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# A brochure for migrants who have to leave Czechia but are not detained



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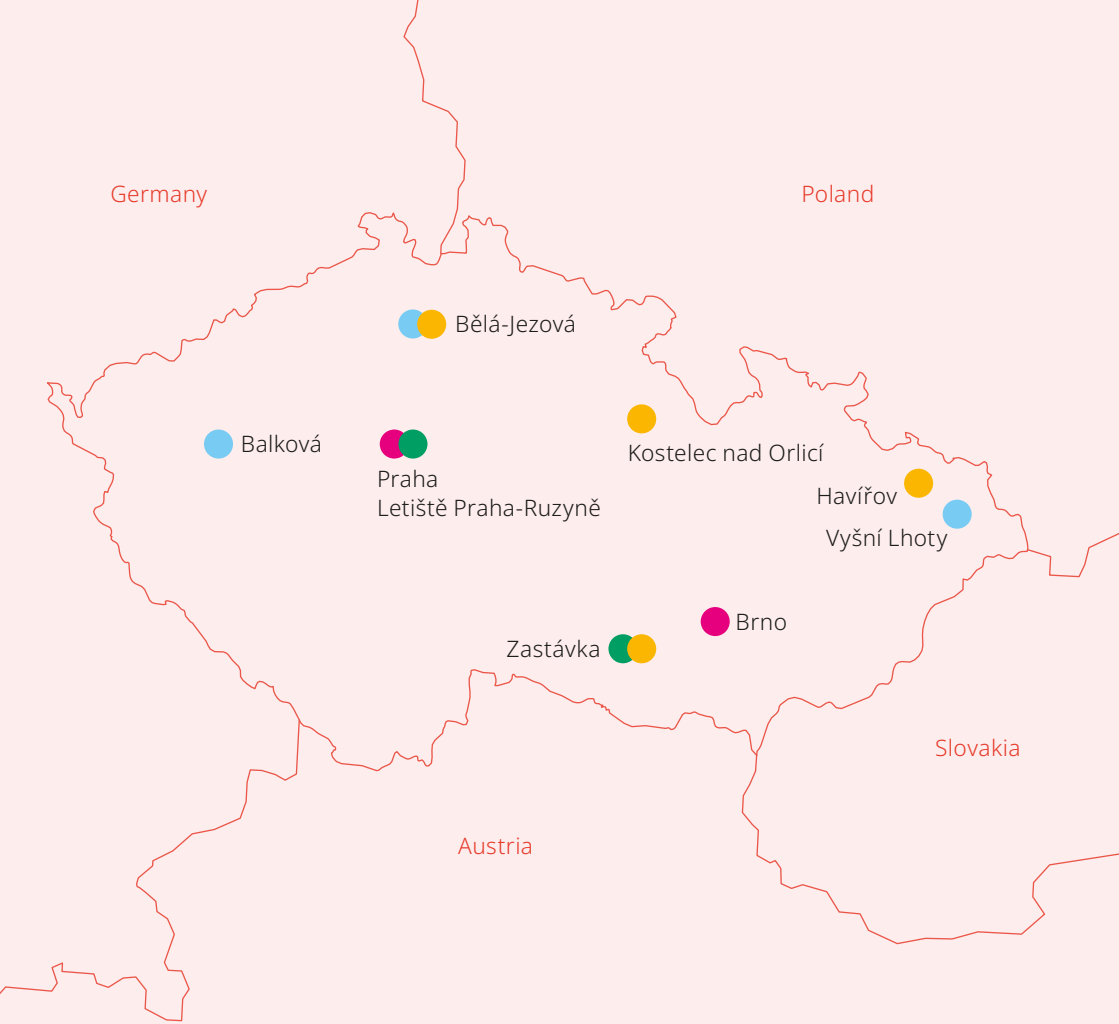
Consortium of Migrants  
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organization  
for aid to  
refugees



- Prague, Brno: big cities in the Czech republic
- Reception center: Airport Prague-Ruzyně, Zastávka
- Detention center: Balková, Bělá-Jezová, Vyšní Lhoty
- Accomodation center: Bělá-Jezová, Kostelec nad Orlicí, Zastávka, Havířov

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## Do you have to leave the Czech Republic?

