

UPDATE ON 2025

CZECHIA



COUNTRY REPORT

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Acknowledgements & Methodology

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The information in this report is based mostly on practical experiences and observations of OPU's staff. If available, relevant case law of administrative courts is mentioned that confirms these observations. Reports of the Ombudsperson also provided a valuable insight into some of the shortcomings of the asylum system. Statistical data were either publicly available or provided by different state authorities (mostly the Ministry of Interior, Immigration Police, Refugee Facilities Administration) on the basis of requests for information.

The 2025 update to the AIDA country report on the Czech Republic was shared with the Czech Ministry of Interior to provide them with the opportunity to provide comments on the draft country report. Any feedback received was reviewed by OPU and, where appropriate, incorporated into the final version of this report.

The information in this report is up-to-date as of December 2025, unless otherwise stated. Statistics are provided for 2025. If they were not available at the time of writing of this report, statistics are provided for 2024.

The Asylum Information Database (AIDA)

The Asylum Information Database (AIDA) is managed by the European Council on Refugees and Exiles (ECRE). It aims to provide up-to date information which is accessible to researchers, advocates, legal practitioners and the general public through the dedicated website www.asylumineurope.org. It covers 27 countries, including 21 EU Member States (AT, BE, BG, CY, CZ, DE, ES, FR, GR, HR, HU, IE, IT, MT, NL, PL, PT, RO, SE, SI and SK) and 6 non-EU countries (Egypt, Serbia, Switzerland, Türkiye, Ukraine and the United Kingdom). The database also seeks to promote the implementation and transposition of EU asylum legislation reflecting the highest possible standards of protection in line with international refugee and human rights law and based on best practice.



This report is part of the Asylum Information Database (AIDA), funded by the European Union's Asylum, Migration and Integration Fund (AMIF) and ECRE. The contents of this report are the sole responsibility of ECRE and can in no way be taken to reflect the views of the European Commission.



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Glossary & List of Abbreviations

| | |
|--------------|---|
| CJEU | Court of Justice of the European Union |
| ECtHR | European Court of Human Rights |
| MoI | Ministry of Interior |
| OAMP | Department of Asylum and Migration Policy |
| OPU | Organisation for Aid to Refugees |
| RFA | Refugee Facilities Administration |
| SAC | Supreme Administrative Court |
| SIP | State Integration Programme |
| UNHCR | United Nations High Commissioner for Refugees |
| ZDC | Facility for Children of Foreign Nationals |

Statistics

Overview of statistical practice (1)

Statistical information is published by the asylum authority - Ministry of Interior (Mol), within the Department of Asylum and Migration Policy (OAMP). Until 2023 statistics used to be published every month. Between 2023 and 2025 they were available only at the beginning of each year, always for the preceding year (e.g., statistics on 2024 were only made available in early 2025). From 2026, the statistics are again available on the monthly basis.

In the past years, the Mol published also statistics regarding the appeal procedure (i.e., persons in the proceedings, appeals lodged - with and without suspensive effect, negative decisions, proceeding discontinued, cases referred back to the Mol, cases referred back to regional court from the SAC, number of cassation complaints, negative decisions of the SAC, proceeding discontinued by the SAC, cases referred back to the Mol by the SAC, cases referred back to the regional court). For 2024, these numbers are available [here](#) and [here](#). For 2025, these statistics were not available at the time of writing this report.

For 2024, all the statistics were published [here](#). For 2025, all the statistics are available [here](#). Monthly statistics are provided by the OAMP only to the UNHCR, but these are not published. It is, however, possible to request UNHCR or the OAMP to provide the statistics.

Statistics for 2025 are available regarding:

- Number of Applications for International Protection by Year 1993–2025
- Number of Applications for International Protection by Month in 2025
- Applications for International Protection in 2025
- Applications for International Protection in 2025 by Place of Submission
- Ministry of the Interior Decisions on International Protection in 2025
- Applications for Ministry of the Interior Decisions on Extension of Subsidiary Protection in 2025
- Number of Participants in International Protection Proceedings at the Beginning and End of 2025
- Number of Persons Granted Asylum Status as of 31 December 2025
- Number of Persons Granted Subsidiary Protection as of 31 December 2025
- Dublin Procedure by Nationality of Foreign Nationals in 2025
- Dublin Procedure by EU Member States in 2025

Applications and granting of protection status at first instance: figures for year 2025 (1)

| | Applicants in 2025 (2) | Pending at end of 2025 | Total decisions in 2025 (3) | Total in merit decisions | Total rejection (5) | In merit rejection (4) | Refugee status (6) | Subsidiary protection | Humanitarian protection ¹ |
|--------------|------------------------|------------------------|-----------------------------|--------------------------|---------------------|------------------------|--------------------|-----------------------|--------------------------------------|
| Total | 1,197 | 627 | 1,222 | 768 | 1,025 | 571 | 70 | 127 | 7 |

Breakdown by countries of origin of the total numbers

| | | | | | | | | | |
|-------------------|-----|-----|-----|-----|-----|-----|----|----|-----|
| Vietnam | 210 | 40 | 208 | 140 | 207 | 139 | 1 | 0 | N/A |
| Ukraine | 172 | 125 | 144 | 108 | 54 | 18 | 4 | 86 | N/A |
| Uzbekistan | 132 | 32 | 79 | 31 | 78 | 30 | 1 | 0 | N/A |
| Moldova | 86 | 14 | 90 | 63 | 89 | 62 | 0 | 1 | N/A |
| Russia | 65 | 117 | 114 | 80 | 89 | 55 | 14 | 11 | N/A |
| Turkey | 62 | 26 | 71 | 30 | 69 | 28 | 2 | 0 | N/A |
| Georgia | 41 | 8 | 42 | 27 | 42 | 27 | 0 | 0 | N/A |
| Kazakhstan | 35 | 23 | 35 | 25 | 34 | 24 | 1 | 0 | N/A |
| Nigeria | 30 | 23 | 29 | 18 | 28 | 17 | 0 | 1 | N/A |
| Syria | 27 | 21 | 19 | 5 | 15 | 1 | 0 | 4 | N/A |
| Other | 337 | 197 | 391 | 241 | 320 | 170 | 47 | 24 | N/A |

Source: Ministry of the Interior of the Czech Republic, Department for Asylum and Migration Policy, *Decisions of the Mol on international protection in 2025*, available [here](#); Ministry of the Interior of the Czech Republic, Department for Asylum and Migration Policy, *Applications for international protection in 2025*, available [here](#).

Note 1: statistics on applicants and pending concern people, including children and dependents. The rest of the columns concern number of decisions.

Note 2: 'Applicants in 2025' refers to the total number of applicants, and not only to first-time applicants.

Note 3: Statistics on decisions cover the decisions taken throughout the year, regardless of whether they concern applications lodged that year or in previous years.

Note 4: 'In merit rejection' includes the following decisions: (a) in-merit rejections of international protection applications; and (b) applications rejected as manifestly unfounded. It does not include inadmissibility decisions. Rejection as manifestly unfounded is a decision on the merits, adopted in a sort of accelerated procedure and, therefore, is not a type of inadmissibility decision.

Note 5: 'Total rejection' includes the following decisions: (a) in merit rejections of international protection applications; (b) applications rejected as manifestly unfounded; and (c) decisions on the discontinuation of the asylum procedure.

Note 6: 'Refugee status' does not include humanitarian protection granted in a form of humanitarian asylum.

¹ Numbers of total decisions and total in merit decisions do not include humanitarian protection. Numbers of asylum seekers who received humanitarian protection are not publicly available. Based on the information provided by the OAMP, in 2025, 7 persons were given humanitarian protection in a form of humanitarian asylum. They included nationals of Ukraine, Vietnam, Russia and Cuba. After 1 October 2025, it is no longer possible to grant humanitarian asylum.

Applications and granting of protection status at first instance: rates for year 2025

| | Overall rejection rate (2) (4) | In merit rejection rate (1) (3) (4) | Overall protection rate (2) (4) | In merit protection rate (1) (3) (4) | Refugee rate (1) (4) | Subsidiary protection rate (1) (4) | Humanitarian protection rate (1) (4) |
|--|--------------------------------|-------------------------------------|---------------------------------|--------------------------------------|----------------------|------------------------------------|--------------------------------------|
| Total | 83.9% | 74.3% | 16.1% | 25.7% | 9.1% | 16.5% | 0.9% |
| Breakdown by countries of origin of the total numbers, for the 10 nationalities with the highest numbers of applications | | | | | | | |
| Vietnam | 99.5% | 99.3% | 0.5% | 0.7% | 0.7% | 0.0% | N/A |
| Ukraine | 37.5% | 16.7% | 62.5% | 83.3% | 3.7% | 79.6% | N/A |
| Uzbekistan | 98.7% | 96.8% | 1.3% | 3.2% | 3.2% | 0.0% | N/A |
| Moldova | 98.9% | 98.4% | 1.1% | 1.6% | 0.0% | 1.6% | N/A |
| Russia | 78.1% | 68.8% | 21.9% | 31.3% | 17.5% | 13.8% | N/A |
| Turkey | 97.2% | 93.3% | 2.8% | 6.7% | 6.7% | 0.0% | N/A |
| Georgia | 100.0% | 100.0% | 0.0% | 0.0% | 0.0% | 0.0% | N/A |
| Kazakhstan | 97.1% | 96.0% | 2.9% | 4.0% | 4.0% | 0.0% | N/A |
| Nigeria | 96.6% | 94.4% | 3.4% | 5.6% | 0.0% | 5.6% | N/A |
| Syria | 78.9% | 20.0% | 21.1% | 80.0% | 0.0% | 80.0% | N/A |

Source: Ministry of the Interior of the Czech Republic, Department for Asylum and Migration Policy, *Decisions of the Mol on international protection in 2025*, available [here](#); Ministry of the Interior of the Czech Republic, Department for Asylum and Migration Policy, *Applications for international protection in 2025*, available [here](#).

Note 1: These rates are calculated based on in merit decisions only, excluding non in merit rejections.

Note 2: These rates are calculated based on total decisions.

Note 3: 'In merit rejection rate' and 'in merit protection rate' include exclusively decisions taken on the merit and exclude all inadmissibility and other procedural decisions.

Gender/age breakdown of the total number of applicants in 2025:

| | Men | Women |
|-------------------|--------|--------|
| Number | 975 | 222 |
| Percentage | 81.5 % | 18.5 % |

| | Adults | Children | |
|-------------------|--------|-------------|---------------|
| | | Accompanied | Unaccompanied |
| Number | 1,109 | 88 | 0 |
| Percentage | 92.6 % | 7.4 % | 0 % |

Source: Ministry of the Interior of the Czech Republic, Department for Asylum and Migration Policy, *Applications for international protection in 2025*, available [here](#).

Note: The gender breakdown (Men/Women) applies to all applicants, not only adults.

First instance and appeal decision rates in 2025:

It should be noted that, during the same year, the first instance and appeal authorities handle different caseloads. Thus, the decisions below do not concern the same applicants.

| | First instance | | Appeal | |
|----------------------------------|----------------|------------|---------------|---------------|
| | Number | Percentage | Number | Percentage |
| Total number of decisions | 1,222 | 100 % | Not available | Not available |
| Positive decisions | 197 | 16.12 % | | |
| • <i>Refugee status</i> | 70 | 5.73 % | | |
| • <i>Subsidiary protection</i> | 127 | 10.39 % | | |
| • <i>Other</i> | N/A | N/A | | |
| Negative decisions ² | 1,025 | 83.88 % | | |

Source: Ministry of the Interior of the Czech Republic, Department for Asylum and Migration Policy, *Decisions of the Mol on international protection in 2025*, available [here](#).

² This number includes in merit negative decisions (international protection not granted and applications rejected as manifestly unfounded) as well as procedural decision on discontinuation of the proceedings.

Overview of the legal framework

Main legislative acts on asylum procedures, reception conditions, detention and content of international protection

| Title (EN) | Original Title (CZ) | Abbreviation | Web Link |
|--|--|-------------------------------|---|
| Act No. 325/1999 Coll., on Asylum and on the Amendment of Act No. 283/1991 Coll., on the Police of the Czech Republic, as amended (the Asylum Act) | Zákon č. 325/1999 Sb. o azylu a o změně zákona č. 283/1991 Sb., o Policii České republiky, ve znění pozdějších předpisů, (zákon o azylu) | Asylum Act | https://www.zakonyprolidi.cz/cs/1999-325 |
| Act No. 326/1999 Coll., on the residence of foreigners in the Czech Republic and on amendments to certain acts | Zákon č. 326/1999 Sb., o pobytu cizinců na území České republiky a o změně některých zákonů | Immigration Act | https://www.zakonyprolidi.cz/cs/1999-326 |
| Act No. 150/2002 Coll., the Code of Administrative Justice | Zákon č. 150/2002 Sb., soudní řád správní | Administrative Justice Code | https://www.zakonyprolidi.cz/cs/2002-150 |
| Act No. 500/2004 Coll., the Administrative Procedure Code | Zákon č. 500/2004 Sb., správní řád | Administrative Procedure Code | https://www.zakonyprolidi.cz/cs/2004-500 |
| Act No. 435/2004 Coll., on Employment | Zákon č. 435/2004 Sb., o zaměstnanosti | Employment Act | https://www.zakonyprolidi.cz/cs/2004-435 |

Main implementing decrees, guidelines and regulations on asylum procedures, reception conditions, detention and content of international protection

| Title (EN) | Original Title (CZ) | Abbreviation | Web Link |
|--|---|---------------------|---|
| Decree No. 328/2015 Coll., implementing the Asylum Act and the Foreigners' Temporary Protection Act | Vyhláška č. 328/2015 Sb., kterou se provádí zákon o azylu a zákon o dočasné ochraně cizinců | Decree No. 328/2015 | https://www.zakonyprolidi.cz/cs/2015-328 |
| Decree No. 376/2005 Coll., laying down the amount of payment for food and accommodation provided in an asylum facility, the amount of pocket money, and the dates of its payment | Vyhláška č. 376/2005 Sb., kterou se stanoví výše úhrady za stravu a ubytování poskytnuté v azylovém zařízení, výše kapesného a termíny jeho výplaty | Decree No. 376/2005 | https://www.zakonyprolidi.cz/cs/2005-376 |

Overview of main changes in 2025

International protection

Statistics

- ❖ The number of applications for international protection saw a slight decrease in 2025, falling from 1,363 in 2024 to 1,197 in 2025. There was an increase in the number of individuals granted refugee status, rising from 54 in 2024 to 70 in 2025. Conversely, grants of subsidiary protection declined from 149 in 2024 to 127 in 2025. The overall protection rate went slightly up from approximately 13.4% in 2024 to 16.1% in 2025.
- ❖ Management of the caseload showed progress, as the number of pending cases at the end of the year dropped from 689 in 2024 to 627 in 2025. The average length of the first-instance procedure in 2025 was 147 days.

Asylum procedure

- ❖ As of 1 October 2025, the national form of protection known as "humanitarian asylum" was cancelled.
- ❖ An extensive amendment to the Asylum Act was adopted in the summer of 2025 to implement the EU Migration Pact (with most provisions taking effect in June 2026). The most significant changes include (for details see the annex at the end of this report):
 - Combined Decision on Protection and Return: If the MoI rejects an asylum application on its merits, it will now directly decide in the same ruling on the illegality of the stay and the obligation to leave the EU territory within a provided departure period (7 – 30 days).
 - Limitation of the refugee status: Asylum will now be granted for a period of at least 3 years (previously indefinite).
 - Restriction of health care for asylum seekers: Adult applicants and those with "tolerated stay" status (those awaiting a decision of the SAC) will now only receive state-funded healthcare in the scope of necessary (emergency) care.
 - Possibility of reducing reception conditions: The MoI will now be able to reduce financial allowances to the existence minimum if the applicant submits a subsequent application, fails to cooperate in the proceedings, engages in illegal secondary movements within the EU, or grossly violates accommodation rules (e.g., aggression, drugs). Benefits will be mandatorily reduced once a decision to transfer the applicant to another responsible EU state is issued.
 - Shortening of the appeal deadlines: 10 days for denials of manifestly unfounded applications, border procedures, and detained persons (previously 15). Other cases have a 15-day deadline (previously 1 month).
 - Fixed court deadlines for issuing a decision: Regional Courts must decide within 5 weeks (border procedures), 4 months (manifestly unfounded/withdrawn applications), 6 months (cases with suspensive effect), 12 months (other cases).
- ❖ Proceedings for Syrian applicants were frozen for six months due to the situation in Syria, resuming only at the end of 2025. Additionally, from 11 February 2025, territorial jurisdiction for actions against entry denials was centralized under the Municipal Court in Prague.

Reception conditions

- ❖ A significant integration project (OPZ+) focused on the labor market ended on 31 August 2025. Following the 2025 elections, there is considerable uncertainty regarding the future state funding of free legal aid provided by NGOs.

Detention of asylum applicants

- ❖ Statistics: A total of 216 asylum seekers were placed in detention in 2025. A significant improvement was noted in the average duration of detention of asylum seekers, which decreased from 111 days in 2024 to 76 days in 2025.
- ❖ In practice, no alternatives to detention were utilized during the year. In October 2025, there was a three-week gap in the provision of legal counselling in detention facilities due to administrative delays in funding. Police focus shifted toward foreigners working illegally in the Czech Republic.

Content of international protection

- ❖ Effective 1 January 2025, a change in the law allowed two foreign nationals to enter into a registered partnership in Czechia.
- ❖ The cessation of protection remained rare, with fewer than 5 cessation decisions issued throughout 2025.
- ❖ In autumn 2025, the Ministry of Interior began resuming suspended procedures for the extension of subsidiary protection for Syrian nationals.

Temporary protection

The information given hereafter constitutes a short summary of the [Annex on Temporary Protection](#).

Temporary protection procedure

- ❖ In early 2025, significant judicial rulings addressed the inadmissibility of temporary protection applications by temporary protection beneficiaries in other EU Member States. Following the CJEU judgment in *Krasiliva* (February 2025), the Supreme Administrative Court (SAC) ruled in April 2025 that rejecting applications from individuals who held temporary protection in another Member State was contrary to EU law. Despite this, a September 2025 amendment to *Lex Ukraine* introduced a new inadmissibility ground based on capacity notifications to the European Commission. However, the SAC ruled this new ground illegal in December 2025.
- ❖ Temporary protection was extended through registration until 31 March 2027.

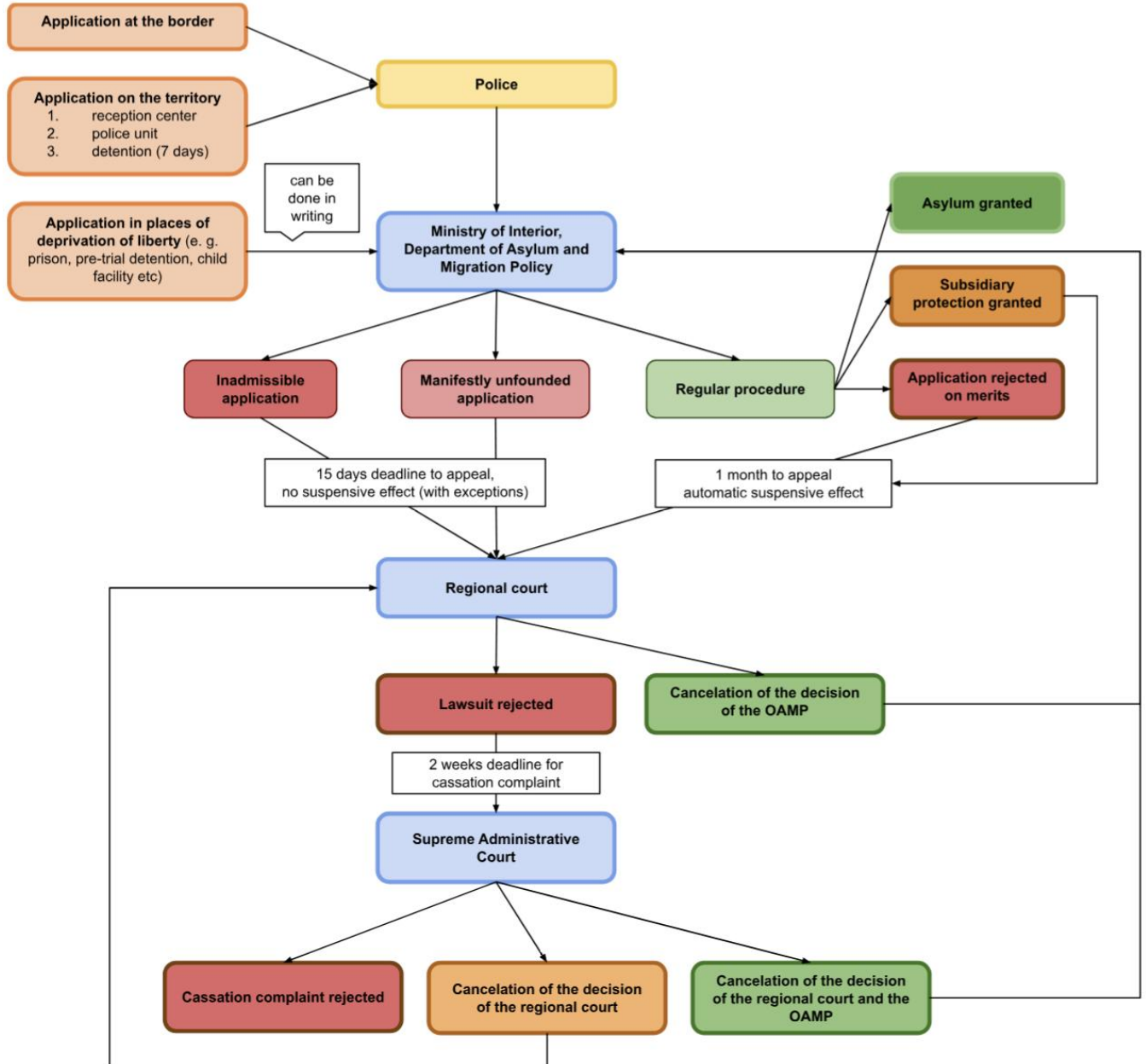
Content of temporary protection

- ❖ A major development in 2025 was the introduction of a special long-term residence permit, granting a stable five-year status to those who have held temporary protection in the Czech Republic for at least two years and meet specific income and integrity requirements.
- ❖ Free humanitarian accommodation was limited to 90 days (shortened from the previous 150 days) and centralized exclusively at the KACPU centre in Ostrava. The humanitarian allowance for those in such housing increases after 90 days to 4,000 CZK/€ 164 (or 6,000 CZK/€ 246 for vulnerable persons). In education, purely Ukrainian classes were abolished as of September 2024 to foster better integration in 2025.

