participation in the resettlement and humanitarian admission programme has been suspended since June 2017 by Government Resolution no 439 (*see BB7*).

Integration, social assistance and access to fundamental rights

Social benefits:

The beneficiaries of international protection (asylum and subsidiary protection) have access to a wide range of non-contributory social benefits. These include child allowance, parental allowance, housing allowance, funeral grant, , advance of maintenance payment, living allowance, housing supplement, extraordinary immediate assistance, care allowance, mobility allowance, and special aid grant. .

Integration Measures:

The beneficiaries of international protection can voluntarily participate in the State Integration Programme (§§ 68-70 of the Asylum Act), which offers comprehensive support to accessing rights in various areas, incl. housing, employment, healthcare, education and social services. The programme is managed by the MV in cooperation with the SUZ, which provides the program as the General Provider of Integration Services. The program focuses on support in the early stages of the integration process. Participants can benefit from temporary accommodation in one of the integration asylum centres, where they are provided with a range of services, including the adaptation to life in Czechia, free intensive Czech language courses, assistance in finding permanent housing, securing employment, and enhancing qualifications to facilitate access to the labour market. An individual integration plan is developed for each beneficiary, and integration services are available for up to 12 months following the preparation of the plan. In addition, once international protection has been granted, it is possible to participate in a free Czech language course and the integration seminar where participants can receive information about their rights and obligations, basic values and customs, everyday life and the functioning of Czech authorities and organisations. The target group of beneficiaries of international protection does not face any obstacles in accessing integration tools. Their participation is voluntary, and all integration measures are available to them in all regions of Czechia. Their only obligation is to attend a free introductory Czech language course (limit of 400 hours per person), but this applies only to persons using accommodation in one of the integration centres; holders of international protection who do not use accommodation in integration centres but have private accommodation also can attend a free language course, as

well as an integration seminar. Occasionally, there may be problems with the availability of a language course in a given location, but this can be solved through online learning.

Accommodation:

Beneficiaries face significant challenges in accessing accommodation primarily due to high rental prices, difficulties in meeting guarantee requirements, and discrimination from landlords. However, beneficiaries have more favourable conditions for accessing accommodation compared to other legally residing third-country nationals, as they can benefit from targeted assistance provided through the State Integration Programme (aimed to help with the transition to autonomous housing). Between 30% and 40% of the holders voluntarily use temporary accommodation in one of the four integration centres (IAS) on a long-term basis. However, with a dominant proportion of Ukrainian nationals, this figure is lower, as UA holders use the facilities and resources of the community more than others. For example, 91 persons received protection in the first half of 2024, while 18 persons came to the IAS in the same period (which is just under 20%). There is no mechanism for the dispersal of beneficiaries in Czechia.

Residence permits are usually issued within one month after protection is granted. According to the Asylum Act (Section 52(h) and 53a(7)), the beneficiary of international protection has to collect the residence card within a period set by the MV, but no later than 60 days from giving the biometric data. Residence permits and beneficiary travel documents are issued uniformly (per EU Regulations 1030/2002 and 2252/2004). The definition of family members does not include adult dependent children (to grant protection; Asylum Act Sections 13 and 14b).

Health care:

International protection holders have the same access to healthcare as Czech nationals without any restrictions. However, there may be occasional difficulties in securing doctors in certain specialities. It's important to note that this is a common issue faced by both international protection holders and Czech citizens due to a shortage of doctors and longer appointment times.

Education:

Holders of international protection have the same access to education as Czech nationals without any restrictions. In legal terms, it is mainly regulated in the Education Act., paragraph 20, for kindergartens and primary and secondary schools. the Higher Education Falso regulates access to higher education based on equal access (§ 50).