### **Migrants with valid residence in the Czech Republic:**

Keep an eye on the validity of your passport, residence permit or visa. Before the expiry date, apply for an extension in time.

Deal with a negative decision, exit order or administrative deportation in a timely manner. When you receive a letter from the Ministry of the Interior, the Immigration Police or other authorities, make an appointment for legal advice as soon as possible.

Do not work without an employment contract and a work permit.

Do not cooperate with suspicious agencies or individuals who promise to process documents for large sums of money. Never accept or use false documents (!).

Always have the documents authorizing you to stay in the territory of the Czech Republic with you.

### **Migrants without lawful permit to stay, or with non-extended or cancelled permit to stay:**

If you find out that your permit to stay has ended, start dealing with this situation as soon as possible. Deal with appeals or lawsuits as soon as possible – the law sets firm deadlines for filing them. Always consult trusted lawyers and provide truthful information. If you do not want to appeal or the appeal or court proceedings have already ended, leave the territory of the Czech Republic in time – this will avoid further problems including your entry ban.

### **Migrants without lawful permit to stay- in an irregular position:**

Actively address the situation and cooperate with the the Immigration Police.

Usually you cannot regularize your stay, but there are certain limited exceptions.. Cooperate with the police or the ministry – this may affect the length of your administrative deportation/entry ban period.

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## What are you at risk of if you reside or work in the Czech Republic in violation of the law?

### **Administrative deportation**

This decision means you have to leave the Czech Republic and the entire European Union. At the same time, the police will set a period of entry ban, during which time you must not return to the EU. You can appeal within 10 days of notification of the decision.

If your appeal is rejected, you can file a lawsuit within 10 days. The ban on entering the territory of the European Union is usually from six months to 10 years. If you travel voluntarily, you can apply for a reduction in the period of the entry ban. Otherwise, you risk being deported.

### **Decision to leave the territory**

This is a decision that will require you to leave the European Union. However, it does not contain an entry ban, as is the case with administrative deportation. After returning to your country of origin, you can immediately apply for any visa to any country of the European Union.

### **Detention in the Detention Center**

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## What is a detention center?

- Also referred to as detention abbreviated as ZZC.
- It is a closed type of center that migrants cannot leave.
- The Police and the Ministry of the Interior place here migrants who unlawfully reside in the Czech Republic or have unlawfully entered the territory of the Czech Republic (e.g. without a passport or visa).

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## What is a reception center?

- The reception centre is used to house new applicants for international protection (asylum) until the completion of the entry steps, such as identity verification, fingerprinting, initial interview and social investigation, medical examination.
- It is not possible to leave the reception centre freely until the completion of the entry steps.
- You will be provided with accommodation, food, basic hygiene products and medical care at the Reception Centre. Applicants for international protection have social and psychological services available here and can participate in leisure activities, attend art workshops, etc.

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## What is an accomodation center?

- The Accomodation Centre is used to house applicants for international protection who have undergone the prescribed entry procedures at the Reception Centre for the duration of the procedure on their application for international protection.
- Applicants are free to leave the accomodation centre. They can also move to private housing.
- The services provided are similar to those provided in the Reception Centre.

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## What is it?

### **International protection**

International protection is granted to refugees who are in the Czech Republic and for whom it would not be safe to return to their country of origin. For example, there is a war in their country or they are threatened with persecution for their political views.

There are two types of international protection: asylum (permanent) and subsidiary protection (temporary, extendable).

The Ministry of the Interior decides on the granting of international protection. If you submit an application for international protection, the Ministry of the Interior will conduct several interviews with you with an interpreter. It will find out the reasons why you left your country of origin and whether you can safely return to your country of origin. The Ministry also obtains information about your country of origin. You can suggest to the ministry that it take into account specific reports and evidence. You also have the right to consult your case with lawyers and the United Nations High Commissioner for Refugees (UNHCR).