Asylum Procedure

A. General

1. Flow chart



2. Types of procedures

Indicators: Types of Procedures

1. Which types of procedures exist in your country?
- | | | |
|---|---|--|
| ❖ Regular procedure: | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| ▪ Prioritised examination: ³ | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| ▪ Fast-track processing: ⁴ | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| ❖ Dublin procedure: | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| ❖ Admissibility procedure: | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| ❖ Border procedure: | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| ❖ Accelerated procedure: ⁵ | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| ❖ Other: | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
2. Are any of the procedures that are foreseen in the law, not being applied in practice?
- Yes No

3. List of authorities that intervene in each stage of the procedure

| Stage of the procedure | Competent authority (EN) | Competent authority (SE) |
|---|---|---|
| Application <ul style="list-style-type: none"> ❖ At the border ❖ On the territory | Ministry of Interior, Department of Asylum and Migration Policy | Ministerstvo vnitra, Odbor azylové a migrační politiky (OAMP) |
| Dublin | OAMP | OAMP |
| Refugee status determination | OAMP | OAMP |
| First appeal | Regional court | Krajský soud |
| Onward appeal | Supreme Administrative Court | Nejvyšší správní soud |
| Subsequent application | OAMP | OAMP |
| Revocation / Withdrawal | OAMP | OAMP |
| Returns (voluntary and forced) | OAMP (voluntary); Immigration police (forced) | OAMP, cizinecká policie |

³ For applications likely to be well-founded or made by vulnerable applicants.

⁴ Accelerating the processing of specific caseloads as part of the regular procedure, without reducing procedural guarantees.

⁵ Entailing lower procedural safeguards, whether labelled as 'accelerated procedure' in national law or not.

4. Determining authority

| Name in English | Number of staff | Ministry responsible | Is there any political interference possible by the responsible Minister with the decision making in individual cases by the first instance authority? |
|---|-----------------|----------------------|--|
| Department of Asylum and Migration Policy | 1,298 | Ministry of Interior | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Unit for International Protection | 55 | Ministry of Interior | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

Source: Information provided on request by the Mol.

The body responsible for assessing applications for international protection is the Asylum and Migration Policy Department (OAMP). This is a department within the Ministry of the Interior which deals specifically with international protection, the entry and residence of foreigners, the coordination of the integration of foreigners, international and European cooperation in the field of asylum and migration, Schengen cooperation, border protection, and return policy. Among other things, the OAMP is also a unit within the Ministry that is responsible for managing the organizational component of the state, the Refugee Facilities Administration (RFA) of the Ministry of the Interior; it submits proposals for the establishment or change of the nature of asylum facilities or facilities for the detention of foreigners.

Depending on the focus of the activities and scope of competence of the individual departments, a distinction can be made between central and regional offices. The central offices of the OAMP deal with the general concept and direction of the Czech Republic's migration policy, which also applies to other regional offices of the OAMP. In addition to the central office, the OAMP has regional offices in all 14 regions of the Czech Republic. There are one or more departments in each region that deal with specialized activities.

The OAMP is therefore a body that not only decides on applications for international protection, but is also responsible, among other things, for processing all applications from foreigners for residence permits. However, within the OAMP there is an International Protection Department, whose employees specialize only in assessing asylum applications at the first level. All employees of the International Protection Department participate in decision-making on matters of international protection, except for 17 purely administrative staff members. However, these employees do not deal exclusively with asylum decisions, they also carry out other administrative tasks, including matters related to stateless persons, residence statuses, and detention. These activities can no longer be clearly separated from one another.

5. Short overview of the asylum procedure

Administrative proceedings on applications for international protection are conducted by the Ministry of Interior, Department of Asylum and Migration Policy, as the first-instance authority. The initiation of asylum proceedings under the Asylum Act is tied to the submitting of an application for international protection by a foreign national, either in writing or orally into the record. This is an expression of the applicant's will showing that they are seeking protection in the Czech Republic from persecution or serious harm.

Such an application may be submitted only on the territory of the Czech Republic (not, for example, through an embassy), specifically to the Immigration Police at locations designated by the Asylum Act: at a border crossing, in a reception centre, at the foreign police department of a regional police directorate (provided that the foreign national appears voluntarily), or in a detention facility for foreigners if the applicant is being held there. The only exceptions are cases where the applicant is serving preventive detention, protective treatment, remand (custody), or a term of imprisonment, or if they are placed in an educational institution for institutional or protective education, or in a facility for children requiring immediate assistance. In such cases, the application may be submitted in writing directly to the Mol.

The procedure is always conducted by the Mol, regardless of the place where the application was submitted. After the application is submitted, the Ministry allows the applicant to provide the necessary details on the application (this moment is considered to be the 'lodging' of the application) and informs them of their procedural rights and obligations.

The Mol must issue its decision within six months of receiving the applicant's detailed information. If the nature of the case does not allow a decision to be taken within this period, the Ministry may extend the deadline for reasons provided by law, up to a total of 18 months. The applicant must be notified of any extension without undue delay.

Asylum proceedings may end with a decision on the merits (positive or negative), a decision dismissing the application as manifestly unfounded, or a decision to discontinue the proceedings. None of these outcomes include a return decision. Once the decision becomes final, the applicant is issued a departure order (usually valid for 30 days), on the basis of which they are expected to leave the territory of the Czech Republic.

The Mol shall dismiss an application as manifestly unfounded under Section 16 of the Asylum Act if, for example, the applicant invokes only economic reasons; provides false identity or nationality information without serious cause, or refuses to provide such information; applies for asylum solely to avoid a situation of general hardship; comes from a country designated by the Czech Republic as a safe country of origin; presents clearly non-credible claims; has destroyed, damaged, or concealed travel or other important documents to obstruct the establishment of the facts, or has submitted forged or altered documents with that aim; or has applied for international protection in order to avoid imminent expulsion or extradition despite having been able to apply earlier. In manifestly unfounded cases, the Ministry conducts an accelerated procedure, in which a decision must be issued no later than 90 days after receiving the applicant's detailed information.

Asylum proceedings may also end in discontinuation. The Mol will discontinue the procedure, for example, if the applicant withdraws the application, acquires Czech citizenship, or dies; if the applicant, without serious reason, fails to appear to provide information or attend an interview; if they fail to provide information necessary to reliably establish the facts; if, during the procedure, they enter or attempt to enter the territory of another country without serious reason; or if their whereabouts cannot be determined and a decision cannot be issued based on the information available.

Proceedings are also discontinued in the case of 'inadmissible applications' under Section 10a of the Asylum Act. Applications are inadmissible when filed by an EU citizen; when another EU Member State is responsible for examining them; when the applicant has already been granted international protection in another EU Member State; or when the applicant comes from a country designated by the Czech Republic as a European safe third country or a safe third country. An application is also inadmissible if it is a subsequent application in which the applicant has presented no new facts or findings that were, through no fault of their own, not examined in the previous finalised procedure and that would indicate that they might face persecution under Section 12 or serious harm under Section 14a of the Asylum Act.

If the applicant lodges a 'further subsequent application', i.e. a third or subsequent application, the Ministry may discontinue the proceedings within 10 days of filing (lodging). This applies in cases where, in view of previous proceedings or the absence of a substantial change in circumstances related to possible persecution under Section 12 or serious harm under Section 14a, it cannot reasonably be assumed that the applicant would face persecution or serious harm. Applicants who lodge such further repeated applications do not enjoy the rights normally granted to asylum applicants under the Asylum Act or other special laws.

A final decision of the Mol may be challenged by filing an action before the Regional Court with territorial jurisdiction based on the applicant's registered address on the day the decision was issued. The action must be submitted within one month (in the case of a negative decision on the merits) or within 15 days of delivery (in other cases such as discontinuation or manifestly unfounded decisions). Filing an action has automatic suspensive effect only in the case of merit-based decisions refusing international protection

and in some cases of manifestly unfounded applications. In other cases, the applicant may apply for suspensive effect. For discontinuation decisions (with certain exceptions), decisions rejecting the application as manifestly unfounded (among others if the applicant comes from a safe country of origin), and decisions granting subsidiary protection, the action does not have automatic suspensive effect. Where suspensive effect applies, the applicant remains in the position of an asylum seeker and cannot be expelled from the Czech Republic until the court proceedings are completed.

A decision of the Regional Court may be further challenged by filing a cassation complaint with the Supreme Administrative Court within two weeks. The Asylum Act grants a cassation complaint automatic suspensive effect only if the action before the Regional Court also had suspensive effect by law. If suspensive effect applies, the applicant cannot be expelled from the Czech Republic while the cassation proceedings are pending.

B. Access to the procedure and registration

1. Access to the territory and push backs

Indicators: Access to the Territory

1. Are there any reports (NGO reports, media, testimonies, etc.) of people refused entry at the border and returned without examination of their protection needs? Yes No
 2. Is there a border monitoring system in place? Yes No
- Note: There is monitoring but only of persons who had already successfully applied for protection and were escorted to the reception centre. This implies that potential push-backs are not monitored.
3. Who is responsible for border monitoring? National authorities NGOs Other
 4. How often is border monitoring carried out? Frequently Rarely Never

The only report about *refoulement* or push backs at the Prague airport transit zone (the only external non-EU border for Czechia) is Pushed Back at the Door, from 2017.⁶ Since then, no reliable study has been conducted on the matter.

1.1 Border monitoring

In 2025, the border monitoring system was in place under an agreement between UNHCR and its implementing partner (an NGO, in the past it was Association for Integration and Migration, currently it is OPU). However, this “monitoring” is only conducted after a person has applied for asylum. Therefore, only the reception centre at the Prague airport transit zone is monitored. No one has access to persons prior to them having applied for asylum who are victims of actual push backs.

The visit of an NGO, who is UNHCR’s implementing partner, to the airport reception centre for asylum seekers happened once per week on a regular basis. They do not involve unannounced visits. They do not include the actual transit zone area where individuals express their wish to apply for asylum prior to being transferred to the reception centre. The visits consist of direct visits to the airport reception centre for asylum seekers and include the provision of free legal aid to asylum seekers who already successfully applied for asylum. They do not include the review of police records. In fact, prior to when a person applies for asylum successfully, the police is not obliged to keep any records.

As of April 2026 (following the end of AMIF funded legal aid – see below) OPU is no longer admitted to the reception centre, even though still being UNHCR’s implementing partner. As of June 2026, with the

⁶ Hungarian Helsinki Committee, *Pushed Back at the Door*, 2017, available [here](#).

implementation of the Migration Pact, the Ombudsman's office will be responsible for the monitoring of the screening procedure, which would also include border monitoring.

1.2 Legal access to the territory

Third country nationals cannot apply for a humanitarian visa with the intention to apply for international protection upon their arrival to the Czech Republic.

There are no official resettlement operations or relocation operations in place currently.

The Czech Republic has consistently opposed the introduction of mandatory migrant relocation quotas under the EU Pact on Migration and Asylum. The Czech government has maintained that the Pact does not impose automatic obligations to accept relocated asylum seekers and that Member States may instead fulfil their solidarity obligations through alternative means, such as financial or operational contributions. Both the government in office during the adoption of the Pact in 2024 and subsequent political representatives have publicly rejected compulsory relocation mechanisms, emphasising national discretion in implementation.

Currently, Czechia enjoys full exemption from solidarity measures, as the European Commission has classified Czechia as a country facing a "significant migration situation", due to a large number of Ukrainian refugees.⁷

2. Preliminary checks of third country nationals upon arrival

Indicators: Preliminary checks at the arrival point

1. Are there any checks that are applied systematically or regularly at the point of entry when a person enters the territory? Yes No
2. Is the person considered under law to have entered the territory during these checks? Yes No

The person who has arrived to Czechia via the airport border crossing is not considered to have entered the territory during the arrival point entry checks. On the contrary, they are considered to be present at an airport border transit zone.

According to section 9 of the Immigration Act, the police denies the entry to the territory of the Czech Republic if a person:

- does not have a valid travel documents or visa,
- presents forged or altered documents,
- does not present visa if they are obliged to have visa/residence permit
- fails to prove the purpose or conditions of stay or sufficient financial means,
- is listed as an undesirable individual or is recorded in the security databases of the Schengen states,
- poses a security risk to the Czech Republic or to other EU Member States,
- does not meet the health requirements laid down for the protection of public health.

The border checks take place at the airport transit zone. While these checks are conducted, the fiction of non-entry is used and may result in the rejection of the entry into the territory, based on section 9 of the Immigration Act implementing the Schengen Borders Code.⁸ In such cases, no procedure is formally held, no case-file is kept, and a person is informed about the refusal of entry through a standard Schengen form, which merely indicates the applicable ground for refusal of entry by ticking the relevant box, with no

⁷ Council of the EU, *Migration and asylum: Member states agree on solidarity pool*, December 2025, available [here](#).

⁸ Regulation (EU) 2016/399 of the European Parliament and of the Council of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code) (codification), available [here](#).

other reasoning being provided. It is, however, possible to appeal this “decision” within 15 days.⁹ The appellate authority provides a somewhat more detailed statement of reasons when deciding on this appeal.

The fiction of non-entry continues at the transit zone even once a person has successfully applied for asylum. Then, a special procedure regarding the entry into the territory takes place, and within 5 days of applying for asylum a special decision has to be issued based on section 73 Asylum Act, regarding whether the person is allowed entrance into the territory, or has to remain detained at the airport asylum reception centre. If a person applies for asylum at the transit zone, a formal decision is issued based on section 73(3) of the Asylum Act. An appeal can be filed to the regional court (currently Municipal Court in Prague), which, if successful, will entail the person being released into territory. For further information, see [Border procedure](#).

It should be noted that if third country nationals apply to make an asylum application during the preliminary checks, there is no legal aid and interpreter. There is no mechanism to control whether a person wishes to apply for asylum at this stage, so a push back might be a real consequence.

3. Registration of the asylum application

Indicators: Registration

1. Are specific time limits laid down in law for making an application?
 - Yes (only in detention) No
 - ❖ If so, what is the time limit for making an application?
7 days (only in detention, but not for the airport zone)

2. Are specific time limits laid down in law for lodging an application? Yes No
 - ❖ If so, what is the time limit for lodging an application?

3. Are registration and lodging distinct stages in the law or in practice? Yes No

4. Is the authority with which the application is lodged also the authority responsible for its examination? Yes No

5. Can an application for international protection be lodged at embassies, consulates or other external representations? Yes No

A foreign national who intends to apply for international protection in the Czech Republic is required to appear in person and make the application primarily with the Police of the Czech Republic, or, in specific situations, with the Mol. The Mol, OAMP remains the authority responsible for examining and deciding on the application at first instance.

In particular, the application must be made with the police in the following situations:¹⁰

- at a border crossing point, unless the foreign national is being transferred under an international treaty or EU law;
- in a reception centre;
- at an Immigration Police Department of a Regional Police Directorate, provided the foreign national appears voluntarily; or
- in a facility for the detention of foreigners, if the person is detained or accommodated there (with statutory exceptions, notably in cases of transfer under the Dublin regulation).

In these cases, the police only receives the application. The registration is always done by the Mol, an authority that subsequently conducts the asylum procedure and takes the first-instance decision.

However, an application may be made directly with the Mol if the foreign national is:

⁹ Section 180e(1)(c) of the Immigration Act,

¹⁰ Section 3a(1) of the Asylum Act.

- in custody, serving a sentence of imprisonment, in protective detention, or undergoing protective treatment; or
- placed in an educational institution for institutional or protective upbringing, or in a facility for children requiring immediate assistance.¹¹

In such cases, the application may be made in writing to the Mol. If an application for international protection is (made) with the Mol, the Mol shall register the application within 3 working days. If an application is made with the police, the Mol shall register it within 6 working days. Registration of an application for international protection implies the entry of the application for international protection into the register of applicants for international protection.¹²

Upon registration of the application and before lodging of the application, an applicant is issued general information on the asylum procedure and on their rights and obligations.¹³

In practice, there have been recent problems with making the application from hospitals. While there used to be a specific measure in the Asylum Act specifically stating such applications can be made to the Mol directly (similarly to persons placed in prisons or educational institutions), the Mol amended the Asylum Act which now does not specify a mechanism to make applications from hospitals. There have been cases of hospitalised asylum seekers left in legal limbo.¹⁴

The law does not formally make a distinction between ‘making’ and ‘lodging’ an application for international protection. It does not define these terms and is generally using the term *podání žádosti* which corresponds with ‘making’ an application. ‘Lodging’ an application equals to the provision of information (*poskytnutí údajů k žádosti*) by an application for international protection to the asylum authority regarding their asylum claim,¹⁵ which is always done before the Mol. There are no specific time limits laid down in law for asylum seekers to lodge their application after the application has been made. Lodging of the application (provision of information) happens a few days after the application is registered (usually on the same day of the asylum interview with the applicant).

A special asylum seekers ID is issued within 3 days from the date of lodging the application.¹⁶

- (a) No possibility to apply for asylum at embassies, consulates or diplomatic missions abroad

Czech law does not allow asylum applications to be made at embassies, consulates, or other diplomatic missions abroad. An application for international protection may only be lodged on the territory of the Czech Republic, including at border crossing points or in transit areas of international airports.

- (b) Asylum applications made at the border

¹¹ Section 3(1)(b) of the Asylum Act.

¹² Section 3(6) of the Asylum Act.

¹³ Czech version of this information is available [here](#).

¹⁴ In a decision of the Minister of Interior (superior authority to the Mol), MV-57918-4/TP-2025, the Minister of Interior stated that the Mol is obliged to register an asylum application made from a hospital within 3 days. However, the Mol continued to be inactive in the case.

¹⁵ Section 10 of the Asylum Act: An applicant for international protection is obliged, upon a written summons from the Mol delivered at least two working days in advance, to appear and provide information relating to the made application; the Mol issues such a summons without undue delay after the application is filed and at the same time informs the applicant in his or her mother tongue or in a language he or she understands of the applicant’s rights and obligations, including the consequences of an explicit or implicit withdrawal of the application, the right to seek assistance at any time from persons or organisations providing legal aid or protection of refugees’ interests and from the Office of the United Nations High Commissioner for Refugees, as well as of the possibility to request information concerning the course of the procedure relating to the applicant’s personal situation, with the proviso that if such information cannot be included in the summons it must be provided in writing within a reasonable time, at the latest within 15 days after the information has been provided; the applicant is required to supply in particular personal identification, family, nationality, residence and travel details, information on health condition and special needs, the reasons for the application, language abilities, any criminal prosecution or conviction, visas, stays and previous applications in other states, and must at the same time prove his or her identity by a valid travel document, another identity document or a public document with a photograph, or, failing that, by a sworn declaration.

¹⁶ Section 57 of the Asylum Act.

At the border, the asylum application is first expressed (i.e., made) to the border police. They (if no push-back follows) guide the person to the reception centre at the airport, where the application is officially lodged at the Mol. The police should refer the person to the Mol at the border zone. However, in the past, there have been indications that this has not always worked well, although no reliable study on this has been conducted in recent years.¹⁷ There is no time limit specified in the law or in practice for a person to make an application for international protection at the border or in transit zones.

The police at the airport transit zone, when examining the potential asylum seekers and the conditions based on Section 9 of the Immigration Act (i.e., reasons to deny the entrance to the territory) is not legally obliged to use interpreters or to hold a formal procedure. There is therefore no formal supervision of whether or not the person expressed their wish to apply for asylum. While the number of persons denied entrance into the territory or issued administrative expulsion decision is approximately 20-30 per month,¹⁸ the number of actual asylum seekers at the airport transit zone remained around 1 - 2 per month in 2024 and 2025.¹⁹

(c) Asylum applications made in detention centres

In a detention centre, the police are responsible for registering asylum applications.²⁰ Usually, the person expresses the intention to seek asylum either to a social worker or to a lawyer providing legal counselling. The social worker or the lawyer informs the police about the person's intention to seek asylum informally, typically in writing through email or by phone. The police receives the application and inform the Mol.

The right to make an application for international protection in a detention facility expires 7 days after the day on which the person was informed by the police about the possibility to apply for international protection and the consequences related to the expiry of this period.²¹ After this deadline, the applications will not be considered to be made, without there being a formal decision issued on the inadmissibility of the application. The police are obliged to inform the foreigner of their right to submit an application for international protection within a 7 day time limit since the information provision by the police, in a language in which they are able to understand.²² The police make a record of this act, which is signed by the foreigner and the police. If the foreigner refuses to sign or they are unable to write, this fact is noted down in the record.²³ In exceptional cases where there has been a substantial change in circumstances relating to the possible persecution or threat of serious harm in the country of origin, the application can be made at a later stage.²⁴

This expression of interest will be treated as an asylum application only if its content shows that the person is seeking protection in the Czech Republic against persecution or a risk of serious harm and there are reasonable grounds to believe that there has been a significant change in circumstances relevant to that risk. The Mol shall inform the foreigner whether their expression of intent is considered as an application for international protection. If the Mol informs the foreigner their expression of intent is not considered as a valid application for international protection, the foreigner can lodge a lawsuit for protection against unlawful interference²⁵ (*žaloba proti nezákonnému zásahu*) with an administrative court.²⁶

¹⁷ Hungarian Helsinki Committee, *Pushed Back at the Door*, 2017, available [here](#), pages 8-11.

¹⁸ Foreign Police Service Headquarters, *Statistics on International Airports in the Czech Republic*, 2024, available [here](#).