Employment:

Holders of international protection have the same access to employment as Czech nationals without any restrictions. One of the challenges in this area is undoubtedly the lack of understanding of the specific needs of international protection holders and other specificities of individual groups of international protection holders. A related problem is the insufficient staffing capacity of the ÚP. A barrier to access to retraining courses, which are one of the pillars of employment policy, is the necessary knowledge of the Czech language as a prerequisite for entering retraining courses. The need to increase social responsibility among employers is also a challenge – notably, the need to prevent negative phenomena associated with the employment of vulnerable groups, such as labour exploitation and related issues.

Recognition of qualifications and validation of skills:

Recognition of professional qualifications is governed by Act on the Recognition of Professional Qualifications. A person enjoying international protection may apply for recognition of professional qualifications pursuant to Act on the Recognition of Professional Qualifications. The provisions of § 1 paragraph 2, letter g) defines the personal scope of this Act also to a person who has been granted asylum or subsidiary protection on the territory of Czechia (or his family member, if he has been allowed a long-term stay on the territory of the Czechia) under the same conditions as citizens of the EU or Czechia. However, these are only cases where the qualification was obtained in another EU member state, the EEA or Switzerland or recognized there. The problem is that Act on the Recognition of Professional Qualifications does not allow the replacement of the missing written certificate with the qualification achieved. The remaining missing documents are not an issue, and they can be requested through administrative cooperation between EU countries or replaced by a sworn declaration. We are currently exploring the possibility of amending Act on the Recognition of Professional Qualifications. to enable the replacement of the missing qualification certificate with a certificate from another EU member state. Regarding nostrification (Education Act, Higher Education Act) - persons with the status of refugees or in a similar status may replace documents with sworn statements. However, such declarations are only accepted in some cases - in the given situation, it must be evident that original documents cannot be obtained. This is a last resort option for achieving recognition for a person who, for objective reasons, cannot provide the necessary documents.

- *Definition of targets:*

1. If the voluntary resettlement programme were to be renewed, the existing resettlement framework established in 2008 must be updated.
2. Expand opportunities for individuals granted international protection to attend and complete Czech language courses. The Pact extends this provision to the period before international protection is granted, leading to increased financial costs.
3. Monitor developments and be prepared for potential necessary increases in the capacity of integration resources and centres in the event of an increased number of successful applicants for international protection.
4. Intensify integration assistance for foreigners granted international protection and measures concerning vulnerable individuals, mainly due to age or health disabilities.
5. Alignment of fees for residence permit cards for holders of international protection and the fees for issuing identity cards for Czech citizens as per the Pact requirements. The same should also be applicable for travel documents for international protection holders.
6. The MPSV should assess the compatibility of national legal provisions in the area of social benefits and assistance related to international protection holders and Qualification Regulation.

- *Requirements: a) legislative/regulatory arrangements b) organisation/administrative processes c) personnel (staffing and training) d) infrastructure e) IT needs f) costing and procurement needs.*

a) legislative/regulatory arrangements:

- Legislative changes will be necessary, at least in the Administrative Fees Act, which is supposed to equalize the amount of fees for documents for holders of international protection and Czech citizens. The need to update and amend the Government Resolution on the State Integration Programme cannot be ruled out.

b) organisation/administrative processes:

- Changes will be necessary in the adaptation of the state integration programme, in particular with regard to the increase in funding.

c) personnel (staffing and training):

- At present, no reasons have been found for increasing the staff capacity of the units dealing with the integration of international protection holders in connection with the implementation of the Pact. However, in the event of fundamental changes in the migration situation in Czechia and an increase in the number of persons granted international protection, such an increase would have to take place.
- If the Government of the Czech Republic decided to renew the resettlement programme, it would also be necessary to increase the staff capacity of the relevant department.

d) infrastructure:

- So far, no reasons have been found for an increase in infrastructure or similar capacity in the implementation of this part of the Pact.
- Should there be a significant increase in the number of refugees, the refugee reception system would have to respond to this situation in terms of capacity and infrastructure.

e) IT needs:

- According to current findings, no changes to the basic IT system like Azyl III, ICAS, or CIS will be necessary regarding this part. However, there should be continuous improvement and refinement of the relevant databases concerning the reception and integration of refugees.
- Possibly establishing Innovation hub for employing modern IT solutions.

f) costing and procurement needs:

- It will be necessary to increase funding for extended Czech language courses by approximately 15,000,000 CZK per year.