The Ministry of the Interior is obliged to issue a decision on international protection within 6 months. In exceptional cases, the deadline for a decision may be extended.

You have the option of filing a lawsuit against a negative decision. If you do not file a lawsuit, you are obliged to leave the territory of the Czech Republic.

### **Dublin transfer, Readmission**

A decision to transfer you to another State of the European Union or to another State responsible for examining your application for international protection on the basis of the Dublin Regulation or the Readmission Agreement. For example, if you have lodged an asylum application in Romania or Bulgaria, the Ministry will decide on your transfer to this country. You have the option of bringing an action against the surrender decision.



## **Decision on the obligation to leave the territory**

This is a decision that will require you to leave the European Union. However, it does not contain an entry ban, as is the case with administrative deportation. After returning to your country of origin, you can immediately apply for any visa to any EU country.

## **Exit order**

The exit order will be issued by the Ministry of the Interior or the police. The departure order entitles you to stay legally in the Czech Republic for the period necessary to take urgent steps to leave the territory (e.g. arranging a flight ticket).

This period may not exceed 60 days and may be extended only in exceptional circumstances. The period of stay is determined and indicated in the exit order by the police or the Ministry of the Interior. If you exceed this period, you will be staying in the territory of the Czech Republic without authorization.

## **Voluntary return**

Voluntary decision to return to a country whose you are a citizen or to another state that allows you to enter to its territory.

If you decide to use voluntary return, the Ministry of the Interior will pay half of your travel costs (air tickets, tickets). In the case of voluntary return, you can also ask the Foreign Police to shorten the length of the entry ban imposed on you in the decision on administrative deportation.

The ZZC is regularly visited by employees of the Ministry of the Interior, who will explain this option to you. A lawyer or social worker can also provide you with more information.

Upon our return, we will have to reimburse the Ministry for the other half of the travel costs. If you do not pay these costs, you may have a problem obtaining a visa or residence permit to enter the Czech Republic in the future.

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## What is it?

### **Detention decision**

Decision of the Foreign Police and the Ministry of the Interior on your placement in a center for the detention of migrants. In the decision to detain the police or the Ministry of the Interior, they will explain why they are placing you in this closed center. They will explain under which law you are detained and for how long. Your detention may be repeatedly extended by the Foreign Police or the Ministry of the Interior up to the maximum permitted length (180 days).

You have the opportunity to file a lawsuit against the detention decision within 15 days. A lawyer will help you with drafting a lawsuit. Filing a lawsuit against detention cannot prolong your stay in the ZZC. An independent court will then decide on your detention.



If the court decides that your detention is illegal, you must be released immediately. You are also entitled to claim compensation for unlawful deprivation of liberty.



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## What to avoid not to get into ZZC:

- 1.** Keep an eye on the validity of your passport, residence permit or visa. Apply for an extension in time before the expiry date.
- 2.** Deal with negative decisions, exit orders or administrative deportations in a timely manner. When you receive a letter from the Ministry of the Interior, the Immigration Police or other authorities, make an appointment for legal advice as soon as possible.
- 3.** Don't work without an employment contract and work permit.
- 4.** Do not cooperate with suspicious agencies or individuals who promise to process documents for large sums of money. Never accept or use false documents (!).
- 5.** Always have the documents authorizing you to stay in the territory of the Czech Republic with you.





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## What can a lawyer help you with?

They will provide you with basic information about the proceedings that concern you, your rights and your situation. They will answer your questions.

They will explain the situation to you and recommend the best appropriate course of action. It will help you with the preparation and filing of an appeal or action in connection with administrative deportation, in connection with a decision on the obligation to leave the territory, a decision on transfer, a negative decision in the matter of international protection or a decision on detention in the ZZC.

A lawyer can also help you arrange a voluntary return.





Legal aid is free of charge and interpretation is available  
a lawyer is obliged to maintain confidentiality





## Organization for Aid to Refugees – OPU



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