¹⁹ In 2025, only 40 applications for international protection have been submitted at the airport transit zone (see Ministry of the Interior of the Czech Republic. Department for Asylum and Migration Policy, *Applications for international protection in 2025 by place where application was lodged*, available [here](#)), while in 2024, only 29 applications for international protection have been submitted at the airport transit zone (see Ministry of the Interior of the Czech Republic. Department for Asylum and Migration Policy, *Applications for international protection in 2024 by place where application was lodged*, available [here](#)).

²⁰ Section 3a(1)(a)(4) of the Asylum Act.

²¹ Section 3b(1) of the Asylum Act.

²² Section 3b(2) of the Asylum Act.

²³ Section 3b(2) of the Asylum Act.

²⁴ Section 3b(3) of the Asylum Act.

²⁵ This is it is a special kind of lawsuit that can be filed when there is no decision interfering with the rights of a person but the interference comes from some other action of administrative authorities.

²⁶ Section 82 et seq. of the Administrative Procedure Code.

In practice, there were some cases where the detainees expressed their intent to apply for international protection towards the social workers of the Refugee Facilities Administration, the Immigration Police or the workers of the MoI Department of Voluntary Returns, who did not forward this information to the MoI Department for Asylum and Migration, and the application was not registered. While this action was later considered as unlawful interference by the courts, these court procedures lasted long and the detainees typically did not have access to the asylum procedure while detained.²⁷ OPU also noted cases where individuals missed out on the deadline as, among others, they did not have access to good quality (or any) legal counselling during the relevant 7-days period, due to language barriers between them and the social workers in the detention, or due to being placed in a health-related quarantine. In some of these cases, the MoI did not permit a later application to be registered, which resulted in the detainees having had no access to the asylum procedure. This action was later also considered as unlawful interference by the courts. The courts concluded that the 7-days deadline should not run while a detainee is placed in quarantine without access to the outside world.²⁸ However, these procedures lasted again for months, providing little to no immediate remedy to the detainees.

C. Procedures

1. Regular procedure

1.1 General (scope, time limits)

Indicators: Regular Procedure: General

1. Time limit set in law for the determining authority to make a decision on the asylum application at first instance:
The MoI should decide on an application for international protection within six months, although this time limit may be extended up to 21 months in legally defined cases or suspended for procedural reasons.²⁹ Failure to meet the statutory time limits may allow the applicant to challenge the Ministry's inaction or the legality of a late decision, even though in practice these limits are often not respected.
2. Are detailed reasons for the rejection at first instance of an asylum application shared with the applicant in writing? Yes No
3. Backlog of pending cases at first instance as of 31 December 2025: 627
4. Average length of the first instance procedure in 2025: 147 days

The regular asylum procedure at national level is primarily governed by the Act No. 325/1999 Coll., on Asylum (the Asylum Act). This act provides the fundamental legal framework for granting international protection in the Czech Republic. It regulates the conditions for submitting an asylum application, the course of proceedings, the rights and obligations of applicants, the decision-making process, available legal remedies (such as appeals), and family reunification. The Act is further supplemented by implementing regulations issued by the Ministry of the Interior, most importantly Decree No. 328/2015 Coll., which includes a list of safe countries of origin and provides a template of the applicant's ID card. Additionally, certain general legal provisions are relevant. The Administrative Procedure Code (Act No. 500/2004 Coll.) applies to the extent that the Asylum Act does not provide specific rules, while Act No. 326/1999 Coll., on the Residence of Foreign Nationals in the Czech Republic complements the rights and obligations of foreigners within the residency framework. Furthermore, judicial review and remedies against decisions in asylum proceedings are governed by the Code of Administrative Justice (Act No.

²⁷ SAC, judgement No 8 Azs 182/2016-51, 1 February 2017; available in Czech [here](#); Municipal Court in Prague, judgement No 14 A 50/2022-97, 28 February 2024, available in Czech [here](#); Municipal Court in Prague, judgement No 14 A 139/2023-162, 4 December 2023, available in Czech [here](#).
²⁸ Municipal Court in Prague, judgement No, 18 A 6/2022-22, 23 March 2022, available in Czech [here](#); Municipal Court in Prague, judgement No 17 A 8/2022-36, 29 November 2022, available in Czech [here](#).
²⁹ Section 27 of the Asylum Act.

150/2002 Coll., the Administrative Court Procedure Code), which regulates appeals and other legal remedies before administrative courts.

Within the regular procedure, the standard time limit for the competent authority to issue a decision is six months from the moment of the lodging of the application (i.e., the date when the applicant provided the relevant information on their application).³⁰ This standard time limit for issuing a decision on an asylum application can be extended:

- For an additional nine months if:
 - a) the case is factually or legally complex;
 - b) many applications have been submitted at the same time; or
 - c) the applicant fails to meet their obligations under the Asylum Act, making it impossible to decide within the standard time.
- Exceptionally, up to an additional three months if it is necessary to fully clarify the facts of the case.

The Mol shall notify the applicant in writing of the extension of the time limit and shall provide reasons for such a measure.³¹ In practice, this written notice is very short and provides only the legal reason for the extension of the time limit, without any specifications regarding the applicants' individual circumstances. It also sometimes happens that the Mol does not inform the applicant about the extension of the time limit at all.

In some cases it is possible to interrupt the proceedings, even repeatedly. If the proceeding is interrupted because of one of the following reasons, the above-described time limit will pause:

- The applicant is asked to correct defects in their submission (the time limit can be paused up to 14 days);
- The applicant cannot participate due to serious long-term health or other reasons (the time limit can be paused up to 90 days); or
- Due to an uncertain situation in the applicant's country of origin – a decision must still be issued no later than 21 months (either from lodging of the application or from the court decision annulling previous decision of the Mol).³²

If the Mol is taking a new decision after a previous decision had been annulled by the court, the new decision shall be adopted within three months, unless the case is factually or legally complex. In that case the Mol has six months to adopt the decision. Exceptionally, if it is necessary to establish the circumstances of the case beyond reasonable doubt, the decision may be issued within nine months.³³

A decision rejecting an application as manifestly unfounded must be issued no later than 90 days from the date of the to the submitted application for international protection.³⁴ Failing to comply with this time limit may result in the annulment of the decision by the court, as it is not possible to reject an application as manifestly unfounded after this time limit passes.³⁵

In practice, it happens regularly that the statutory time limits for issuing decisions in asylum matters are not complied with, especially if the case is complex. In these cases, it is possible to file an inactivity complaint to the superior authority and subsequently an inactivity lawsuit with the court. If the lawsuit is justified, the court will provide a specific additional time limit in which the Mol shall adopt a decision (usually 30 days). It happens in practice that this timeframe is also not being respected.

In cases of applicants coming from safe countries of origin, whose applications are usually rejected as manifestly unfounded, the time limits are respected.

³⁰ Section 27(1)(a) of the Asylum Act.

³¹ Section 27(4) of the Asylum Act.

³² Section 27(6) of the Asylum Act.

³³ Section 27(1)(b) of the Asylum Act.

³⁴ Section 27(5) of the Asylum Act.

³⁵ Regional Court in Brno, judgement No 41 Az 31/2020-72, 2 June 2021, available in Czech [here](#).

Exact statistical information on the length of the proceedings in individual cases is not publicly available. According to the information provided as an answer to OPU’s request, the Mol stated that the average length of the first instance procedure in 2025 was 147 days. Based on OPU’s experience, the average duration of the first instance proceedings varies significantly depending on the complexity of the individual case. The shortest proceedings in 2025 lasted no more than one month (since the lodging of the application), in cases where the Mol classified the application as manifestly unfounded or if the applicant submits a subsequent application without presenting new facts. There are also cases in which the proceedings exceed the maximum statutory time limits. In particular, in more complex cases, requiring multiple interviews and a thorough assessment of the evidence submitted, the duration of the proceedings may commonly exceed one year. The longest proceedings in 2025 lasted even more than two years.

By 31 December 2025, there were 627 pending asylum applications before the Mol.³⁶

The decision-making at first instance is rather consistent throughout the territory of the Czech Republic, as the decision-making is centralised (meaning the Mol is the only authority responsible for decision-making). Some differences exist only on the court level of the proceedings. There might, however, be some discrepancies as regards the thoroughness of the reasoning of the decision, depending on which particular decision-maker wrote the decision.

1.2 Prioritised examination and fast-track processing

Officially, Czech law does not expressly regulate so-called priority processing of applications for international protection within ordinary (non-accelerated) proceedings. The Asylum Act distinguishes between ordinary proceedings and shortened proceedings (accelerated procedure). However, the legislation does not explicitly provide for a priority order of examination (e.g. for vulnerable persons or clearly well-founded applications).

1.3 Personal interview

Indicators: Regular Procedure: Personal Interview

1. Is a personal interview of the asylum seeker in most cases conducted in practice in the regular procedure? Yes No
 - ❖ If so, are interpreters available in practice, for interviews? Yes No
2. In the regular procedure, is the interview conducted by the authority responsible for taking the decision? Yes No
3. Are interviews conducted through video conferencing? Frequently Rarely Never
4. Can the asylum seeker request the interviewer and the interpreter to be of a specific gender?
 - Yes No
 - ❖ If so, is this applied in practice, for interviews? Yes No

With few exceptions, the Mol must conduct an interview with the applicant for international protection. A written record of the interview is made, including the questions asked by the Mol and the applicant’s answers. Upon request, an audio recording of the interview can be made, and the Ministry may also decide to record it on its own initiative.³⁷

An interview is not required in the following cases (unless it is needed to fully establish the facts of the case):

- a. a decision granting asylum can be taken;

³⁶ Ministry of the Interior of the Czech Republic. Department for Asylum and Migration Policy, *Number of persons in the international protection proceedings at the beginning and at the end of the year 2025*, available [here](#).

³⁷ Section 23(1) of the Asylum Act.

- b. the application is a subsequent (repeated) one (in this case, the applicant can explain the reasons in writing or another suitable way);
- c. the applicant is a minor, except for unaccompanied minors; or
- d. the applicant is an EU citizen.³⁸

An interview is also not conducted if the applicant cannot participate, for example due to health reasons. In such cases, the applicant may provide the reasons for their application in writing or by another appropriate method.³⁹

Until the time of writing of this report, interviews have never been conducted through video conferencing. However, the latest amendment of the Asylum Act provides for this possibility.⁴⁰ Through videoconferencing equipment, the presence of an interpreter may also be ensured. The law permits the participation of an interpreter via videoconferencing both where the interview is conducted remotely and where only the interpreter participates remotely, while the interview itself is conducted in person.⁴¹ Prior to the commencement of the interview, the applicant must be informed of the manner in which it will be conducted and may raise objections concerning the quality of the transmission; if such an objection is justified and cannot be remedied, the interview must be interrupted. The applicant's explicit consent of the interview via videoconferencing is not required by law; it is sufficient that the applicant does not raise any objection to the conduct of the interview via videoconferencing. However, the applicant's rights must be fully respected, and the interview must be conducted in a manner that guarantees confidentiality, comprehensibility, and the possibility of effective communication.

An asylum seeker may request the interviewer and the interpreter to be of a specific gender. The Mol, however, will allow this only in exceptional circumstances. In particular, pursuant to Section 23(5) of the Asylum Act: *'For reasons worthy of special consideration or at the explicit request of an applicant for international protection, the Ministry shall ensure that the interview is conducted, and, where possible, that interpretation is provided, by a person of the same or the opposite gender; this shall not apply if the Ministry reasonably believes that the application is based on facts unrelated to any difficulties the applicant may have in presenting the reasons for the application for international protection.'* In practice, however, this option is not provided automatically. Particularly where the applicant states that they would not feel safe or would have difficulty testifying openly in the presence of a person of the opposite gender (for example, in cases involving sexual or gender-based violence), the Mol seeks to accommodate the request, subject to its personnel capacities (such as the availability of an official or an interpreter of the requested gender).

The interviews are typically conducted individually, meaning that each applicant is interviewed separately so that they can freely and confidentially present the reasons for their application. Each adult family member (e.g., husband and wife) undergoes their own individual interview.

Children are usually not present during the parents' interview, unless necessary (for example, in the case of very young children who cannot be left unsupervised), and rarely have their own interviews. When it comes to the final decision, children are included in the decision regarding one of their parents. Unaccompanied minors, however, always have their own individual interview and are represented by a guardian. Given the very low number of unaccompanied children seeking international protection in Czechia (only 3 in 2024 and none in 2025) OPU do not suppose staff is specifically trained to conduct interviews with children.

OPU is not aware of any existing training or guideline for interviewers (and interpreters) on how to detect vulnerabilities. Regarding interpreters, the Mol has a contract with a translation agency that provides specific interpreters for individual proceedings (such as interviews or the delivery of decisions), but there

³⁸ Section 23(2) of the Asylum Act.

³⁹ Section 23(3) of the Asylum Act.

⁴⁰ Section 23d of the Asylum Act.

⁴¹ Section 23d(6) of the Asylum Act.

is no specific requirement for them to undergo training on how to conduct asylum interviews or to identify vulnerable applicants.

1.3.1 Interpretation

The presence of an interpreter during the personal interview is explicitly required by law. In particular, under Czech law, applicants for international protection have the right to conduct proceedings in their mother tongue or in a language in which they can communicate.⁴² The Mol is obliged to provide an interpreter free of charge for all procedural acts for which the applicant has been summoned or requested, while applicants may also bring their own interpreter at their own expense.⁴³

In practice, interpreters are generally available for personal interviews, allowing applicants to communicate in their own language. However, the quality of interpretation varies.

The most common languages spoken by applicants — such as Arabic, Russian, Ukrainian, Kurdish, English, and Spanish — are covered. However, for less common languages (e.g., Tigrinya, Somali, Amharic, certain West African languages, or minority languages from Afghanistan and Pakistan), arranging interpretation can be difficult or time-consuming, sometimes requiring interpretation via a mediating language (e.g., English), which may affect translation quality.

The quality and expertise of interpreters is not always consistent, as not all interpreters have specialized training in asylum procedures or working with vulnerable persons. In practice, there have been cases where applicants reported discrepancies between what they actually said during the interview and the official transcript, indicating potential errors or an incomplete interpretation. Applicants have sometimes also questioned the impartiality of interpreters, claiming misinterpretation or inappropriate guidance.

The conditions for performing interpreting activities before public authorities are governed by Act No. 354/2019 Coll., on Court Interpreters and Translators. Interpreting activities may only be performed by interpreters registered in the list of interpreters and translators. Persons not registered in this list may be appointed as interpreters in proceedings before public authorities only exceptionally, if:

- a. no interpreter is registered for the relevant language;
- b. no interpreter registered in the list of interpreters and translators is able to perform the interpreting task; or
- c. performing the interpreting task with a registered interpreter would involve disproportionate costs or difficulties.

It follows that, before the Mol appoints as an interpreter a person not registered in the list, it is obliged to examine whether the conditions for such an appointment under one of the reasons mentioned above are met. The Mol does not always comply with this obligation, and appoints as interpreters persons that are not certified, without providing valid reasons. This is due to the fact that, as mentioned above, interpreters for personal interviews are chosen by the contracted agency and not the Mol itself. This might be a problem as only those interpreters who are officially registered are bound by a Code of Conduct and by other obligations stipulated in the Act on Court Interpreters and Translators.

An asylum seeker may legally request that the interview be conducted and interpreted by a person of a specific gender. This possibility is explicitly provided for in Section 23(5) of the Asylum Act (see above). In practice, this option is formally available, but its implementation is limited. The Ministry generally grants such requests in cases, for example, of sexual violence or persecution based on gender. However, the availability of interpreters or staff of the requested gender always plays a decisive role. In some cases, asylum seekers are not aware of this option due to insufficient information about their rights, so the provision of Section 23(5) is used relatively rarely.

⁴² Section 22(1) of the Asylum Act.

⁴³ Sections 22(2) and 22(3) of the Asylum Act.

1.3.2 Recording and report

Under Czech law, audio recording of the personal interview is possible but not mandatory. The Mol must make an audio recording of the interview at the request of the applicant, or can do so on its own initiative.⁴⁴ Consent of the asylum seeker is not legally required for the Ministry to make a recording, but the recording can only be made if procedural rights are fully respected.

The audio recording serves as part of the case file and functions equally to the written protocol. In appeal proceedings, it can be used to verify the accuracy of the Mol's decision, particularly to check whether the protocol or assessment faithfully reflects what the applicant stated during the interview.

In practice, however, audio recordings are rarely used. Applicants are often unaware of their right to request a recording or do not fully understand its significance. They are generally not informed of this option before the interview, and Mol staff seldom make recordings on their own initiative, which contributes to their low practical utilization in both first-instance and appeal proceedings.

A verbatim transcript of the personal interview is always drafted, recording the questions asked by the Mol and the applicant's answers, rather than merely summarizing the main points.⁴⁵ After the interview, the applicant has the opportunity to review the transcript and may add or correct answers if they believe their statements were not accurately or fully recorded. Any comments or corrections can be incorporated at the end of the protocol immediately following the interview.

In practice, however, problems with the quality of the transcript are reported, particularly when the interview is conducted through an interpreter. Common issues include incorrect translation or distortion of the applicant's statements, sometimes due to inattention or insufficient language proficiency of the interpreter. Applicants may not always notice these inaccuracies or may trust the officials and fail to thoroughly review the transcript. Errors often only come to light after the Mol's decision is issued, at which point correcting them becomes more difficult.

1.4 Appeal

Indicators: Regular Procedure: Appeal

1. Does the law provide for an appeal against the first instance decision in the regular procedure?
- | | | |
|--|--|--|
| ❖ If yes, is it | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| ❖ If yes, is it automatically suspensive | <input checked="" type="checkbox"/> Judicial | <input type="checkbox"/> Administrative |
| | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> Some grounds <input type="checkbox"/> No |

2. Average processing time for the appeal body to make a decision in 2025:
The average processing time varies depending on the complexity of the case and on the particular court and particular judge. The minimum duration is 1–3 months, up to 1 year or more.

1.4.1 First appeal

The law provides for an appeal mechanism against the decision of the Mol. According to Section 32 of the Asylum Act, an appeal may be lodged with the regional court of the applicant's place of residence at the time of issuing the decision.

According to Section 32, the review of the Mol's decision on international protection is a judicial review, not an administrative remedy.

The court not only assesses points of law, but may also review the facts of the case (i.e., verifying whether the Mol properly determined and evaluated the facts relevant to the application for international

⁴⁴ Section 23(1) of the Asylum Act.

⁴⁵ Section 23(1) of the Asylum Act.

protection). Therefore, the regional court conducts a full judicial review, encompassing both legal questions and the factual circumstances of the case.⁴⁶ The court itself, however, cannot grant international protection, because it is the Ministry's responsibility.⁴⁷ It can only annul the decision of the Mol and refer the case back for a new assessment.⁴⁸

The time limit for filing the appeal against a decision of the Mol depends on the type of decision. In particular:

- a. 15 days from the delivery of the decision in cases of
 - (a) a rejection of the application as manifestly unfounded,
 - (b) decisions on termination of proceedings, or
 - (c) if the applicant is detained.
- b. 1 month from the delivery of the decision in all other cases not falling under the categories above.
- c. 2 months if the decision does not include correct or complete information on the available remedy.

The Asylum Act stipulates the cases in which an appeal has suspensive effect and when it does not.⁴⁹

Where the appeal does not have an automatic suspensive effect, the applicant may still request the court to grant it under the Administrative Justice Code,⁵⁰ but only within the time limit for filing the appeal (see above). The court then has 30 days to decide whether the suspensive effect will be granted or not. It is not possible for the court to grant suspensive effect *ex officio*.

Under Section 32(2), the general rule is that the filing of an action has suspensive effect unless it falls within an expressly stated exception. Accordingly, the automatic suspensive effect applies in particular to an action against:

1. negative asylum decisions adopted in a regular (not accelerated) procedure (i.e., the decision stating that neither refugee status nor subsidiary protection is being granted).
2. decision to discontinue proceedings because of the inadmissibility of the application if the applicant comes from a safe third country (this being the only case in which a procedural decision to discontinue proceedings has an automatic suspensive effect);
3. some of the decisions rejecting an application as manifestly unfounded, in particular, if the ground for the decision is that the applicant:
 - a. states only economic reasons,
 - b. applies for international protection solely in order to escape a situation of general hardship,
 - c. presents facts that are manifestly not credible, or
 - d. submitted an application for international protection solely with the aim of avoiding or delaying imminent expulsion, extradition, or surrender under a European Arrest Warrant for criminal prosecution or for the enforcement of a custodial sentence abroad, although they could have applied for international protection earlier.

On the contrary, an automatic suspensive effect does not apply to actions against the following decisions:

1. Decisions rejecting an application as manifestly unfounded for one of the following reasons:
 - a. An applicant provides false information regarding their identity or nationality, or refuses to provide such information without serious reason,
 - b. With the intention of obstructing the proper establishment of the facts of the case, an applicant destroys, damages, or conceals their travel document or another important document, or for the same purpose submits a forged or altered travel document or other important document,
 - c. An applicant refuses to comply with the obligation to undergo fingerprinting,
 - d. An applicant comes from a safe country of origin, or
 - e. An applicant holds more than one nationality and has not sought protection from one of the countries of which he or she is a national.

⁴⁶ Section 75(1) of the Administrative Justice Code.

⁴⁷ Section 8 of the Asylum Act.

⁴⁸ Section 78(3,4) of the Administrative Justice Code.

⁴⁹ Section 32 (2) of the Asylum Act.

⁵⁰ Section 73 of the Administrative Justice Code.

2. A decision granting asylum.
3. A decision granting subsidiary protection.
4. A decision extending subsidiary protection.
5. A decision to discontinue proceedings (with the one exception mentioned above).