- It will be necessary to increase funding for integration measures for vulnerable persons by approximately 50,000,000 CZK per year.
- *Milestones:*
 - 6 months: Identification of opportunities how to use EU funds for programmes involving this building block and preparation of cross-cutting projects involving this building block or more.

Amendments to the Administrative Fees Act or the Government Resolution on the State Integration Programme, including an increase in funding for its implementation, will be directed as close as possible to the effectiveness of the Pact, i.e. to the milestone 18 months from now.

III. Coordination/Governance

- Coordination mechanisms
- Monitoring and data gathering

After the submission of the draft NIP, the working method built around the Building Blocks scheme will be dissolved, with the NIP serving as the foundation for further work on Pact implementation. TF2 and TF3 will also conclude their activities in their current form, but members will receive regular updates on developments regarding the legislation and budget matters. The MV will be the central authority for work on legislation related to the Pact in cooperation with other relevant ministries. Non-legislative matters will be addressed as part of the regular MV's agenda, with *ad hoc* meetings organized as necessary.

The MV will remain the primary coordinating and monitoring body, upholding the principle of strong interdepartmental collaboration while modifying the method. Additionally, TF3 may be requested to provide *ad hoc* feedback.

Regarding the development of Eurodac, the coordination at the inter-ministerial level and with relevant national information systems is ensured by the eu-INIS Programme, which provides a functioning platform for coordination, monitoring and escalation of problems.

IV. Conclusion

Given the complexity of the asylum and migration reform under the Pact, the development of the NIP and the implementation of its requirements is an ongoing process, presenting challenges to the administration. Several elements in the NIP still require further attention, and consultations between relevant national stakeholders continue. As a result, certain aspects of the building blocks, such as financial implications, capacity-building needs, their associated costs or IT related aspects, are still under development and cannot yet be fully detailed. The submitted NIP represents a first step, highlighting key challenges that remain to be addressed and refined at the national level through continued discussion and adjustment.

Table of abbreviation

The names of the institutions and actors are listed in chronological order as they appear in the text.

- The Pact on migration and asylum: Pact
- European Union: EU
- Ministry of the Interior: MV
- Department for Asylum and Migration Policy: OAMP
- Building blocks: BB
- Internal Task Force: TF1
- Institutional Task Force at the MV: TF2
- External/Inter-Ministerial Task Force: TF3
- National Implementation Plan: NIP
- Common Implementation Plan: CIP
- Police of the Czech Republic: PČR
- Office of the Public Defender of Rights: KVOP
- Ministry of Finance: MF
- Ministry of Health: MZ
- Ministry of Labour and Social Affairs: MPSV
- Ministry of Justice: MSp
- Ministry of Education, Youth and Sports: MŠMT
- Ministry of Foreign Affairs: MZV
- Needs Assessment: NA
- Non-governmental organizations: NGOs
- International organizations: IOS
- European Commission: EC
- Technical Support Instrument: TSI
- Asylum, Migration and Integration Fund: AMIF
- Multiannual Financial Framework: MFF
- Midterm review: MTR
- Justice and Home Affairs: JHA
- European Union Agency for Fundamental Rights: FRA
- Integrated Border Management Fund: BMVI