The Asylum Act does not set a fixed time limit within which the court must decide on the appeal. Court proceedings are governed by the Administrative Justice Code, according to which the actions in the matter of international protection should be decided with priority.⁵¹ In some cases the court needs to adopt a decision within 60 days from the filing of the action. These cases include:

- Dublin cases;⁵²
- If an applicant is detained;⁵³
- If an applicant is subject to a deportation order or extradition proceedings;⁵⁴ or
- If an applicant is not permitted to enter the territory.⁵⁵

According to the practice observed by OPU, the duration of the judicial proceedings varies depending on the complexity of the case and the workload of the particular court and judge. In cases where the application for international protection is manifestly unfounded, a judgment may be issued within a few weeks. In more complex cases, which require extensive evidence gathering, translation of documents from foreign languages, court proceedings may take several months, exceptionally even more than a year. In practice, certain differences can be observed between individual regions, particularly with regard to the length of proceedings and, to some extent, quality of the decision-making practice. Traditionally, the Municipal Court in Prague (which is one of regional courts) and the Regional Court in Brno are more heavily burdened than courts in other parts of the country, which may result in longer proceedings. The regional court in whose district the applicant for international protection was registered for residence on the date of the decision has jurisdiction in the case.

Administrative justice is exercised at first instance by the regional courts.⁵⁶ In proceedings concerning a lawsuit in the matter of international protection, the court with local jurisdiction is the regional court in whose district the applicant for international protection was registered for residence on the date the decision was issued.⁵⁷ For the Capital City of Prague, this court is the Prague Municipal Court.⁵⁸

In practice, asylum seekers may face obstacles when filing an appeal against a decision of the Mol. Given the complexity of judicial proceedings, relatively short time limits for the appeal, lack of resources and language barriers, asylum seekers are usually not able to appeal without proper legal assistance. NGOs and lawyers providing free legal aid play a crucial role in this context, as they assist applicants in drafting and submitting the appeal to the court and, if necessary, represent them in the proceedings.^{59,60} Without such support, the majority of asylum seekers would be unable to effectively exercise their right to judicial review.

The court may decide on the merits of the case without a hearing if the case can be decided only on the basis of documentary evidence on which the parties have had the opportunity to comment or which is known to them, and the parties have unanimously proposed or consented to this. Consent shall also be deemed to have been granted if the party does not express its disagreement with such a hearing of the case within two weeks of the receipt of the summons from the chairman of the panel; he must be informed of this in the summons.⁶¹ An asylum seeker may be heard during the judicial review of a decision of the

⁵¹ Section 56(3) of the Administrative Justice Code.

⁵² Section 32(6) of the Asylum Act.

⁵³ Section 32(6) of the Asylum Act.

⁵⁴ Section 32(4) of the Asylum Act.

⁵⁵ Section 32(7) of the Asylum Act.

⁵⁶ Section 3(1) of the Administrative Justice Code.

⁵⁷ Section 32(3) of the Asylum Act.

⁵⁸ Section 9(1) of Act No. 6/2002 Coll., on Courts, Judges, Lay Judges, and the Administration of Courts, and on Amendments to Certain Other Acts (the Courts and Judges Act).

⁵⁹ Section 33a of the Asylum Act.

⁶⁰ Section 35(10) of the Administrative Justice Code.

⁶¹ Section 51(1) of the Administrative Justice Code.

Mol only if they request to do so. This request can be made only in Czech language. In practice, however, courts often decide based on written materials (i.e., the administrative file, the appeal, and the Ministry's response), and a personal hearing of the applicant occurs only exceptionally, upon their request.

As of 2023 the law allows that the presence of the applicant at court hearings may be ensured also via videoconference.⁶² However, the use of videoconferencing must not restrict the rights of participants in the proceedings. In particular, the asylum seeker must have the possibility to communicate with their legal representative, who may be present either at the court or at the location where the applicant is situated. In practice, videoconferencing is rarely used for hearings as not all of the courts have sufficient technical equipment.

Hearings of the court are generally public. However, the law allows for the exclusion of the public, either partially or entirely, for reasons such as the protection of classified information, public morality, or public order.⁶³ The applicant can also request the court for the exclusion of the public. If the public is excluded, an applicant may request that two trusted representatives be allowed to attend. The court permits their attendance provided that it does not undermine the purpose of excluding the public, and will instruct them on the obligation of confidentiality and the consequences of its breach. In cases involving classified information, the representatives must provide the court with certification for the appropriate level of confidentiality.⁶⁴ The presiding judge also has the authority to expel anyone from the courtroom who disrupts the order or the dignified conduct of the proceedings.⁶⁵

Unlike judgements of civil or criminal courts, judgements of administrative courts (Regional courts or Municipal Court in Prague) are being regularly published in full, with personal data being anonymized. Publication takes place in the Decisions Database of the Supreme Administrative Court.⁶⁶

Decision-making at the second instance (i.e., the judicial review of international protection decisions by regional courts) should theoretically be uniform, as all courts apply the same legal framework and are bound by the case law of the Supreme Administrative Court (SAC). In practice, however, some differences, as regards the quality of the decision-making, may occur between individual courts and even between individual judges of the same court. Within some courts⁶⁷ (Regional Court in Brno, Regional Court in Ostrava and, until recently, also the Municipal Court in Prague), cases concerning international protection are decided by specialised single judges who focus primarily on asylum and migration matters (and, apart from these cases, they usually deal only with social security issues and minor administrative offences). As a result, these judges have greater experience and expertise in adjudicating asylum claims. At other courts, however, asylum cases are decided by judges who handle a wide range of other areas of administrative law, such as tax law, construction law, environmental law, or public procurement. In practice, these judges may have limited opportunity to develop expertise in asylum law, and the quality of their decisions in asylum cases might therefore often be lower. As such, judicial decision-making practice may differ slightly between regions on certain issues. However, where inconsistencies in the outcome of case law arise, their harmonisation falls within the competence of the SAC.

1.4.2 Onward appeal

⁶² Section 33a of the Asylum Act.

⁶³ Section 49(2) of the Administrative Justice Code.

⁶⁴ Czech law (Act No. 412/2005 Coll.) recognizes four different levels of confidentiality of classified information, depending on the extent of harm to national interest that could be caused by their disclosure (these levels are: reserved, confidential, secret, top secret). In order to access the classified information of a particular level, one must hold a certificate for the particular or higher level of confidentiality (e.g., if a person wants to access the information classified as secret (third level), they must hold a certificate for access to secret or top secret information).

⁶⁵ Section 49 (2) of the Administrative Justice Code.

⁶⁶ Available [here](#).

⁶⁷ Whether all judges of a given regional court hear all types of cases, or whether specialized single-judge panels are instead established that adjudicate exclusively or primarily matters assigned to single judges under the Administrative Justice Code, depends on the court's schedule of work, which is drawn up by the president of each regional court.

Further appeals against the decision of the regional courts are provided under Czech law through a cassation complaint to the Supreme Administrative Court.⁶⁸ A cassation complaint needs to be filed within two weeks after receiving the judgement of the regional court.⁶⁹

The filing of a cassation complaint has automatic suspensive effect in those cases where the filling of an action had one. There is an exception, however, namely: if the applicant is in a detention facility for foreigners or is not permitted entry to the territory. In these cases, a cassation complaint lacks automatic suspensive effect even if the action had it. However, but the applicant may request the court to grant suspensive effect separately within the time limit for filing the cassation complaint.⁷⁰ The court cannot grant the suspensive effect *ex officio*.

The cassation complaint is not admissible in case of further subsequent applications for international protection (meaning the third and next applications) or if the applicant withdrew the asylum application and the proceedings were, thus, terminated.

1.5 Legal assistance

Indicators: Regular Procedure: Legal Assistance

1. Do asylum seekers have access to free legal assistance at first instance in practice?
 Yes With difficulty No

❖ Does free legal assistance cover:
 Representation in interview
 Legal advice

2. Do asylum seekers have access to free legal assistance on appeal against a negative decision in practice?
 Yes With difficulty No

❖ Does free legal assistance cover
 Representation in courts
 Legal advice

Legal assistance and representation at first instance (administrative procedure)

In the Czech Republic, asylum seekers have the right to free legal assistance from the moment they make their application for international protection.⁷¹ However, the law does not guarantee them a right to free legal representation in the first instance administrative procedure. The law is very vague and does not specify what exactly should the right to legal assistance cover in practice. The rules for free legal assistance do not differ depending on the type of procedure (regular, accelerated, Dublin, etc.). This means that, in practice, all asylum seekers can benefit from the same extent of legal assistance, regardless of the outcome of their application.

Until April 2026 free legal assistance was provided by two main entities: (a) NGOs (OPU and SIMI), and (b) a private law firm. Access is not restricted based on the applicant’s financial circumstances or the potential success of their application. However, asylum seekers with sufficient financial resources may also hire a lawyer of their choice for legal assistance.

Legal assistance provided by the private law firm is funded from the State budget, based on the results of a public procurement process. The activities of the NGOs are partially funded by UNHCR and the Mol (distributing EU AMIF funds). The UNHCR program has faced significant budgetary cuts following the U.S. elections in 2024. This has not so far had any major impact on the provision of free legal aid as NGOs could still rely on AMIF funding.

The (free) legal assistance provided by NGOs or the selected law firm mainly includes advice on procedural rights and obligations, consultations regarding issues related to the individual circumstances

⁶⁸ Section 102 of the Administrative Justice Code.
⁶⁹ Section 106(2) of the Administrative Justice Code.
⁷⁰ Section 32(5) of the Asylum Act.
⁷¹ Section 21 of the Asylum Act.

of the case, or help with drafting an appeal against a negative decision. Lawyers from NGOs as well as selected attorneys may also, within the limits of their current funding, provide representation (e.g., at the interview, when accessing the file, or during the familiarisation with the case file before the decision is issued) to applicants they themselves consider suitable or necessary. This option is used primarily by NGO lawyers providing legal assistance. Staff of the contracted law firm, on the other hand, limit their activities to counselling and assistance with drafting remedies.

As noted above, while the law guarantees asylum seekers access to free legal assistance already at the first instance of the regular international protection procedure, applicants do not have a right to free legal representation in the first instance administrative procedure. However, as noted above, lawyers from NGOs and selected attorneys may also, within the limits of their current funding, provide legal representation at first instance to applicants they consider suitable or necessary. Moreover, an applicant may choose to hire a legal representative whom they arrange and pay for themselves.

Lawyers from NGOs and the contracted law firm have access to all asylum facilities, where they are available on a regular basis (once a week). In addition, they are available in their offices located in larger cities (Prague, Brno, Ostrava, Plzeň, Hradec Králové).

All in all, in practice, access to free legal assistance for asylum seekers in Czechia was generally available in 2025 and there were no major obstacles. However, as of April 2026, there have been significant changes in funding of the legal aid. The AMIF-funded project ended in March 2026, and the MoI decided not to continue with a new one, even though the new AMIF project for legal aid to asylum seekers was originally listed in the upcoming calls for 2025. At the beginning of March 2026, the MoI informed the representatives of the NGOs that they do not intend to continue with AMIF funding and instead, legal aid will solely be provided by the private law firm selected in a public tender. There was no further explanation regarding this decision. After the end of the AMIF project, access of NGOs to asylum facilities was restricted, despite the fact that OPU still has funding by UNHCR available to continue with the provision of free legal aid.

Legal assistance and representation at the appeal stage

Funding for the current system of the general free legal aid for all applicants only covers mainly the first instance (administrative) procedure and assistance with drafting an appeal against a negative decision. Further representation of an asylum seeker during the court proceedings is not covered. At this stage, asylum seekers may access free legal representation (through appointed legal representatives) under the same conditions as Czech citizens, which means that they need to prove that they do not have sufficient means to cover these costs themselves. As there is rarely an oral hearing (see above), the representation by a lawyer during the appeal is not always necessary. Drafting a well-reasoned appeal is the most essential part of the appeal procedure. Thus, in many cases, asylum seekers represent themselves. Representation by an attorney is not mandatory before regional courts, but it is mandatory before the SAC.⁷² If the regional court appoints a representative for an asylum seeker, this representation also covers the proceeding before the SAC. Otherwise, an asylum seeker must either find an attorney to represent them during the cassation proceeding or ask the SAC to appoint them a representative (after proving they do not have sufficient means). In contrast to proceedings before the regional court,⁷³ representation by an NGO is not permitted in proceedings before the SAC. National legislation does not explicitly provide for a 'merits test' at the appeal stage in the context of asylum cases.⁷⁴ This means that free legal representation cannot be formally refused solely on the basis that the appeal is unlikely to succeed. In practice, NGOs and legal aid providers may still prioritize cases based on complexity or urgency, but there is no legal provision allowing denial of assistance purely because the appeal appears likely to be unsuccessful.

⁷² Section 5(2) of the Administrative Justice Code.

⁷³ Section 35(5) of the Administrative Justice Code.

⁷⁴ Section 35(10) of the Administrative Justice Code.

As mentioned above, the most important part of the appeal proceedings is the filing of an action with the regional court. The action must meet relatively strict formal and substantive requirements in order to be admissible, otherwise the court will dismiss it. This stage of the appeal proceedings is typically covered by lawyers from NGOs or by contracted attorneys who provide legal assistance already at the first-instance stage of the proceedings.

At the appeal stage of the procedure, these scenarios are the most common regarding free legal aid:

- a. The applicant uses legal aid of the State-contracted law firm: First, the applicant goes to the State-contracted law firm and requests the preparation of the lawsuit to appeal the negative decision. They would prepare a short lawsuit, with some basic facts and points of law. As part of this lawsuit, they would ask the Court to appoint a legal representative. The applicant submits the lawsuit in their own name. Second, the applicant proves they do not have sufficient resources to cover the costs themselves. Third, if it is confirmed that the applicant does not have sufficient resources, the Court then appoints a different lawyer (from its own list) to take care of the applicant's assistance and representation during the appeal process. The court can appoint any attorney from a list governed by the Chamber of attorneys, and there is no requirement that the lawyer must be specialized in asylum law.
- b. The applicant uses legal aid from the NGOs: a lawyer from the NGO would prepare a detailed lawsuit and provide legal assistance (and in selected cases also representation) to the applicant throughout the appeal process before the regional court. In this case the applicant does not need to prove that they lack sufficient resources. The representation would not be provided automatically, as the applicant would represent themselves and the NGO lawyers would advise them on procedural steps. Only in some strong cases, the NGO lawyers would formally represent the applicant (currently this is possible because of UNHCR funding, as the AMIF funding does not cover it).

The main restriction that possibly may undermine access to effective legal assistance and representation at the appeal stage is the quality of legal representation when the court is appointing an attorney to represent an asylum seeker. Moreover, there is often a shortage of attorneys who are familiar with asylum law, which can make it difficult for asylum seekers to secure effective legal assistance and representation. This shortage is particularly pronounced in regions outside major cities, where the availability of legal assistance is more limited. Furthermore, there are also financial constraints. As an example, OPU lawyers are able to provide free legal assistance and representation in the appeal stage of the procedure only in selected cases thanks to UNHCR funding.

The amount of financial compensation for legal assistance providers (both at first and second instances) is generally not considered an obstacle towards the effective engagement in the provision of legal assistance and representation to asylum seekers. While the remuneration does not always fully reflect the time and complexity involved in asylum cases, free legal assistance and representation is, nonetheless, consistently provided by a combination of NGOs and State-contracted lawyers.

2. Dublin

2.1 General

Dublin statistics: 1 January – 31 December of 2025

| Outgoing procedure | | | | Incoming procedure | | | |
|--------------------|-------------------|----------|------------|--------------------|----------|----------|------------|
| | Requests | Accepted | Transfers* | | Requests | Accepted | Transfers* |
| Total | 345 ⁷⁵ | 212 | 104 | Total | 431 | 310 | 100 |
| Germany | 77 | 44 | 39 | Germany | 170 | 129 | 52 |
| France | 43 | 24 | 7 | France | 90 | 64 | 7 |
| Croatia | 27 | 21 | 5 | Belgium | 33 | 30 | 4 |
| Romania | 22 | 10 | 8 | Austria | 31 | 18 | 9 |
| Austria | 20 | 6 | 7 | Netherlands | 29 | 22 | 7 |

Source: Ministry of the Interior of the Czech Republic, Department for Asylum and Migration Policy, *Dublin proceedings by EU Member States in 2025*, available [here](#); and information provided by Mol upon request.

* Transfers refers to the number of transfers actually implemented, not to the number of transfer decisions.

| Outgoing Dublin requests by criterion: 2025 | | |
|---|---------------|-------------------|
| Dublin III Regulation criterion | Requests sent | Requests accepted |
| 'Take charge': Articles 8 to 17 | | |
| Article 8 (minors) | Less than 5 | - |
| Article 9 (family members granted protection) | - | - |
| Article 10 (family members pending determination) | - | - |
| Article 11 (family procedure) | Less than 5 | Less than 5 |
| Article 12 (visas and residence permits) | 140 | 110 |
| Article 13 (entry and/or remain) | Less than 5 | Less than 5 |
| Article 14 (visa free entry) | - | - |
| 'Take charge': Article 16 | - | - |
| 'Take charge' humanitarian clause: Article 17(2) | Less than 5 | - |
| 'Take back': Articles 18 and 20(5) | | |
| Article 18 (1) (b) | 128 | 37 |
| Article 18 (1) (c) | 13 | 12 |
| Article 18 (1) (d) | 65 | 43 |
| Article 20(5) | 8 | 8 |

Source: Information provided by Mol upon request (values less than or equal to 5 were not provided with a reference to protecting personal data in accordance with GDPR regulations)

| Incoming Dublin requests by criterion: year | | |
|---|-------------------|-------------------|
| Dublin III Regulation criterion | Requests received | Requests accepted |
| 'Take charge': Articles 8 to 17 | | |
| Article 8 (minors) | Less than 5 | Less than 5 |
| Article 9 (family members granted protection) | - | - |

⁷⁵ This is a number of total outgoing requests. Below we mention five most frequent countries.

| | | |
|---|-------------|-------------|
| Article 10 (family members pending determination) | - | - |
| Article 11 (family procedure) | Less than 5 | Less than 5 |
| Article 12 (visas and residence permits) | 262 | 205 |
| Article 13 (entry and/or remain) | 6 | - |
| Article 14 (visa free entry) | - | - |
| 'Take charge ': Article 16 | - | - |
| 'Take charge ' humanitarian clause: Article 17(2) | Less than 5 | - |
| 'Take back ': Articles 18 and 20(5) | | |
| Article 18 (1) (b) | 93 | 44 |
| Article 18 (1) (c) | Less than 5 | Less than 5 |
| Article 18 (1) (d) | 63 | 56 |
| Article 20(5) | - | - |

Source: Information provided by the MoI upon request.

2.1.1 Application of the Dublin criteria

In practice, the most frequently used criterion for both outgoing and incoming requests is Article 12 of Dublin III - visas and residence permits.

In practice, the family unity provisions under Articles 8–11 of the Dublin III Regulation are applied, but their implementation can vary depending on the stage of the procedure and the type of evidence provided.

For incoming Dublin procedures, authorities generally attempt to verify family links through documentation such as birth certificates, marriage certificates, or other official documents. Asylum seekers are often required to provide original or certified copies of documents whenever possible.

In outgoing Dublin procedures, the application of the family criteria depends on whether the existence of family members in another Member State is timely asserted and sufficiently substantiated by the applicant. If such information is not provided at the outset of the procedure, authorities may proceed on the basis of other applicable criteria under the Dublin system and may conclude that the conditions for applying family unity provisions have not been demonstrated. This may result in the transfer of the applicant to another Member State under a different Dublin criterion, which can in practice lead to the separation of family members residing in different Member States. Family unity indications are, therefore, typically taken into account prior to the issuance of a transfer decision. Once a transfer decision has been adopted, they are not taken into consideration.

Regarding the family unity criteria, the most frequently used criteria in outgoing and incoming procedures are spouses/partners and minor children. Authorities prioritize uniting minor children with parents, whether in incoming or outgoing transfers. Documentation such as birth certificates is usually required. Siblings, adult children, or other dependent family members are less commonly used as grounds for family unity under Dublin rules, and practical application is more limited.

In outgoing requests, authorities sometimes reject family unity applications if the asylum seeker did not declare family members in another Member State at the initiation of the proceedings. In incoming requests, authorities tend to give priority to minors and spouses already residing in the requesting Member State.

Overall, while the law formally guarantees family unity, practical challenges, such as the lack of documentation, delayed disclosure of family links, and procedural strictness in Dublin transfers, can limit the effective application of these provisions.

In 2025, a total of 359 outgoing requests were processed in the Czech Republic. Of these, 212 applications were approved, while 147 applications were rejected. The Mol does not state the specific reasons for rejecting the application and does not have them at its disposal. In the case of take-charge requests, the reason for non-acceptance is usually that the conditions for responsibility set out in Article 12 of Regulation (EU) No 604/2013 are not fulfilled.

2.1.2 The discretionary clauses

In practice, the sovereignty clause (Article 17(1)) is invoked exceptionally and only for applicants with strong legal or social ties to the Czech Republic, while the application of the humanitarian clause (Article 17(2)) is more flexible and frequently applied to protect vulnerable persons even if another Member State would normally be responsible under Dublin rules. Authorities generally distinguish clearly between the two clauses in their reasoning, using objective links for sovereignty and exceptional humanitarian circumstances for humanitarian applications.

In practice, the most frequently accepted ground for applying the humanitarian clause is family reunification. Other humanitarian or social factors are considered on a case-by-case basis at the discretion of the authorities.

The sovereignty clause is used in exceptional cases, if the applicant has a strong relation to the Czech Republic.

According to the information provided by the Mol, in 2025 Czechia used the sovereignty clause in less than 5 cases. The humanitarian clause was not used at all.

2.2 Procedure

Indicators: Dublin: Procedure

1. Is the Dublin procedure applied by the authority responsible for examining asylum applications?
 Yes No
2. On average, how long does a transfer take after the responsible Member State has accepted responsibility?
The process usually takes between two weeks and three months

The Dublin procedure is regulated directly by the Dublin III Regulation. The Asylum Act as well as the Administrative Procedure Code regulate the course of the administrative proceedings.

The Dublin procedure is applied systematically in all cases where the conditions laid down in the Dublin III Regulation are met. National legislation does not contain any exceptions that would allow the Dublin procedure not to be applied in these cases.

Fingerprinting

The Immigration Police systematically takes fingerprints of every asylum seeker older than 14 years of age. These fingerprints remain in the national records for 20 years from the end of the foreigner's stay in the Czech Republic. All asylum seekers are systematically checked for a hit in Eurodac.

If an asylum seeker refuses to provide fingerprints, the application may be considered manifestly unfounded because the applicant is considered not to be cooperating with the authorities.⁷⁶ Refusal to provide fingerprints is a misdemeanor under the law and may be punished by a fine of up to CZK 2,000 (approx. 80 EUR).⁷⁷ The law does not authorize the use of physical force to take fingerprints without the

⁷⁶ Section 16(1)(f) of the Asylum Act.

⁷⁷ Section 93(3)(c) and section 93(7) of the Asylum Act.

applicant's consent. Therefore, in cases of refusal, fingerprints are not forcibly collected; instead, the above legal consequences will apply.

In practice, asylum seekers are informed in advance about their obligation to provide fingerprints and the consequences of their refusal. Based on the observance of practice by OPU, cases where an applicant actually refuses to provide fingerprints are rare.

Information provided to the asylum seeker in Dublin procedures

If the MoI determines that another Member State may be responsible for examining the application under the Dublin III Regulation, the asylum seeker is notified of this fact. The applicant is informed that the Czech Republic will send a request for transfer or take-back to another Member State and is provided with the reasons for this request (e.g., records in the EURODAC system, a valid visa, or residence permit issued by another Member State). The applicant also receives standardized written information in his language about the Dublin procedure.⁷⁸

The asylum seeker is informed of the response of the Member State when they access their case file. In every case, where the MoI intends to discontinue the proceedings because another Member State is deemed responsible under Dublin rules, the applicant receives an invitation to access their case file. This is a voluntary administrative act, the applicant is not obliged to attend it. If the applicant attends this act, all the relevant documents that will be used as a basis for the decision must be presented to them and they have the right to express their opinion on the documents. The applicant can claim systemic flaws in the asylum procedure of the responsible Member State or individual reasons against the transfer. The MoI has to take these into account and deal with these objections in the reasoning of the Dublin decision.

The decision on discontinuation of proceedings due to the fact that another Member State is deemed responsible for the application also contains information on the reply of that Member State.⁷⁹

2.2.1 Individualised guarantees

In practice, the authority conducting the Dublin procedure in the Czech Republic rarely seeks individualized guarantees regarding adequate reception conditions in another Member State. Information about reception conditions is mostly obtained only generally. As a result, legal actions against transfer decisions are successful only in rare cases, particularly when it can be shown that the reception conditions in the receiving state do not meet the standards established by the ECtHR and CJEU case law.

Systematic requests for individualized guarantees are not standard practice, nor are they applied consistently for specific categories of applicants or particular Member States. They occur only in exceptional cases, typically after the court cancels the Dublin decision and asks the MoI to obtain individual guarantees. Even in these cases, however, the guarantees obtained by the MoI cannot always be considered sufficiently individual. As demonstrated by case law of the Regional Court in Brno:⁸⁰ the Court has annulled decisions of the MoI because it failed to obtain individual guarantees from the Hungarian authorities prior to ordering a Dublin transfer. In its previous judgment in the same case, the Court had clearly stated that a transfer to Hungary would be compatible with Article 3(2) of the Dublin III Regulation only if the MoI secured specific assurances that the applicant would be allowed to lodge an application for international protection upon their return. The MoI did not challenge that judgment and was, therefore, bound by its legal opinion. However, instead of obtaining individual guarantees, the MoI relied on general information provided by the Hungarian authorities to the EUAA. The court held that such general information cannot substitute individualized diplomatic assurances, particularly in light of systemic concerns regarding the Hungarian asylum legislation and practice.

⁷⁸ This information in Czech language can be found [here](#) and [here](#).

⁷⁹ Section 10a(1)(b) and Section 25(i) of the Asylum Act.

⁸⁰ Regional Court in Brno, judgement No 41 Az 49/2023 – 33, 19 January 2024, available in Czech [here](#).

2.2.2 Transfers

Asylum seekers can be detained in connection with their Dublin transfer if it is considered that there is a serious risk of them absconding, in particular if they have previously evaded the execution of a transfer, attempted to abscond, or expressed an intention not to comply with a final decision ordering the transfer to a designated Member State or if such intention is apparent from their conduct.

OPU has observed that detention for the purpose of a Dublin transfer of an applicant is a common practice in the Czech Republic in some cases. Particularly, regarding people who are transiting through Czechia to other countries (typically Germany) and are caught by the police and get a Eurodac hit. On the contrary, if a person comes voluntarily to a reception centre to seek international protection, they will rarely be detained.

Transfers are carried out both under escort (if the applicant is in detention) by the authorities and voluntarily. Asylum seekers typically do not receive specific personal documents to travel in the context of a Dublin transfer. Any personal belongings and documents that were held during detention will be handed over directly to the authorities of the receiving Member State.

The duration of Dublin procedure differs if the applicant is detained or not. In the case of detention the transfer should take place within 6 weeks from acceptance of responsibility by another Member State (unless a claim to the court against the transfer decision was filed by the applicant, in which case it is 6 weeks running from the final decision of the competent court). In these circumstances, the transfer typically takes place within two weeks to one month, as authorities aim to minimize waiting time and ensure a swift handover. If the applicant is not detained, the transfer should take place within 6 months after the acceptance by the responsible Member State (unless a claim to the court against the transfer decision was filed, in which case it is 6 months from the final decision of the competent court).

Outgoing Dublin transfers from the Czech Republic are generally carried out successfully. Delays and practical obstacles occur, including the asylum seeker's health condition, limited cooperation of the applicant or capacity constraints, which may require postponing the transfer.

2.3 Personal interview

Indicators: Dublin: Personal Interview

Same as regular procedure

1. Is a personal interview of the asylum seeker in most cases conducted in practice in the Dublin procedure? Yes No
❖ If so, are interpreters available in practice, for interviews? Yes No
2. Are interviews conducted through video conferencing? Frequently Rarely Never

The law requires a personal interview of the asylum seeker also in the Dublin procedure. During this interview, which usually takes place within one week from making the application, basic information about identity, travel route and reasons for seeking asylum is collected, and simultaneously assesses whether the applicant falls under the Dublin III Regulation. There is, therefore, no separate interview specifically for the Dublin procedure.

This interview is conducted by the same authority as the one responsible for the regular procedure (i.e., the Mol).

There are no specific aspects of the interview in the Dublin procedure that differ from the interview in the regular procedure. Within this interview the information relevant for the assessment of the responsible Member State are collected, such as the place of entry into the EU, visas or residence permits in other

Member States, fingerprint data, family members in other Member States as well as the reasons why the application was filed in the Czech republic and possible reasons against the transfer.

2.4 Appeal

Indicators: Dublin: Appeal
 Same as regular procedure

1. Does the law provide for an appeal against the decision in the Dublin procedure?
 Yes No

❖ If yes, is it Judicial Administrative
❖ If yes, is it suspensive Yes No

An appeal against a decision of the MoI regarding a Dublin transfer can be filed with the competent regional court, same as in the regular procedure. Unlike in the regular procedure, however, the deadline for the appeal is only 15 days since the notification of the transfer decision, and it does not have an automatic suspensive effect, although it is possible to request it together with the lawsuit. The court has 30 days to decide on the suspensive effect and 60 days to decide about the appeal. Same as in the regular procedure, the court usually decides without holding an oral hearing, unless it deems one necessary or unless an applicant asks for it.

An asylum seeker is allowed to challenge the application of the Dublin criteria in the appeal against a decision on a Dublin transfer. In the court proceedings, the applicant may argue, for example, that the responsible Member State was incorrectly determined under the criteria set out in the Dublin III Regulation—for instance, that another Member State is actually responsible for examining the application, or that the transfer of responsibility was not properly assessed. At the same time, the applicant may also raise arguments that the transfer would be incompatible with their fundamental rights, particularly prohibition of inhuman or degrading treatment due to systemic flaws in the reception system of the responsible state. An applicant may also challenge a non-application of the discretionary clause in their particular case.

When reviewing a Dublin transfer decision, the court considers several factors to decide if the transfer to another Member State can be allowed. These include especially the reception conditions in the receiving country, such as housing, healthcare, and basic living needs. The court also takes into account family life (e.g., whether the applicant has close relatives in another Member State), as well as other personal circumstances like health, age, vulnerability, or other relevant factors. The key consideration is that the transfer must not violate the fundamental rights of the applicant, especially the prohibition of inhuman or degrading treatment and the right to respect for private and family life.

2.5 Legal assistance

Indicators: Dublin: Legal Assistance
 Same as regular procedure

1. Do asylum seekers have access to free legal assistance at first instance in practice?
 Yes With difficulty No

❖ Does free legal assistance cover: Representation in interview
 Legal advice

2. Do asylum seekers have access to free legal assistance on appeal against a Dublin decision in practice?
 Yes With difficulty No

❖ Does free legal assistance cover Representation in courts
 Legal advice

Legal assistance in the Dublin procedure does not differ from the regular asylum procedure.

Czech law provides asylum seekers with access to free legal aid during the Dublin procedure under the same conditions as in the regular procedure. This is also the case in practice. An asylum seeker may choose to hire a lawyer at their own expense or use free legal assistance from a non-governmental organization or from a law firm contracted by the State. Legal assistance mainly includes advice on filing an appeal against a Dublin transfer decision, as well as help with drafting and submitting the appeal to the Regional Court. Legal aid may also cover representation during an interview or other actions on the first instance procedure. This, however, is not automatic, but depends on the discretion of the person providing free legal assistance (including existing budgetary constraints). NGO lawyers usually use these opportunities in cases of vulnerable applicants. Contracted lawyers limit provision of legal aid only to counselling and drafting appeals.

The current state-funded system of free legal assistance does not cover the appeal procedure. It ends with the filing of a lawsuit against a negative (or Dublin) decision. Then, applicants either represent themselves, are appointed a lawyer by the court (upon request and only if they meet the means test), or are represented by an NGO (if their case is considered well-founded by an NGO lawyer).

2.6 Suspension of transfers

Indicators: Dublin: Suspension of Transfers

1. Are Dublin transfers systematically suspended as a matter of policy or jurisprudence to one or more countries? Yes No
 - ❖ If yes, to which country or countries?

The Czech Republic has not currently suspended transfers of asylum seekers to any other EU Member States or Associated States. In the past, transfers to Greece were generally suspended from 2011 following the ECtHR judgement of *M.S.S v Belgium and Greece*.⁸¹ As of 2017, after the Commission recommended resuming transfers to Greece,⁸² Czechia has been sending numerous take back and take charge requests to Greece every year. However, until the end of 2025 no transfer to Greece had taken place.⁸³

Also transfers to Hungary have been suspended in the past following national jurisprudence, after courts repeatedly annulled decision of the Mol due to systemic flaws in Hungarian asylum system, especially as regards a possible *refoulement* to Serbia. For example, in the SAC held that: "*In view of the reform of the Hungarian asylum system effective from 1 August 2015, there arises a completely real risk of the complainant being transferred precisely to Serbia and subsequently potentially deported to other countries, including, ultimately, the complainant's country of origin, without his application for international protection having been properly examined by any state. This is the case even though no other EU country considers Serbia a safe third country, and Hungarian law and practice do not comply with the rules and safeguards established by the procedural directives for the application of the concept of a safe third country, or, as applicable, a European safe third country, compliance with which in the case of applying the safe third country concept following the transfer of an applicant under the Dublin system is also emphasized by Article 3(3) of the Dublin III Regulation*".⁸⁴

However, even before the SAC issued this decision, the Regional Court in Prague had already consistently maintained that the Hungarian asylum system was characterized by such significant shortcomings that the transfer of the applicant to Hungary was inadmissible.⁸⁵ Also the Regional Court in Brno, ruled in 2016 that the transfer of an asylum seeker would pose a real risk due to deficiencies in the Hungarian asylum system, including the risk of subsequent deportation without proper examination of the

⁸¹ ECtHR, Application No 30696/09, *M.S.S. v. Belgium and Greece*, 21 January 2011.

⁸² Commission Recommendation (EU) 2016/2256 of 8 December 2016 addressed to the Member States on the resumption of transfers to Greece under Regulation (EU) No 604/2013 of the European Parliament and of the Council

⁸³ See the statistical information on Dublin transfers available for individual years [here](#).

⁸⁴ SAC, judgement No 5 Azs 195/2016–22, 12 September 2016, available in Czech [here](#).

⁸⁵ Regional Court in Prague, judgement No 49 Az 109/2015–74, 14 January 2016, available in Czech [here](#).

applicant's international protection claim, and that authorities should consider the applicant's vulnerability and explore less restrictive measures than detention.⁸⁶

In other cases, if a transfer is suspended, it usually happens only upon a court decision in an individual case.

When transfers are suspended, Czechia assumes responsibility for the asylum application, and the procedure continues as if the applicant were under the regular procedure.

Relevant national jurisprudence in the Czech Republic concerning the suspension or annulment of Dublin transfers is primarily based on the Mol obligation to conduct a thorough, individualized, and up-to-date assessment of both the receiving state's asylum system and the applicant's specific vulnerabilities.

Systemic Deficiencies in Recipient Countries (Article 3(2))

Courts frequently intervene when a transfer could possibly expose an applicant to a real risk of inhuman or degrading treatment due to systemic flaws in the responsible Member State.

Hungary: Transfers have been repeatedly quashed in 2015 and 2016 due to restrictive legislation and the 'automatic' risk of refoulement to Serbia, which Hungary considered a safe third country despite contrary evidence from the UNHCR.⁸⁷ Also in some recent judgements, courts found possible systemic flaws of the Hungarian asylum system given the uncertain situation of Dublin returnees as regards the possibility of making a new application for international protection. The courts noted that *'[t]he impossibility of applying for international protection in Hungary without the applicant having first submitted a declaration of intention to the Hungarian embassy gives, in the opinion of the court, serious grounds for believing that the Hungarian asylum procedure suffers from systemic deficiencies which entail a risk of ill-treatment within the meaning of Article 4 of the Charter of Fundamental Rights of the EU. If it is currently not certain that an application for international protection can be lodged in Hungary at all in accordance with the guarantees arising from EU law, then it cannot be ruled out that the applicant could be returned to his country of origin without his application for international protection having been properly examined by the Hungarian authorities. Such a procedure is clearly contrary to the principle of non-refoulement'*.⁸⁸ Therefore, to effect transfers to Hungary, courts require the Mol to obtain individual guarantees before a transfer can proceed

Italy: Some rulings have highlighted a critical lack of reception capacity and overcrowding, which may lead to homelessness and material deprivation.⁸⁹

Bulgaria: Some rulings have annulled transfers to Bulgaria due to failures in addressing arguments about systemic procedural deficiencies and the applicant's specific vulnerabilities.⁹⁰

France and Lithuania: Courts intervened in transfers to France during the COVID-19 pandemic, noting that a dysfunctional reception system combined with high infection rates posed severe risks to health and dignity.⁹¹ In cases involving Lithuania, courts criticized the lack of evaluation regarding actual conditions in reception facilities.⁹²

⁸⁶ Regional Court in Brno, judgement No 22 A 50/2016–18, 16 August 2016, available in Czech [here](#).

⁸⁷ SAC, judgement No 5 Azs 195/2016-22, 12 September 2016; Regional Court in Prague, judgement No 49 Az 109/2015-74, 14 January 2016.

⁸⁸ Municipal Court in Prague, judgement No 2 Az 11/2024 – 27, 3 June 2024, available in Czech [here](#); Regional Court in Brno, judgement No 41 Az 20/2023-49, 30 June 2023, available in Czech [here](#); Regional Court in Brno, judgement No 34 Az 48/2023-53, 2 February 2024, available in Czech [here](#).

⁸⁹ SAC, judgement No 2 Azs 304/2016-24, 30 November 2016, available in Czech [here](#); SAC, judgement No 10 Azs 12/2017-70, 4 May 2017, available in Czech [here](#); Regional Court in Hradec Králové, judgement No 31 Az 5/2024-64, 30 August 2024, available in Czech [here](#).

⁹⁰ SAC, judgement No 10 Azs 41/2016-57, 11 May 2016, available in Czech [here](#).

⁹¹ Regional Court in Brno, judgement No 33 Az 5/2020-74, 7 April 2020, available in Czech [here](#).

⁹² Regional Court in Prague, judgement No 48 Az 8/2024-33, 26 July 2024, available in Czech [here](#).

Assessment of Individual Vulnerabilities

The courts maintain that the Mol has a duty to identify and protect vulnerable persons before ordering a transfer.

Psychological and Physical Health: The SAC recently annulled a transfer to Bulgaria of a Syrian woman who survived a traumatic journey in a truck where another person died. The court ruled that the Mol cannot rely on a simple statement that the applicant is 'healthy' but must actively investigate potential PTSD or mental health deterioration through expert medical assessments.⁹³

Victims of Trafficking: A Nigerian woman was recognized as particularly vulnerable due to the high risk of sexual exploitation in Italy. The courts held that, before effecting a Dublin transfer, the Mol must investigate if the receiving state can actually protect these victims from traffickers.⁹⁴

LGBTQI+ Status: A recent ruling regarding a transfer to the Netherlands concluded that the Mol must assess specific risks related to an applicant's gender transition and the receiving state's ability to protect them before effecting a Dublin transfer.⁹⁵

Procedural Duties and the Discretionary Clause (Article 17)

Administrative decisions regarding Dublin transfers must be transparent and factor in an applicant's social and family ties in the Czech Republic.

Discretionary Clause (Article 17): While the use of the 'sovereignty clause' is discretionary, the Mol must provide individualized reasoning if it decides not to use it when the applicant has strong ties to the Czech Republic, such as a spouse, children, or long-term residence.⁹⁶

Factual Accuracy: Providing false or incomplete information (e.g., misrepresenting an applicant's marital status) to the receiving state is a procedural error that prevents a fair assessment of whether that state should request a transfer under Article 17(2).⁹⁷

Right to a Fair Process: The failure to conduct a personal interview is considered a violation of the right to a fair procedure.⁹⁸

Up-to-Date Information: The Mol is obligated to gather relevant, reliable, and current information from various sources (UNHCR, AIDA, ECRE) rather than relying on outdated reports, when deciding on a Dublin case.⁹⁹ The courts have also established that a Dublin decision must reflect the factual state at the time of the court's decision (*ex nunc*), not just when the Mol issued its ruling.¹⁰⁰

In these cases, the annulment of the Dublin decision by the court does not necessarily mean the transfer would not take place at all. The Mol is given a new chance to assess the case and take into consideration the court's objections. It is possible that the new Dublin decision is finally adopted.

2.7 The situation of Dublin returnees

OPU is not aware of any obstacles for asylum seekers transferred from another Member State with regard to access to the asylum procedure and to reception conditions in the Czech Republic. Each applicant who

⁹³ SAC, judgement No 2 Azs 5/2025 – 45, 4 March 2025, available in Czech [here](#).

⁹⁴ SAC, judgement No 6 Azs 275/2018-72, 31 October 2018, available in Czech [here](#).

⁹⁵ Regional Court in Brno, judgement No 41 Az 5/2025-25, 9 April 2025, available in Czech [here](#).

⁹⁶ Regional Court in Brno, judgement No 41 Az 36/2022-60, 4 January 2023, available in Czech [here](#); SAC, judgement 5 Azs 229/2016-44, 12 January 2017, available in Czech [here](#).

⁹⁷ SAC, judgement No 6 Azs 331/2023-40, 1 February 2024, available in Czech [here](#).

⁹⁸ Regional Court in Prague, judgement No 49 Az 56/2015-41, 1 June 2015, available in Czech [here](#).

⁹⁹ Regional Court in Brno, judgement No 32 Az 5/2016-26, 13 July 2016, available in Czech [here](#); SAC, judgement No 10 Azs 199/2016-56, f 26 October 2016, available in Czech [here](#).

¹⁰⁰ Regional Court in Brno, judgement No 41 Az 6/2021-116, 12 April 2021, available in Czech [here](#).

is the subject of a Dublin transfer to the Czech Republic has the right to the same material reception conditions as the applicant in a regular procedure. The access is ensured for applicants for international protection in the Czech Republic pursuant to Article 2 of the Asylum Act. This includes all take charge cases, and take back cases where the asylum procedure is still pending before the asylum authority or judicial authority on the condition that an appeal has suspensive effect by law or the suspensive effect is granted. In take charge and take back cases, when the asylum procedure was terminated by a procedural decision, the person is obliged to get to the reception centre. In cases where the asylum procedure is still pending, the person is usually obliged to get to the accommodation centre of their last stay. The access to accommodation and other reception conditions is provided in asylum facilities (reception and accommodations centres). The accommodation and other material reception conditions are available from the first moment of their arrival to the asylum facilities. Usually, it should be possible to take this step on the same day as the transfer was executed. The first information about the legal status of the applicant concerned is provided to them at the time of arrival to the border crossing point. Further information about reception conditions is provided after their arrival to the relevant asylum facility.

If the person following the Dublin transfer to the Czech Republic is not considered to be an asylum seeker (i.e., a take back case of a person whose application was rejected or withdrawn), the person will not have access to reception conditions anymore. The Alien's Police will then consider the possibilities of issuing a return decision due to their condition of illegal stay. People can also ask for the assistance for voluntary return to their country of origin. At the time of arrival in Czechia, people are informed about their actual legal status (i.e., applicant or non-applicant for international protection) in the Czech territory and what the next steps in the process are.

When the person is handed over by Alien's police at the border crossing point, on condition that the person is not vulnerable, does not need any special assistance, is healthy without any required medical assistance/care etc., the person is accompanied to the nearest bus/train station, is given bus/train ticket and is informed where and how to get to the reception/accommodation centre. Moreover, the person concerned is provided by a kind of map and by special document, so called "confirmation". This document allows the person concerned to move within the territory of Czech Republic in order to reach the asylum facility determined by Refugee Facilities Administration (organisation responsible for operation of asylum facilities). In cases of vulnerability and special needs, the transport to asylum facility and medical assistance is organized.¹⁰¹

An asylum seeker whose previous application was abandoned and who left Czechia may submit a new application in Czechia that will not be considered a subsequent application, provided that the previous procedure was finally closed, under certain conditions (e.g., the procedure was discontinued under the relevant provisions of the law, or the MoI issued a decision on the refusal of international protection which was not notified to the applicant in person and no timely appeal was filed).¹⁰² In such cases, the new application is treated as a fresh claim, not as a repeated (subsequent) application. It can also happen that the asylum seeker would leave the country and be transferred back even before the decision on his original application was issued. In this case, the procedure will continue regularly.