- European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice: eu-LISA
- Automatic Fingerprint Identification System: AFIS
- Central Biometric Information System: cBIS
- Institute of Criminalistics of the Police of the Czech Republic: KÚ
- National Centre of Information and Communication Technologies of the Police of the Czech Republic: NÚKIB
- Foreign Police Service: SCP
- Criminal Police and Investigation Service: SKPV
- Multiple identity detector: MID
- Interface Control Document: ICD
- Web User Interface: WUI
- Visa Information System: VIS
- Measuring Instruments Directive: MID
- Directorate of Foreign Police Service: ŘSCP
- Václav Havel Airport Prague: Prague Airport
- Schengen Information System: SIS
- Integrated Foreigners' Agenda System: ICAS
- IS KODOX
- Third country nationals: TCNs
- Border inspection posts: SHK
- United Nations High Commissioner for Refugees: UNHCR
- Refugee facilities administration: SUZ
- Unaccompanied minors: UAM
- Authority for Social and Legal Protection of Children: OSPOD
- Office for the International Legal Protection of Children: UMPOD
- Virtual Channel Identifier: VCI
- Healthcare Facility of the Ministry of the Interior: ZZMV
- Voluntary Returns Unit: ODN
- International Protection Unit: OMO
- Galen Ambulatory Information System: AIS
- Return case management system: RECAMAS
- Labour Office: ÚP

- Ministry of Industry and Trade: MPO

- Civil society organizations: CSO
- European Union Agency for Asylum: EUAA
- European Integrated Border Management: EIBM
- Assisted voluntary return: AVR
- Foreigners Information System: CIS I/ CIS II
- Asylum Procedure Regulation: APR
- European Travel Information and Authorisation System: ETIAS
- Entry/ Exit System: EES
- Integration centres: IAS

Table of cited acts

The acts are listed in chronological order as they appear in the text.

Czech legislation

- Act No. 325/1999 Coll., Asylum Act
- Act No. 273/2008 Coll., on the Police of the Czech Republic
- Act No. 326/1999 Coll., on the Residence of Foreign Nationals
- Act No. 500/2004 Coll., Administrative Procedure Code
- Act No. 99/1963 Coll., Civil Procedure Code
- Act on the Entry and Residence of Foreigners (to be adopted)
- Act No. 150/2002 Coll., Administrative Court Code
- Act No. 40/2009 Coll., Criminal Code
- Act No. 561/2004 Coll., on Pre-school, Basic, Secondary, Tertiary Professional and Other Education (the Education Act)
- Act No. 111/1998 Coll., on Higher Education Institutions and on Amendments and Supplements to some other Acts (the Higher Education Act)
- Act No. 18/2004 Coll., on the Recognition of Professional Qualifications
- Act No. 634/2004 Coll., Administrative Fees Act
- Act No. 359/1999 Coll., on Social and Legal Protection of Children

European legislation

- Directive 2008/115/EC on common standards and procedures in Member States for returning illegally staying third-country nationals
- Regulation (EU) 2016/399 on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code) (codification)
- Regulation (EU) 2019/1896 on the European Border and Coast Guard and repealing Regulations (EU) No 1052/2013 and (EU) 2016/1624
- Regulation (EU) 2024/1348 establishing a common procedure for international protection in the Union and repealing Directive 2013/32/EU (Asylum Procedure Regulation)
- Regulation (EU) 2024/1356 introducing the screening of third-country nationals at the external borders and amending Regulations (EC) No 767/2008, (EU) 2017/2226, (EU) 2018/1240 and (EU) 2019/817 (Screening regulation)
- Common EU Asylum Procedure regulation
- Council Regulation (EC) No 1030/2002 on a uniform format for residence permits for third-country nationals
- Council Regulation (EC) No 2252/2004 of 13 December 2004 on standards for security features and biometrics in passports and travel documents issued by Member States

- Regulation (EU) 2024/1347 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection and for the content of the protection granted, amending Council Directive 2003/109/EC and repealing Directive 2011/95/EU of the European Parliament and of the Council

Table of attachments

Due to the close interdependence of the NIP with other documents, the following documents are annexed to the NIP:

- CZ EIBM Strategy
- CZ EIMB Implementation Plan 2024