3. Admissibility procedure

3.1 General (scope, criteria, time limits)

National legislation provides for the concept of inadmissibility of an asylum application. An application will be considered inadmissible if:¹⁰³

¹⁰¹ Ministry of the Interior of the Czech Republic, Department for Asylum and Migration policy, Dublin unit, *Information on procedural elements and rights of applicants subject to a Dublin transfer to the Czech Republic*, July 2024, available [here](#).

¹⁰² Section 11c(2) of the Asylum Act.

¹⁰³ Section 10a of the Asylum Act.

- a. it is submitted by a citizen of the EU who does not meet the conditions under EU law, (i.e., who does not meet the provisions set out Protocol (No 24) on asylum for nationals of Member States of the EU);¹⁰⁴
- b. another state is responsible for examining the application under the Dublin III Regulation;
- c. the applicant has already been granted international protection by another EU Member State;
- d. the applicant could have found effective protection in a first country of asylum;
- e. the applicant filled a subsequent application that has already been assessed as inadmissible;
- f. the applicant comes from a country considered a European safe third country and does not demonstrate that this does not apply in their case; or
- g. the applicant, who is not an unaccompanied minor, comes from a safe third country and does not show that this country should not be considered safe for them.

Once an application is declared inadmissible, the authorities will not examine whether the applicant meets the conditions for asylum or subsidiary protection. Instead, they will discontinue the asylum proceedings.¹⁰⁵ The authority responsible for adopting the decisions on admissibility is, as in the regular procedure, the Mol .

There is no specific time limit that must be observed by the Mol for taking a decision on admissibility. Only if the application is made in the transit zone, the Mol must decide on the inadmissibility of an asylum application within four weeks from the date of its submission.¹⁰⁶ If this deadline is not respected, the applicant must be allowed to enter the territory.¹⁰⁷

In practice, the grounds for inadmissibility of an asylum application are applied quite often. The most common ones are when a subsequent application has been filed or when the Dublin regulation applies.

All asylum seekers are systematically subjected to an admissibility procedure, regardless of whether they have lodged their application at the border or within the territory.

In 2025, 186 cases were recorded, but information regarding the particular ground of inadmissibility is not available. Prior to 2024, statistical reports reflected only the number of decisions rejecting applications as inadmissible, without distinguishing between the specific grounds for inadmissibility.¹⁰⁸

3.2 Personal interview

Indicators: Admissibility Procedure: Personal Interview

Same as regular procedure

1. Is a personal interview of the asylum seeker in most cases conducted in practice in the admissibility procedure? Yes No
 - ❖ If so, are questions limited to nationality, identity, travel route? Yes No
 - ❖ If so, are interpreters available in practice, for interviews? Yes No
2. Are interviews conducted through video conferencing? Frequently Rarely Never

There is no rule in Czech national law that would generally allow the Mol to refrain from conducting an interview solely on the grounds that the application is inadmissible. However, there are two exceptions, as the law clearly defines the situations in which an interview may be omitted (see above), and two correspond to grounds of inadmissibility : (i) that an application was filed by an EU citizen, and (ii) that it is a subsequent application after the first application was declared inadmissible.¹⁰⁹ In all other cases, an

¹⁰⁴ Consolidated version of the Treaty on the Functioning of the European Union - PROTOCOLS - Protocol (No 24) on asylum for nationals of Member States of the European Union, 9 May 2008, available [here](#).

¹⁰⁵ Section 25(i) of the Asylum Act.

¹⁰⁶ Section 73(11) of the Asylum Act.

¹⁰⁷ Section 74(2)(e) of the Asylum Act.

¹⁰⁸ Information provided by Mol upon request.

¹⁰⁹ Section 23(2) of the Asylum Act.

interview must be conducted. Its scope, however, may differ, as it will focus on the factual circumstances relevant to the specific ground of inadmissibility. All the procedural rules regarding standard interview apply (presence of an interpreter, transcript of the interview etc.).

3.3 Appeal

Indicators: Admissibility Procedure: Appeal
 Same as regular procedure

1. Does the law provide for an appeal against an inadmissibility decision?
 Yes No

❖ If yes, is it Judicial Administrative

❖ If yes, is it automatically suspensive Yes Some grounds No

An appeal against a decision to discontinue the proceeding because of the inadmissibility of the application can be filed with the competent regional court, same as in the regular procedure. Unlike in the regular procedure, however, the deadline for the appeal is only 15 days and in most cases, it does not have an automatic suspensive effect. The only exception when this lawsuit does have an automatic suspensive effect is regarding an inadmissibility decision in the case of an applicant, who is not an unaccompanied minor, comes from a country that the Czech Republic considers a safe third country. In all the other cases, the applicant may submit a request for the granting of suspensive effect together with the lawsuit. The court then decides within 30 days whether or not the person will be granted suspensive effect. In OPU’s experience, courts rarely grant requests for a suspensive effect. Same as in the regular procedure, the court usually decides on the appeal without holding an oral hearing, unless it deems one necessary or the applicant has asked for it. There is no statutory deadline for the Court to issue a decision on the main appeal.

In practice, asylum seekers face the same obstacles when lodging an appeal against an inadmissibility decision as in other types of proceedings (see above).

3.4 Legal assistance

Indicators: Admissibility Procedure: Legal Assistance
 Same as regular procedure

1. Do asylum seekers have access to free legal assistance during admissibility procedures in practice?
 Yes With difficulty No

❖ Does free legal assistance cover:
 Representation in interview
 Legal advice

2. Do asylum seekers have access to free legal assistance on appeal against an inadmissibility decision in practice?
 Yes With difficulty No

❖ Does free legal assistance cover
 Representation in courts
 Legal advice

Access to legal aid for those applicants whose application is later declared inadmissible follows the same rules as in the regular procedure (see above).

3.5 Suspension of returns for beneficiaries of protection in another Member State

As of 2025, the Czech Republic has not suspended returns of beneficiaries of international protection to any EU Member State or associated country as a matter of general policy. Returns are carried out under readmission agreements. Any refusal or delay in a transfer would be considered on a case-by-case basis, typically following legal or judicial review. So far, OPU does not have any information about returns being suspended.

So far there is no case law that determined the prevention of the returns of beneficiaries of international protection to other EU Member States. There have been only a few cases in which beneficiaries of international protection (usually in Greece) applied for protection in Czechia and their cases were found inadmissible. In these cases, courts upheld the inadmissibility decision.¹¹⁰ The Supreme Administrative Court has ruled that, unlike in Dublin cases, authorities are not generally required to assess living conditions in the State of protection. Returns may be suspended, or applications considered admissible, only in exceptional cases where the applicant proves a real risk of inhuman or degrading treatment, such as extreme material deprivation, in line with CJEU case-law in *Jawo*¹¹¹ and *Ibrahim*.¹¹² In the absence of such evidence, returns remain lawful.¹¹³ Only in one known Czech case the inadmissibility decision was cancelled, but it was due to procedural reasons.¹¹⁴

4. Border procedure (border and transit zones)

4.1 General (scope, time limits)

Indicators: Border Procedure: General

1. Do border authorities receive written instructions on the referral of asylum applicants to the competent authorities? Yes No
2. Where is the border procedure mostly carried out? Air border Land border Sea border
3. Can an application made at the border be examined in substance during a border procedure? Yes No
4. Is there a maximum time limit for border procedures laid down in the law? Yes No
 ❖ If yes, what is the maximum time limit? 6 months
5. Is the asylum applicant considered to have entered the national territory during the border procedure? Yes No

Czech national legislation provides for a specific border (airport) procedure for applicants for international protection who lodge their application in the transit area of an international airport,¹¹⁵ in practice primarily at Václav Havel Airport in Prague. This procedure is regulated in the sections 73 and 74 of the Asylum Act. Section 73 (2) of the Asylum Act constitutes a distinct regime in which the applicant does not acquire the right to enter the territory while their asylum application is being examined. As such, the asylum seeker is not considered to have entered the national territory during the border procedure. Specifically, Section 73(2) of the Asylum Act states as follows: “*The Ministry shall inform the applicant for international protection, upon his or her transfer to the reception centre at the international airport, of the fact that by lodging an application for international protection he or she does not acquire the right to enter the territory and, unless otherwise provided, shall be obliged to remain in the reception centre at the international airport for the duration of the proceedings on his or her application*”.

Location and fiction of non-entry

When an application for international protection is lodged in the transit zone of an international airport, the Police should transfer the applicant to the reception centre located at the airport, unless grounds for detention under the Immigration Act apply (in which case the applicant is detained in one of the detention centres). The airport reception centre is a closed detention-like type of centre, however formally it is not considered as “detention” and falls under the scope of the Asylum Act (sections 73 and 74), while the other detention centres in Czechia fall under the scope of the Immigration Act. Based on the statistical

¹¹⁰ See e. g. Regional Court in Brno, judgement No 33 Az 19/2019-34, 17 September 2020, available in Czech [here](#); Regional Court in Brno, judgement No 33 Az 12/2019-34, 19 May 2020, available in Czech [here](#); Regional Court in Ostrava, judgement No 62 Az 46/2019-25, 20 January 2020, available in Czech [here](#); Regional Court in Brno, judgement No 41 Az 11/2018-33, 22 August 2018, available in Czech [here](#).

¹¹¹ CJEU, judgment No C-163/17 *Jawo*, 19 March 2019.

¹¹² CJEU, judgment No C-297/17 *Ibrahim*, 17 May 2019.

¹¹³ Supreme Administrative Court, judgement No 5 Azs 65/2020-31, 9 November 2020, available in Czech [here](#).

¹¹⁴ Municipal Court in Prague, judgement No 16 Az 10/2023-41, 4 July 2023, available in Czech [here](#).

¹¹⁵ Sections 73 and 74 of the Asylum Act.

data provided by the Czech Police, the number of persons who currently are arriving to the airport transit zone and are not being allowed to enter the territory is around 30 persons monthly, while the number of actual asylum seekers there is 0-2 monthly. This, based on previous observance of practice,¹¹⁶ brings up serious concerns about the risk of push-backs at the airport.

Upon transfer to the reception centred in the airport, the MoI informs the applicant that lodging the asylum application does not give rise to a right of entry to the Czech territory and that, as a rule, the applicant must remain in the airport reception centre for the duration of the procedure.

Within five working days from the lodging of the application, the MoI must decide on the non-admission to the territory (which equates to a detention decision), provided that less coercive special measures (alternatives to detention) cannot be effectively applied and that such a decision is not contrary to the Czech Republic's international obligations. According to the law, non-admission may be ordered in particular where:

- it is necessary to reliably establish or verify the applicant's identity;
- the applicant presents forged or altered identity documents and identity cannot otherwise be established;
- there are reasonable grounds to believe that the applicant poses a threat to state security or public order;
- the applicant is subject to transfer to another EU Member State under directly applicable EU law (Dublin system) and there is a serious risk of absconding;
- there are justified reasons to believe that the application was lodged solely to avoid or delay expulsion, extradition or surrender, even though the applicant could have applied earlier; or
- the applicant obstructs the asylum procedure, in particular by failing to cooperate, where there is a risk of absconding or where the applicant has previously left the territory irregularly.

The decision on non-admission determines the period during which entry to the territory is not allowed. The total stay of the applicant in the airport reception centre may not exceed 180 days from the date the application was made.

A decision on the non-admission to the territory specifies the time for which the non-admission will apply, as per section 73 (4) of the Asylum Act. Based on the same section, the MoI can further extend the time of non-admission to the territory up to a total of 180 days. Both the decision on non-admission, as well as its extension, are subject to judicial review. An appeal may be lodged within 15 days before the competent Regional Court. The court must then decide swiftly, within seven working days of receiving the administrative file.¹¹⁷ During the time for which the admission to the territory is not permitted (as specified in the non-admission decision), the MoI is obliged to continuously review whether the grounds for non-admission persist. The applicant may also apply for permission to enter the territory once the statutory conditions are met (e.g., lapse of time, change of circumstances, or annulment of the decision by a court).

Certain categories of applicants, in particular vulnerable persons, must be allowed to enter the territory without a formal non-admission decision, unless special measures are imposed. Entry must also be allowed without delay if the grounds for non-admission cease to exist, the relevant time limits expire, a court annuls the decision, protection is granted, or the MoI fails to decide on inadmissibility or manifestly unfoundedness within the four-week deadline.

Decision-making

Decisions on asylum applications in the border procedure are taken by the MoI. There is a special unit seated at the Prague Václav Havel airport who is in charge of these, with about 3 to 5 case workers (due to the low number of applications lodged at the airport).

¹¹⁶ Hungarian Helsinki Committee, *Pushed Back at the Door*, 2017, available [here](#).

¹¹⁷ Sections 73(7) of the Asylum Act.

During the border procedure, all the elements of the application are examined as in regular procedure. There are no substantial differences between procedures applied in the case of those applicants who made an application in the transit zone compared to those who applied at the territory.

A decision on the outcome of an application within a border procedure might take up to 180 days as implied in the section 73 (4) of the Asylum Act. However, the asylum claim itself may be decided in an accelerated manner. In this case, the Mol must decide on the inadmissibility or reject the application as manifestly unfounded within four weeks from the lodging of the application. Also, there is a special rule that the inadmissibility decision or decision rejecting the application as manifestly unfounded must be adopted within four weeks, otherwise an applicant needs to be allowed to enter the territory and their application must be examined on merits, where standard deadlines for issuing a decision apply (see above).

Statistics

This border procedure is applied in practice, albeit to a very limited number of cases, reflecting the generally low number of asylum applications lodged at Prague airport.

Monthly there are typically 0 to 4 applications processed in the border procedure. In 2024, altogether 29 applications (based on the Mol statistical data available online, or 27 based on the statistics provided by the Czech Police) were submitted in the transit zone. In 2025, altogether 40 applications were submitted in the transit zone (based on the statistics provided by the Mol).¹¹⁸ There are no statistics available as regards the outcome of these applications (i.e., how many applications have been declared inadmissible, rejected as manifestly unfounded, or admitted to the regular procedure).

4.2 Personal interview

Indicators: Border Procedure: Personal Interview
 Same as regular procedure

1. Is a personal interview of the asylum seeker in most cases conducted in practice in the border procedure? Yes No

- ❖ If so, are questions limited to nationality, identity, travel route? Yes No
- ❖ If so, are interpreters available in practice, for interviews? Yes No

2. Are interviews conducted through video conferencing? Frequently Rarely Never

There is no rule in national law that would allow the Mol to refrain from conducting an interview solely on the grounds that an asylum application was made in a transit zone. The law clearly defines the situations in which an interview may be omitted (see [Personal Interview in the Regular Procedure](#)), including some corresponding to grounds of inadmissibility (such as an application filed by an EU citizen or a subsequent application).¹¹⁹ In all other cases, an interview must be conducted. No special rules regarding conducting interviews apply solely for the transit zones.

In the border procedure, interviews tend to be rushed and are conducted under more stressful conditions, including the fact that the reception centre (including the interviewing room) is right at the actual airport, so that the sound of planes invoke the uncertainty of whether or not the person will be admitted to the territory. Interviews suffer from a lack of quality of interpreters and gender-sensitive case-workers, and vulnerability-sensitive case-workers are not at hand. These problems, however, are common in all the asylum interviews, not specifically in the border procedure.

¹¹⁸ Ministry of the Interior of the Czech Republic. Department for Asylum and Migration Policy, *Applications for international protection in 2025 by place where application was lodged*, available [here](#).
¹¹⁹ Section 23(2) of the Asylum Act.

4.3 Appeal

Indicators: Border Procedure: Appeal

Same as regular procedure

1. Does the law provide for an appeal against the decision in the border procedure? Yes No
- ❖ If yes, is it Judicial Administrative
 - ❖ If yes, is it suspensive Yes Some grounds No

A distinction needs to be made between an appeal against (a) the decision on non-admission to the territory and (b) the decision on the asylum application. Both decisions are subject to judicial review, but different rules apply to each.

As regards the decision on non-admission to the territory, an action may be lodged within 15 days before the competent Regional Court, who must decide swiftly, generally within seven working days of receiving the administrative file. This is a very short deadline compared to the regular procedure, which creates a risk of impacting the quality of decision-making.

As regards the decision on the asylum application, exactly the same rules apply as in the regular procedure.

As regards the practical obstacles faced by asylum seekers in lodging an appeal at the border, it should be noted that the police operating in the airport transit zone apply a practice of entry refusal to the territory under Section 9 of the Immigration Act,¹²⁰ implementing the Schengen Border Code. The entry refusal is issued by the Czech Police and is not formally a "procedure". Therefore, the police are not required to provide interpretation services nor to initiate formal administrative proceedings, nor to keep a case-file. The person is informed about the refusal of entry on by a standard Schengen form which merely indicates the applicable ground for refusal of entry by ticking the relevant box, without any other reasoning being provided. It is, however, possible to appeal this "decision" within 15 days.¹²¹ The appellate authority provides a somewhat more detailed statement of reasons when deciding on an appeal.

Based on previous practical observance, as described in the 2017 report *Pushed Back at the Door*, some persons who were issued the questionnaire of entry refusal faced obstacles when attempting to apply for asylum.¹²²

¹²⁰ Under this provision the Police shall refuse a foreign national entry to the territory if: (a) the foreign national does not hold a valid travel document, (b) the foreign national presents a forged or altered travel document, visa, or residence permit, (c) the foreign national fails to present a visa, where the foreign national is subject to a visa requirement, or a residence permit, (d) the foreign national fails to present documents proving the purpose of stay and the means to secure the conditions of stay on the territory, (e) the foreign national does not have sufficient means for stay on the territory and for departure from the territory, (f) the foreign national is an undesirable person (Section 154), (g) the foreign national is entered in an information system established by states bound by international treaties on the abolition of controls at their common borders (hereinafter 'contracting state'), for the purpose of maintaining an overview of foreign nationals who are not to be allowed entry to the territory of the contracting states (hereinafter the 'information system of the contracting states'); this shall not apply if the foreign national has been granted a visa authorising stay solely on the territory, (h) there is a reasonable risk that, during his or her stay on the territory, the foreign national could endanger the security of the state, seriously disturb public order, or endanger the international relations of the Czech Republic, (i) there is a reasonable risk that, during his or her stay on the territory of another contracting state, the foreign national could endanger its security, seriously disturb public order therein, or endanger the international relations of the contracting states, or (j) the foreign national does not meet the requirements laid down by a measure of the Ministry of Health aimed at preventing the introduction of an infectious disease from abroad under the Public Health Protection Act (hereinafter the 'requirement of a measure preventing the introduction of an infectious disease').

¹²¹ Section 180e(1)(c) of the Immigration Act,

¹²² See Hungarian Helsinki Committee, *Pushed Back at the Door*, 2017, available [here](#), pages 8-11.

4.4 Legal assistance

Indicators: Border Procedure: Legal Assistance

Same as regular procedure

1. Do asylum seekers have access to free legal assistance at first instance in practice?
 Yes With difficulty No
❖ Does free legal assistance cover:
 Representation in interview
 Legal advice
2. Do asylum seekers have access to free legal assistance on appeal against a decision in practice?
 Yes With difficulty No
❖ Does free legal assistance cover
 Representation in courts
 Legal advice

Asylum seekers have access to free legal assistance once they successfully applied for asylum (i.e., lodged their asylum application). Before that, they will have no access to it. In the border procedure, after asylum applicants have lodged their application, they will have access to free legal aid during the first and second instance under the same conditions as in the regular procedure (see above, [Legal Assistance in the Regular Procedure](#)).

5. Accelerated procedure

5.1 General (scope, grounds for accelerated procedures, time limits)

An accelerated procedure applies for certain asylum applications lodged in the airport transit zone. If the MoI decides to apply the accelerated procedure, a decision has to be issued within 4 weeks.¹²³

The accelerated procedure can be applied on grounds corresponding to those of inadmissibility in section 10a of the Asylum Act, or grounds of being manifestly unfounded in section 16 of the Asylum Act. Section 10a (i.e., grounds of inadmissibility) states:

Inadmissibility of an Application for International Protection

An application for international protection is considered inadmissible if:¹²⁴

- a) it is submitted by an EU citizen who does not meet the conditions set by EU law;¹²⁵
- b) another state is responsible for examining the application under the Dublin regulation;
- c) the applicant has already been granted international protection in another EU Member State;
- d) the applicant could have obtained effective protection in a first country of asylum;
- e) it is a subsequent application that has been assessed as inadmissible by the MoI;
- f) the applicant comes from a country considered by the Czech Republic as a safe European third country, unless they prove otherwise in their individual case; or
- g) the applicant (who is not an unaccompanied minor) comes from a country considered by the Czech Republic as a safe third country, unless they prove otherwise in their individual case.

If an application for international protection is inadmissible, the MoI does not examine whether the applicant meets the conditions for granting asylum or subsidiary protection.¹²⁶

Section 16 of the Asylum Act states that an application for international protection shall be rejected as **manifestly unfounded** if the applicant does not present facts indicating a risk of persecution (§ 12) or serious harm (§ 14a), and at the same time:

- a) relies only on economic reasons,

¹²³ Section 73(11) of the Asylum Act.

¹²⁴ Section 10a(1) of the Asylum Act.

¹²⁵ Protocol (No 24) on asylum for nationals of Member States of the European Union.

¹²⁶ Section 10a(2) of the Asylum Act.

- b) provides false information (or refuses to provide information) about identity or nationality without serious reason,
- c) tries only to escape a situation of general hardship,
- d) presents manifestly non-credible claims,
- e) destroys, conceals, damages, or submits falsified documents to obstruct the proceedings,
- f) refuses to provide fingerprints as required by law, or
- g) applies for international protection solely to avoid or delay expulsion, extradition, surrender under a European Arrest Warrant, despite being able to apply earlier.¹²⁷

An application is also to be considered manifestly unfounded if:

- the applicant comes from a country considered by the Czech Republic to be a safe country of origin, unless they prove otherwise in their individual case;
- the applicant has multiple nationalities and has not sought protection from one of their countries of nationality, unless they prove they could not do so for protection-related reasons.¹²⁸

If an application is rejected as manifestly unfounded, the authorities will not assess eligibility for asylum or subsidiary protection on the merits (i.e., whether the applicant qualifies for refugee status or subsidiary protection). Rejection of the application as manifestly unfounded is not a procedural decision but a quasi-merit one.

Unaccompanied minors cannot have their application rejected as manifestly unfounded.

Vulnerable applicants are not exempted from the accelerated procedure as such. They are, however, to be released from the airport reception centre due to their vulnerability within 5 days (which corresponds to the deadline for issuing the decision on the entrance to the territory which, in their case, should allow the entrance).¹²⁹ In practice, there are deficits in identifying the vulnerability correctly, and so the vulnerable persons might remain at the airport centre and the accelerated procedure might be applied.

Where the accelerated procedure applies, the decision on the inadmissibility or on the manifestly unfounded application at the airport transit zone must be decided within four weeks, otherwise the person is to be released from the airport centre to the territory. The decision on the inadmissibility or manifest unfoundedness can be adopted even after the person has been released from the airport reception centre. In such cases, there is a general deadline for the Mol applicable on the manifestly unfounded applications, which have to be decided within 90 days since the lodging of the application.¹³⁰

The Mol, Department of Asylum and Migration Policy, is also responsible for taking decisions at first instance on asylum applications in accelerated procedures.

5.2 Personal interview

Indicators: Accelerated Procedure: Personal Interview

Same as regular procedure

1. Is a personal interview of the asylum seeker in most cases conducted in practice in the accelerated procedure? Yes No
 - ❖ If so, are questions limited to nationality, identity, travel route? Yes No
 - ❖ If so, are interpreters available in practice, for interviews? Yes No
2. Are interviews conducted through video conferencing? Frequently Rarely Never

¹²⁷ Section 16(1) of the Asylum Act.

¹²⁸ Section 16(2) of the Asylum Act.

¹²⁹ Section 74(1) of the Asylum Act.

¹³⁰ Section 27(3) of the Asylum Act.

The law requires a personal interview of asylum seekers in the accelerated procedure under the same conditions as in the regular procedure.

As this procedure occurs at the airport transit zone, the same specifics apply as for the border procedure interviews (see above).

5.3 Appeal

Indicators: Accelerated Procedure: Appeal
 Same as regular procedure

1. Does the law provide for an appeal against the decision in the accelerated procedure?
 Yes No

❖ If yes, is it Judicial Administrative

❖ If yes, is it suspensive Yes Some grounds No

As this procedure occurs at the airport transit zone, the same rules for the appeal procedure apply as to the border procedure (see above).

5.4 Legal assistance

Indicators: Accelerated Procedure: Legal Assistance
 Same as regular procedure

1. Do asylum seekers have access to free legal assistance at first instance in practice?
 Yes With difficulty No

❖ Does free legal assistance cover: Representation in interview
 Legal advice

2. Do asylum seekers have access to free legal assistance on appeal against a decision in practice?
 Yes With difficulty No

❖ Does free legal assistance cover Representation in courts
 Legal advice

The law provides for access to free legal assistance for asylum seekers during the accelerated procedure under the same conditions as in the regular procedure.

The legal aid scheme applies only to individuals who have already formally lodged an application for international protection and are therefore accommodated at the airport reception centre. On the contrary, the legal aid does not extend to persons who merely express an intention to seek asylum to the police in the transit zone of Prague Airport.

Although legal assistance should also be accessible at this preliminary stage,¹³¹ in practice there is no mechanism ensuring that such individuals receive legal support before the formal lodging of their application. No organisation is effectively positioned to provide assistance at that point, and no existing programme — including UNHCR or EU-AMIF-funded schemes — specifically covers persons who have not yet formally applied.

¹³¹ Section 3a(2) of the Asylum Act states that the Police and a person engaged in the provision of legal assistance to refugees shall provide a person who intends to lodge an application for international protection with information relating to international protection already at the border crossing point or in the transit area of an international airport.

6. National protection statuses and return procedure

6.1 National forms of protection

Former national humanitarian asylum

In the Czech Republic, there used to be a national form of protection called 'national humanitarian asylum' (*národní humanitární azyl*).¹³² However, this form of protection was cancelled on 1 October 2025 due , according to the explanatory memorandum, to further harmonization efforts regarding asylum procedures in the EU. This protection status would cover applicants for international protection who did not fulfill the conditions to be granted refugee status, whenever the Mol found it was a case worthy of special consideration. The national humanitarian asylum status was granted very rarely, mostly to applicants with serious health problems.

The procedure was the same as the regular asylum procedure. In this sense, within its framework, the Mol automatically (without the applicant having to request it) assessed the possibility of granting national humanitarian asylum, if refugee status was not granted. Due to the fact that the possibility of granting national humanitarian asylum was assessed within the regular procedure, there was no possibility for rejected asylum applicants to expressly apply for this form of protection after their asylum application was rejected.

The rights attached to national humanitarian asylum were identical to those of refugee status, with the exception that the beneficiary could not obtain the EU long-term resident status or the refugee passport (i.e., only the aliens' passport).

Tolerance visa

Foreigners with a decision ordering an administrative expulsion, who cannot be returned, can apply for a special kind of tolerance visa (*vízum strpění*).¹³³ Reasons making return impossible are defined as reasonable concern that the return to the country of origin would be contrary to articles 2 to 6 of the ECHR.¹³⁴ It is a visa in the regime of the Immigration Act, with no connection to the asylum procedure. Currently, this kind of visa is widely used in cases of Ukrainian nationals with an administrative expulsion order, who cannot return due to the war. The visa is tied to the expulsion decision and the impossibility of return and, therefore, once the situation in the country of origin changes and the return becomes possible again, the visa shall be terminated. The visa will also terminate if the expulsion decision is revoked.

International protection for the purpose of family reunification

Another national form of protection in the Czech Republic, which is currently applicable, is the asylum and subsidiary protection for the purpose of family reunification.¹³⁵

This protection can be granted to family members of recognised refugees or beneficiaries of subsidiary protection already present on the territory of the Czech Republic and that have applied for international protection themselves, if there are no grounds for granting international protection to them but the case is worthy of special consideration. This is automatically reviewed by the Mol within the framework of their own asylum procedure. After the Mol finds that neither asylum nor subsidiary protection can be granted, it considers the possibility of granting asylum or subsidiary protection for the purpose of family reunification.

¹³² Section 14 of the Asylum Act, as in force until 30 September 2025.

¹³³ Section 33(3) and 120a of the Immigration Act.

¹³⁴ Section 179 of the Immigration Act.

¹³⁵ Section 13 and 14b of the Asylum Act.

In practice this is widely used, for example, in cases of spouses and minor children of a recognised refugee, who will receive asylum for family reunification if they apply for international protection, even if they do not have grounds for granting them asylum.

The rights attached to this status are identical with international protection. The only difference is that this protection can cease, if the ground for family reunification ceases to exist and the Mol concludes that there is no other reason worthy of special consideration to keep this protection.¹³⁶

This status is not to be confused with the regular EU rights for family reunification according to Directive 2003/86/ES, which in the Czech Republic are part of the Immigration Act (see [Content of International protection - Family Reunification](#)). The scope of family members differs somewhat, but the main difference lies in the procedure. Application for family reunification according to the Immigration Act must be submitted to the Czech embassy in the country of origin and the applicant has to fulfil certain conditions. Meanwhile, the application for asylum must be submitted on the territory and the conditions are only family relations and a case worthy of special consideration (which, in practice, all close genuine family relations fulfil). The family members can choose if they apply for standard family reunification or for asylum.

6.2 Return procedure

The asylum procedure and the return procedure are two separate administrative proceedings, conducted by two separate bodies (i.e., the Mol in the case of the asylum procedure, and the Immigration Police in the case of return procedures).

The return decision is not issued jointly with the asylum rejection decision. Once the negative asylum decision, or a decision dismissing the application as manifestly unfounded, or a decision to discontinue the proceedings, has been issued and has become final, the applicant is issued a departure order (in the form of a visa label in the passport) by the Mol (usually valid for 30 days), on the basis of which they are expected to leave the territory of the Czech Republic. If the applicant does not leave within this time limit, a return decision can be issued by the Immigration Police.

A return decision can be either the obligation to leave the territory,¹³⁷ or administrative expulsion.¹³⁸

An obligation to leave the territory of the EU (and Island, Lichtenstein, Norway and Switzerland) means that the foreigner's stay on the territory was unlawful, but the administrative expulsion is not necessary. It is not connected with an entry ban, so the foreigner can enter the EU again as soon as they have received a visa, residence permit or a visa-free stay.

Administrative expulsion, on the other hand, is a return decision connected with an entry ban, meaning a period for which the foreigner is forbidden to stay in the territory of the EU in the future. This is recorded in the SIS.

According to the SAC, it is not possible to conduct the return procedure during the asylum procedure. In its decision ref. No. 5 Azs 50/2021 – 45, of 8 December 2023,¹³⁹ following the conclusions of the judgment of the Grand Chamber of the CJEU of 9 November 2023, *C-257/22 CD*, it concluded that, if a foreigner applied for international protection, the Foreign Police cannot conduct the administrative expulsion procedure simultaneously. Only after the negative decision on the asylum application was issued by the Mol, can the decision on administrative expulsion be issued.

¹³⁶ Section 17 (3) of the Asylum Act.

¹³⁷ Section 50a of the Immigration Act.

¹³⁸ Section 119 of the Immigration Act.

¹³⁹ SAC, judgement No 5 Azs 50/2021 – 45, 8 December 2023, available in Czech [here](#).

D. Guarantees for vulnerable groups

1. Identification

Indicators: Special Procedural Guarantees

1. Is there a specific identification mechanism in place to systematically identify vulnerable asylum seekers? Yes For certain categories No
 - ❖ If for certain categories, specify which:
2. Does the law provide for an identification mechanism for unaccompanied children? Yes No

The definition of ‘vulnerable person’ is included in the Asylum Act. It includes, in particular, unaccompanied minors, parents or families with minor children, or parents or families with adult children with disabilities, persons over 65 years of age, persons with a disability or serious illness, pregnant women, victims of human trafficking, or persons who have been tortured, raped, or subjected to other serious forms of psychological, physical, or sexual violence.¹⁴⁰

1.1 Screening of vulnerability

Screening of vulnerability should be done by the Mol within the phase of lodging of the application for international protection, which is done shortly before the initial interview. This means that the law requires the screening to be done systematically in every case. If the applicant for international protection is deemed to be a vulnerable person, the Mol shall further determine whether, in view of their personal situation, they require additional support in exercising their rights and fulfilling their obligations during the procedure. The Mol shall also provide such support to a vulnerable applicant if the need for this support arises only during the course of the international protection procedure.¹⁴¹

Vulnerability screening is not done by a specific unit within the Mol and, as far as OPU is aware, workers of the Mol are not specifically trained to identify potential vulnerabilities if they are not apparent.

Victims of trafficking in human beings

According to the information provided in the GRETA report for 2024 (GRETA report),¹⁴² a training course on human trafficking is organised every two years for staff (mostly social workers) who work in reception centres for asylum seekers and refugees and detention centres for foreigners. This training is organized in co-operation with La Strada Czech Republic. The course focuses on the identification of victims of trafficking and their referral to assistance. In every centre or facility, there should be at least one social worker trained on detecting victims of trafficking.

Officers dealing with applications for international protection do not receive specific training on human trafficking, but the topic is highlighted during training courses on other issues. Authorities have justified this by reference to the low number of victims of trafficking historically identified among asylum seekers. Further, these officers are provided with materials on detecting victims of trafficking, such as the handbook of the project ‘Identification of Trafficked International Protection Beneficiaries’ Special Needs’ (TRIPS).

Mechanisms for identifying special groups of vulnerable applicants

There is currently no special mechanism in place to systematically identify vulnerable asylum seekers in the Czech Republic.

¹⁴⁰ Section 2(1)(i) of the Asylum Act.

¹⁴¹ Section 10(4) of the Asylum Act.

¹⁴² GRETA, *Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by the Czech Republic*, GRETA(2024)11, second evaluation round, 1 July 2024, available [here](#), p. 10.

In 2021, there was an inquiry of the Ombudsman's office which pointed out significant shortcomings in the identification of vulnerable asylum seekers in the Czech Republic, especially as regards victims of human trafficking.¹⁴³ The case, in particular, concerned a Nigerian woman, who had applied for international protection while in detention, stating that she was a victim of trafficking. Her application for international protection was rejected by the Department for Asylum and Migration. The Public Defender of Rights (Ombudsman) found that this Department had failed to carry out an adequate vulnerability assessment and had, consequently, not recognised her as a trafficking victim. The Ombudsman also noted that the Department had disregarded the expert opinion of La Strada Czech Republic, which indicated that the applicant had been trafficked, as well as relevant country-of-origin information. In its final opinion of 17 April 2023, containing recommendations for corrective measures, the Ombudsman urged the Mol to apply a proper vulnerability-assessment procedure throughout the international protection process. It recommended that the Department for Asylum and Migration documented vulnerability assessments, developed a methodological tool for conducting them, and provided regular training and guidance on interviewing asylum seekers. The Mol stated that they disagreed with the Ombudsman's findings and maintained that a full vulnerability assessment — including an assessment of trafficking risks — is always carried out as a mandatory part of international protection procedures.

Overall, the above inquiry showed that, although a mechanism to identify vulnerable asylum seekers formally exists, its implementation is insufficient and fails to ensure effective identification of trafficking victims. In practice, vulnerability assessments are often delayed or omitted, evidence disregarded, and procedural safeguards not applied. As a result, many persons who should be recognized and treated as vulnerable (e.g., trafficking victims, torture victims, exploited persons) are not identified as such and thus do not receive the protections and guarantees they are legally entitled to.

Administrative courts, acting as the appellate instance in asylum matters, have issued several judgments annulling decisions of the Department for Asylum and Migration on the basis that the authority had failed to adequately examine the applicants' claims of being victims of trafficking.¹⁴⁴

The above-cited GRETA report urged Czech authorities to take additional measures to improve the detection and identification of victims of trafficking, in particular by: (i) strengthening the proactive identification of victims of trafficking (also) amongst asylum seekers and persons placed in administrative detention pending removal from the Czech territory, and (ii) strengthening the training and guidance on the identification of victims of trafficking provided to relevant professionals (in particular, staff working in asylum and immigration detention centres and staff examining asylum requests), in co-operation with civil society and lawyers.

1.2 Age assessment of unaccompanied children

If the applicant for international protection states to be an unaccompanied minor and there are reasonable doubts about their stated age, a medical examination shall be carried out to determine their age. If the unaccompanied minor refuses to undergo a medical examination, the Mol shall treat them as an adult applicant for international protection. If the medical examination is not conclusive, the Mol shall treat the applicant in question as an unaccompanied minor.¹⁴⁵

It will usually be up to the Immigration Police or the Mol to determine whether an age assessment procedure is needed. The law does not provide any criteria to decide which applicants should undergo an age assessment. In practice, the age assessment is triggered, for example, if the applicant does not have

¹⁴³ Public Defender of Rights, inquiry report No 6145/2019/VOP, 16 August 2021, available in Czech [here](#).

¹⁴⁴ See, e.g. SAC, judgement No 10 Azs 73/2020-32, 3 December 2020, available in Czech [here](#); Regional Court in Hradec Králové, judgement No 30 Az 11/2020-72, 20 April 2021, available in Czech [here](#); Regional Court in Hradec Králové, judgement No 43 Az 5/2020-66, 14 September 2021, available in Czech [here](#) (in the latter case, however, the Regional Court subsequently dismissed the action brought by the applicant against the new decision of the Ministry of the Interior issued after the annulled judgment ref. no. 43 Az 5/2020-66; see judgment No 43 Az 4/2023-46, 13 September 2023, available in Czech [here](#)).

¹⁴⁵ Section 89(1) of the Asylum Act.

any identity document and their appearance and/or mental maturity does not correspond to their stated age, or if the applicant provides different dates of birth.

The law does not provide for a specific method to be used in the age assessment process. It only mentions the use of a 'medical examination'. In practice, however, an x-ray of wrist bones is usually used.

National case law allows that the result of a medical examination of wrist bones may serve as evidence for determining the age of a foreign national, both in proceedings on the granting of international protection and in detention proceedings. However, this method raises several questions. A fundamental problem is that it cannot determine an individual's age precisely, with a possible deviation of 2–3 years, which is critical in most cases (and, although this fact should be considered and a tolerance of two to three years considered, in practice this is often not the case). Other arguments against the use of this method include the fact that X-rays can determine a maximum age of 19 years, so the results never fully reflect the individual's level of development or maturity. Another problematic aspect is that testing of this is that it was not originally developed with the aim of determining the chronological age of young people, but rather to determine whether children whose chronological age is known are developing sufficiently quickly compared to their peers of the same sex. The study was based on wrist X-rays of healthy white children in the USA, of European descent, from wealthier families. Each standard was based on a comparison of 100 children of a given age, and the images were obtained through a study conducted by the Brush Foundation between 1930 and 1942.¹⁴⁶

The Ombudsman criticized use of this method, pointing out that the use of the conclusions of a medical examination of wrist bones is particularly problematic for the age group of 16 to 20 years. In this group, due to a possible deviation of up to 2-3 years,¹⁴⁷ none of the methods can reliably determine whether the individual has reached the age of 18. For example, if the examination result indicates that the skeletal age of the foreign national is 18 to 19 years, taking the deviation into account, their estimated chronological age ranges from 16 to 21 years. Therefore, the examination conclusion cannot, on its own, serve as the sole evidence to refute the minority.¹⁴⁸

This position was also adopted by the SAC in the case of a foreign national whose medical examination estimated the age as 'about 20 years'. The SAC stated that, after accounting for the mentioned 2-year deviation, the foreign national fell within the borderline range of minority. On this basis, the Mol 'could not be certain, without the possible use of additional methods to examine the claimant's chronological age, of his adulthood'.¹⁴⁹

In 2021, the Constitutional Court dealt with the age assessment procedure in the context of detention of a foreigner who claimed to be an unaccompanied minor.¹⁵⁰ The Court ruled that X-ray bone age tests are not a sufficiently reliable basis for determining legal adulthood, especially when used as the sole or decisive evidence. A comprehensive assessment and strict procedural safeguards are required, and any reasonable doubt must lead to treating the individual as a minor.

After national courts repeatedly criticised the method of determining age based on X-ray images of wrist bones, medical examinations are sometimes complemented in practice by an observation and interview done by a specially trained social worker in Bela Jezova facility. However, this approach may also be

¹⁴⁶ See the report of the Australian Human Rights Commission, *An age of uncertainty: Inquiry into the treatment of individuals suspected of people smuggling offences who say that they are children*, July 2012, available [here](#), p. 55

¹⁴⁷ It is acknowledged, both by experts (Roscam Abbing, Henriette D.C. *Age Determination of Unaccompanied Asylum Seeking Minors in the European Union: A Health Law Perspective*. European Journal of Health Law, (18) 2011, pp. 11–25. Krásničanová, H. *Bone Age*. Compendium of Pediatric Auxology, 2015) and in case law (Regional Court in Plzeň, judgement No 17 A 121/2019-74, 24 July 2019, available in Czech [here](#); SAC, judgement No 5 Azs 106/2020-42, 31 July 2020, available in Czech [here](#)), that even completely healthy individuals may show a discrepancy of up to two years between their chronological age and their skeletal age. Judgments of Swiss courts even refer to discrepancies of up to three years (Swiss Federal Court, decision No E-7333/2018, 4 March 2019 cited by SAC, judgement No 5 Azs 106/2020-42, 31 July 2020).

¹⁴⁸ Public Defender of Rights, decision No 6771/2020/VOP, 24 November 2020, available in Czech [here](#).

¹⁴⁹ SAC, judgement No 5 Azs 106/2020-42, 31 July 2020 available in Czech [here](#).

¹⁵⁰ Constitutional Court of the Czech Republic, decision No II.ÚS 482/21, 7 July 2021, available [here](#).

insufficient for reliably determining age, as social workers do not always have the sufficient expertise to assess whether the behaviour of the foreign national corresponds to the age they claim.

The law clearly states that, if the medical examination to determine age is not conclusive, the applicant for international protection shall be treated as an unaccompanied minor.¹⁵¹ In practice, however, this is not always the case. Despite the above-mentioned doubts about the reliability of the methods used to determine the age of foreign nationals, if the examination result indicates that the individual is older than 18, then—even allowing for acceptable margins of error—they are regarded as an adult. A guardian is appointed prior to undertaking a child’s age assessment. It is not possible to appeal against the outcome of an age assessment procedure. It can be challenged only within the appeal filed against the final asylum or detention decision.

There was only one age assessment conducted for the purposes of an asylum procedure in 2025. The outcome concluded that the applicant was an adult.

2. Special procedural guarantees

Indicators: Special Procedural Guarantees

1. Are there special procedural arrangements/guarantees for vulnerable people? Yes For certain categories No

❖ If for certain categories, specify which: Unaccompanied minors

There are no specialised units within the MoI which deal with claims by vulnerable asylum seekers.

2.1 Adequate support during the interview

The law does not provide for any special procedural guarantees for vulnerable applicants. The only special rule regards detention, in that, if an applicant is a vulnerable person — except for a person with a disability that does not prevent placement in a reception centre or a detention facility — the MoI may detain them only in exceptional cases (i.e., only if the applicant is over 18 years old and has repeatedly and seriously violated an obligation arising from previously imposed alternative to detention).

Recent case law of the SAC highlights persistent concerns that asylum seekers who need special procedural guarantees are not always identified in a timely manner, and that their specific needs are not properly taken into account during the procedure, especially if the vulnerability is not visible.

In one case, the applicant claimed to have a disability and to suffer from schizophrenia, which was also confirmed by available medical records. In spite of this, the MoI failed to identify the applicant as vulnerable and did not adjust the procedure to his particular vulnerability. The SAC criticised that the personal interview was conducted in a standard manner, without adapting the questioning, without consulting a specialist, and without considering whether the applicant was even fit to be interviewed. Moreover, memory problems and cognitive difficulties raised by the applicant were ignored, and no expert assessment was sought to evaluate how the applicant’s mental condition affected their ability to give a coherent and credible account. According to the SAC, such failures might have significantly disadvantaged the vulnerable applicant and undermined the fairness of their procedure.¹⁵²

Similarly in another case regarding the Dublin III regulation, where the case file already contained indications of past trauma and risks arising from the applicant’s journey (i.e., transport in a truck under dangerous circumstances, detention, death of a fellow traveller and threats by smugglers), the court criticised the MoI for having failed to properly identify and assess the applicant’s potential vulnerability.¹⁵³ The SAC stressed that the assessment must be active: if there are indications of trauma, psychological distress or possible victimisation (such as trafficking or violence), the authorities must consider the

¹⁵¹ Section 89(1) of the Asylum Act.

¹⁵² SAC, judgement No 5 Azs 156/2023 – 32, 18 September 2023, available in Czech [here](#).

¹⁵³ SAC, judgement No 2 Azs 5/2025 – 45, 4 March 2025, available in Czech [here](#).

applicant vulnerable from the outset and adapt the procedure accordingly. Ignoring these indicators—such as trauma symptoms, psychological strain or safety risks—constitutes a failure to identify a person in need of special guarantees. The Court also underlined that vulnerability does not depend only on a person’s internal health condition, but also on the traumatic circumstances they have experienced. If traumatic circumstances are present, the authority must verify the facts with increased care and adjust the conduct of the procedure to ensure effective participation of the applicant.

Failure to properly consider an applicant’s vulnerability and mental health recently led the SAC to send the case back to the Mol also in a case in which the applicant repeatedly reported anxiety, depressive symptoms, suspected ADHD, memory problems, and submitted medical evidence confirming treatment with strong antidepressants and anxiolytics. The court noted that the Mol had failed to take these into account when conducting the interview (which had taken over 7 hours) and assessing the credibility of the applicant.¹⁵⁴

2.2 Exemption from special procedures

The asylum application of an unaccompanied minor cannot be declared inadmissible if they come from a safe third country.¹⁵⁵ Moreover, their application also cannot be rejected as manifestly unfounded.¹⁵⁶

Vulnerable applicants shall be excluded from the border procedure (see above).¹⁵⁷

3. Use of medical reports

Indicators: Use of medical reports

1. Does the law provide for the possibility of a medical report in support of the applicant’s statements regarding past persecution or serious harm? Yes In some cases No

2. Are medical reports taken into account when assessing the credibility of the applicant’s statements? Yes No

As part of the general information provided to applicants for international protection, which is given in connection with the lodging of their application, the applicants are also informed of the possibility to obtain a medical examination aimed at identifying signs of persecution or serious harm.

Usually it is the applicant who provides medical reports indicating possible ill treatment in the past. The Mol, however, can obtain medical records upon its own request if the applicant provides consent to it. Usually the medical examination and report are paid for out of public funds, as all asylum seekers are covered by public health insurance.

There are no criteria set in the law indicating when a medical examination for the purpose of drafting a medical report should be carried out. The Mol rarely initiates medical examinations of the applicants on its own motion.

Medical reports are usually taken into account when assessing the credibility of the applicant’s statements. However, authorities do not always give medical evidence sufficient weight, especially if the reports show psychological problems.

The SAC recently found that the Mol had failed to properly consider an applicant’s vulnerability, mental health condition, memory problems and medication, all of which directly affected her ability to perceive events and recount them coherently and consistently.¹⁵⁸ The applicant had repeatedly informed the

¹⁵⁴ SAC, judgement No 7 Azs 212/2024 – 58, 21 February 2025, available in Czech [here](#).

¹⁵⁵ Section 10a(1)(g) of the Asylum Act.

¹⁵⁶ Section 16(5) of the Asylum Act.

¹⁵⁷ Section 74(1) of the Asylum Act.

¹⁵⁸ SAC, judgement No 7 Azs 212/2024 - 58, 21 February 2025, available in Czech [here](#), sec. 11 - 12.

authorities that she suffered from anxiety, depressive symptoms and suspected undiagnosed ADHD, and she submitted medical documentation, including a psychiatrist's report confirming treatment with high doses of antidepressants and anxiolytics. Despite this, the MoI did not adequately assess how her mental health might impact the credibility and detail of her testimony—particularly during a seven-hour interview, which would challenge even a healthy person's concentration. The Court emphasised that if an applicant claims memory problems, authorities cannot dismiss these claims without proper medical grounds. Mental health issues other than ADHD could account for such difficulties, and this must be investigated rather than presumed. The judgment also referred to earlier case-law holding that mental disorders (e.g., schizophrenia) may significantly impair an applicant's ability to provide a coherent, chronological and detailed account of events. In such cases, authorities must obtain an expert medical evaluation to understand how the applicant's condition may affect their statements.¹⁵⁹

Medical reports are rarely based on the methodology laid down in the Istanbul Protocol. There is a problem of lack of training of the medical personnel on the Istanbul Protocol. The Czech Republic has been repeatedly criticised by the UN Committee Against Torture (CAT) for its inadequate identification of presumed victims of torture and for failing to ensure training of medical personnel and state officials on the Istanbul Protocol. In its concluding observations on the sixth periodic report from 2018, the CAT specifically recommended that the Czech Republic, in relation to asylum seekers, 'take all necessary measures to develop and implement a standard procedure for the identification and protection of persons in vulnerable situations, including victims of torture and ill-treatment'.¹⁶⁰ In this context, the CAT recommends ensuring that the Istanbul Protocol becomes an essential part of training for all healthcare professionals and other state officials involved in working with persons deprived of liberty. Similar concerns and recommendations regarding training on recognising signs of torture or other ill-treatment were already raised by the CAT in its earlier observations from 2012, when it rejected the State's assertion that the physical and psychological symptoms of torture are so specific that an experienced doctor does not require specialised training.¹⁶¹

4. Legal representation of unaccompanied children

Indicators: Unaccompanied Children

1. Does the law provide for the appointment of a representative to all unaccompanied children?
 Yes No

The Asylum Act does not explicitly require the administrative authority to appoint a representative or guardian for an unaccompanied minor applying for international protection. The Foreigners' Residence Act does establish such an obligation, but only for return (administrative expulsion) and detention proceedings.¹⁶² In asylum procedures, therefore, the general rules on representation of minors apply. In principle, every minor who has not acquired full legal capacity (which is obtained at 18 years of age, or earlier through marriage) is capable of legal acts appropriate to their level of mental and volitional maturity.

The MoI may theoretically conclude that appointing a guardian is unnecessary if the applicant is close to the age of 18. However, according to the MoI's methodological guidance, a guardian must be appointed for every unaccompanied minor applicant in international protection procedures. Without a guardian, the MoI considers that a minor is not even capable of submitting an application for international protection, as the application must also be signed by the guardian.

¹⁵⁹ SAC, judgement No 5 Azs 156/2023-32, 18 September 2023, available in Czech [here](#).
¹⁶⁰ Committee Against Torture, *Concluding observations on the sixth periodic report of Czech Republic*, CAT/C/CZE/CO/6, 2018, available [here](#), paras 38–39.
¹⁶¹ Committee Against Torture, *Concluding observations of the Committee against Torture, Czech Republic*, CAT/C/CZE/CO/4-5, 2012, available [here](#), para 18.
¹⁶² Section 119(9) of the Immigration Act: 'If the foreigner is an unaccompanied minor or a minor in a comparable situation, the police shall immediately appoint a guardian for the administrative expulsion procedure. The police shall inform the guardian and instruct them about their duties.'
Section 124(5) of the Immigration Act: 'If a decision is being made on the detention of an unaccompanied minor foreign national (§ 180c) or a minor in a comparable situation, the police shall immediately appoint a guardian. The police shall inform the guardian of their appointment and instruct them about the guardian's duties.'

The law does not provide for a time limit to appoint a guardian for an unaccompanied child. In practice the appointment is made within a few days, since the child cannot be interviewed or otherwise procedurally proceed without a guardian.

As far as OPU is aware, there are no major obstacles in practice for guardians to be appointed as soon as possible. The number of guardians available is sufficient to cover the need for guardians in practice, as there are very low numbers of unaccompanied children applying for international protection in the Czech Republic every year.

Czech legislation does not lay down detailed or specific qualification requirements for a representative/guardian of an unaccompanied minor in asylum or migration procedures. The general rules on guardianship apply. The guardian is almost always the Child Social and Legal Protection Authority (OSPOD) (i.e., a municipal child-protection authority). OSPOD acts through its social workers, who must meet the statutory qualifications required for social work positions (university degree in social work or related field, or accredited specialised training). No special training in asylum or migration law is legally required.

The law does not specify the duties of legal guardians with regard to the asylum procedure. The Mol's methodological guidance states that, within the international protection proceedings, the guardian of an unaccompanied minor has the following duties:

- to be present at every procedural act involving the minor;
- during the asylum interview with the minor: to check whether the minor's answers have been recorded correctly, to ensure that the minor understands the interpreter, to monitor whether the minor is under significant stress and whether the interview is conducted in a sensitive and non-harmful manner towards the minor, and to read and verify the interview transcript;
- to review other documents contained in the administrative file and comment on them;
- to provide important information on the situation in the minor's country of origin that may indicate that the minor was persecuted there, or that he or she would face serious harm upon return;
- to appeal against the negative asylum decision; and
- to arrange legal representation for the minor.

E. Subsequent applications

Indicators: Subsequent Applications

1. Does the law provide for a specific procedure for subsequent applications? Yes No

2. Is a removal order suspended during the examination of a first subsequent application?

- ❖ At first instance Yes No
- ❖ At the appeal stage Yes No¹⁶³

3. Is a removal order suspended during the examination of a second, third, subsequent application?

- ❖ At first instance Yes No
- ❖ At the appeal stage Yes No

The Czech Asylum Act provides a specific procedure for subsequent applications (also called *repeated* or *further repeated* applications). They are defined as follows: a subsequent application for international protection is any new application lodged by the same person either before the previous decision of the Ministry becomes final or after it has become final.¹⁶⁴ A further subsequent application for international protection is the third and any subsequent application lodged by the same person, provided that:

- a. any earlier application was rejected (either because protection was not granted or the claim was dismissed as manifestly unfounded);

¹⁶³ Not automatically, only if the court grants the appeal a suspensive effect.

¹⁶⁴ Section 2(1)(f) of the Asylum Act.

- b. the second application resulted in a decision whereby protection was not granted or was withdrawn due to exclusion grounds;¹⁶⁵ or
- c. the procedure on the second application was discontinued because the applicant was an EU citizen not meeting the EU-law conditions,¹⁶⁶ or the repeated application was found inadmissible.¹⁶⁷

If a foreign national submits a **subsequent application** for international protection, the Mol must first assess whether the application is admissible. It checks whether the applicant has presented, or there are, new facts or findings that (a) were *not examined before* in the previous final decision, and this was not the applicant's fault, and (b) indicate that the applicant might face persecution, or risk serious harm upon return.

If the subsequent application is not found inadmissible, the Mol proceeds to decide whether to grant or refuse international protection, unless another procedure is justified (this can be, for example, the discontinuation of the proceeding for procedural reasons). If, on the other hand, the subsequent application is found inadmissible, the procedure will be discontinued.

There is no specific time limit within which the Mol must decide on a subsequent application if it intends to consider it inadmissible. Whether the application was assessed as inadmissible or not is usually only communicated to the applicant in the final decision on that application for international protection. In the case of subsequent applications for international protection, there is usually no interview, unless it is found necessary *ex officio* (while, in theory, an applicant can request an interview, the Mol does not have to agree to it). Instead, applicants are always given the opportunity to state the reasons for submitting the subsequent application in writing.

During the first-instance procedure on a subsequent application, the applicant is entitled to remain in the territory until the Mol's first-instance decision becomes final. This means that the removal order is suspended during the examination of a subsequent application. There is no limitation regarding access to legal aid for applicants who filed subsequent applications (i.e., the same rules as during the examination of a first application apply).

The main procedural difference between the first and a subsequent application concerns the appeal stage. If a subsequent application is declared inadmissible and the proceedings are discontinued, applicants have only 15 days to file a judicial action to the competent Regional Court against that decision, instead of the standard one-month time limit against the rejection of the first asylum application. At the same time, filing the action does not have an automatic suspensive effect. However, the applicant may request the court to grant it. The applicant's ability to remain in the territory during the court proceedings therefore depends on whether the court grants the request for suspensive effect or not. The court has 30 days to decide about the suspensive effect. During this time, an individual is still formally considered to be an applicant for international protection with the corresponding right to remain in the territory. If the court rejects the request for suspensive effect, the applicant is given a departure order and must leave the territory. There is no possibility to submit a separate application for a national form of protection.

The scope of judicial review of an appeal against an inadmissibility decision regarding a subsequent application is limited solely to verifying whether the application was correctly assessed as inadmissible. The court does not examine whether the applicant meets the conditions for any form of international protection. It focuses only on whether new facts arose during the procedure that should have led the Mol to reassess the need for international protection on the merits. Otherwise, the judicial review, particularly regarding the applicant's rights, does not differ from the review of a 'standard' decision refusing international protection. The applicant may request the court to appoint a lawyer if they can demonstrate insufficient financial means. The court must always hold an oral hearing if the applicant requests it.

¹⁶⁵ Sections 15, 15(a), 17 and 17(a) of the Asylum Act.

¹⁶⁶ Section 25(i) of the Asylum Act read in conjunction with Section 10a(1)(a) or (e) of the Asylum Act

¹⁶⁷ Section 2(1)(g) of the Asylum Act.

If a **further subsequent application** (third, fourth, etc. application) is filed, the applicant is not legally entitled to remain in the territory of Czechia. It means that the filing of a further subsequent application will not prevent their removal. In this case, the OAMP will assess whether, based on the earlier case or the current situation, there is no reasonable indication that the applicant could face persecution, serious harm, or that they already meet the conditions for asylum or subsidiary protection (including for family reunification). If not, the OAMP will issue a decision on the discontinuation of the proceedings. The OAMP needs to issue the decision within 10 days from the date of the further subsequent application. It is possible to file an appeal (lawsuit) against the decision of the OAMP before the competent regional court. However, filing a lawsuit against this decision does not have any effect on the impossibility of the applicant to remain in the territory, but it is possible to ask the competent Regional Court to issue a preliminary injunction and order the authorities to tolerate the applicant's stay during the court procedure. This possibility is, however, very rarely granted.

The OAMP may decide to treat a subsequent application and further subsequent application as admissible if there are some special reasons. However, it is not possible to tell how often this possibility is being used.

The main obstacle asylum seekers face in lodging subsequent applications is the strict interpretation of the requirement of new elements, especially regarding new statements/elements that the asylum seeker could have provided sooner. Authorities and courts often demand that a subsequent application is based on facts or evidence that are entirely new and clearly distinguishable from those examined in the initial procedure. At the same time, these new facts or evidence must be strong enough to clearly indicate possible risk of persecution or serious harm. In practice, this requirement is frequently applied in a highly formalistic manner, with limited consideration of the applicant's individual circumstances. As a result, developments that represent a continuation, escalation, or better substantiation of previously raised claims are often dismissed on the ground that they do not constitute a genuinely 'new element'. This approach is particularly problematic in cases where the applicant's situation has evolved gradually, such as a progressive deterioration of the political or security situation in the country of origin, increased visibility of the applicant's political activities, etc. Similarly, applicants may face serious difficulties in obtaining or producing new evidence, especially when such evidence depends on documents from authorities in the country of origin, testimony from witnesses who are unreachable, or proof of risks that are inherently difficult to document. Consequently, even claims that may indicate a real risk of persecution or serious harm can be rejected at a preliminary stage without a full substantive assessment.

In total, 260 subsequent applications were lodged in 2025. The main nationalities lodging subsequent applications in 2025 included the following: Uzbekistan (40), Vietnam (38), Ukraine (34), and Türkiye (26).¹⁶⁸ There are no statistics available showing how many of these subsequent applications were considered inadmissible and how many were processed in standard procedure.

F. The safe country concepts

Indicators: Safe Country Concepts

| | | |
|--|---|--|
| 1. Does national legislation allow for the use of 'safe country of origin' concept? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| ❖ Is there a national list of safe countries of origin? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| ❖ Is the safe country of origin concept used in practice? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| 2. Does national legislation allow for the use of 'safe third country' concept? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| ❖ Is the safe third country concept used in practice? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 3. Does national legislation allow for the use of 'first country of asylum' concept? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |

¹⁶⁸ Ministry of the Interior of the Czech Republic, Department for Asylum and Migration Policy, *Applications for international protection in 2025*, available [here](#).

1. Safe country of origin

The Asylum Act defines safe country of origin as a country which:

1. generally and consistently does not have persecution, torture, inhuman or degrading treatment or punishment, or threats from indiscriminate violence during an international or internal armed conflict;
2. is not a country that its nationals (or stateless residents) leave for asylum or subsidiary protection reasons (§ 12 or § 14a);
3. has ratified and complies with international human rights treaties, including rules on effective remedies; and
4. allows human-rights organisations to operate and monitor the human rights situation.¹⁶⁹

The concept of safe countries of origin is used in practice. If an applicant comes from a safe country of origin, his application can be rejected as manifestly unfounded, unless the applicant proves that, in his or her individual case, that state cannot be regarded as such.¹⁷⁰

A decision rejecting an application as manifestly unfounded has to be issued within 90 days.¹⁷¹ The main procedural differences compared to the regular procedure include a shortened deadline for appeal (15 days) and the lack of automatic suspensive effect of the appeal.

A list of safe countries of origin is included in governmental decree no. 328/2015 Coll. In 2025, these countries were considered to be safe countries of origin: Albania, Algeria, Armenia, Australia, Bosnia and Herzegovina, Montenegro, Ghana, Georgia, India, Iceland, Canada, Kosovo, Liechtenstein, North Macedonia, Morocco, Moldova, Mongolia, Norway, New Zealand, Senegal, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Serbia, Switzerland and Tunisia.

Until September 2023, Georgia and Moldova were included on this list with territorial exceptions (Georgia with the exception of Abkhazia and South Ossetia and Moldova with the exception of Transnistria). This resulted in a preliminary reference in a case C-406/22 by the Regional Court in Brno.¹⁷² Even before the CJEU confirmed that the Asylum Procedures Directive does not allow for the designation of a safe country of origin with territorial exceptions, the decree no. 326/2015 Coll. was amended and removed territorial exceptions from the list. In the explanatory report to this amendment, it was stated that the asylum authority would take into account the specific situations in these regions in the individual proceedings and the presumption of safety would not apply, effectively side-stepping the prohibition of territorial exceptions.

Given the form of the list of safe countries of origin, as a governmental decree, it is not possible to appeal the introduction of a new country to said list. It is, however, possible to challenge the designation of the country as safe before the court in the appeal filed in the individual case of an asylum seeker whose application was rejected as manifestly unfounded for this reason.

In the case files of applications for international protection submitted by applicants from a safe country of origin, there is usually only one document titled *Assessment of [country name] as a Safe Country of Origin*. However, this document often contains information that is very brief and general, and does not always sufficiently demonstrate that the country meets all the conditions for being designated as safe, as required by the Asylum Procedures Directive and the Asylum Act. In some cases, the designation of particular countries have been criticised by courts, especially because of the lack of relevant and up to date COI included in the case file. For example, in relation to Algeria, the SAC held that country reports must rely primarily on information from other Member States, the EUAA, UNHCR, and the Council of Europe — sources explicitly required under Article 37(3) of the Asylum Procedures Directive. In that case, the SAC found that the asylum authority had not meaningfully considered these materials with respect to Algeria. In the country reports it used, these sources were mentioned only sporadically and merely to support

¹⁶⁹ Section 2(1)(k) of the Asylum Act.

¹⁷⁰ Section 16 (2) of the Asylum Act.

¹⁷¹ Section 27(5) of the Asylum Act.

¹⁷² CJEU confirmed that procedural directive does not allow for designation of safe country of origin with a territorial exception (CJEU, judgement No C-406/22, October 4, 2024).

fragmentary or purely formal statements (such as references to international treaties Algeria had ratified). Instead, the SAC noted that the authority should have relied on the required sources to assess whether Algeria met the criteria set out in Annex I to the Asylum Procedures Directive.¹⁷³

The Mol shall review the lists established by the decree at least once per calendar year.¹⁷⁴ Whether and how this is being done is not clear.

Altogether, 219 nationals of safe countries of origin applied for asylum in 2025, as follows: Moldova (86), Georgia (41), Algeria (23) Armenia (21), Tunisia (20), India (12), Kosovo (1), Morocco (6), Mongolia (5), Ghana (1), and Senegal (1).

2. Safe third country

The Asylum Act defines a 'safe third country' as a country other than the one of the foreigner's nationality (or, for a stateless person, their last habitual residence) where the foreigner stayed and built ties before entering the Czech Republic, and:

- can return to and apply for refugee status there under an international treaty;
- will not face persecution or a risk of serious harm; and
- where the principles of *non-refoulement* and the ban on expulsion that would lead to torture or inhuman or degrading treatment are respected.¹⁷⁵

The 'safe third country' concept is a ground for inadmissibility of the asylum application. This concept, however, is not being applied in practice as of 2025, and there is also no list of safe third countries in the Czech Republic.

3. First country of asylum

If the applicant comes from a 'first country of asylum', their application will be considered inadmissible. This concept, however, is also not being applied in practice as of 2025.

G. Information for asylum seekers and access to NGOs and UNHCR

1. Provision of information on the procedure

Indicators: Information on the Procedure

1. Is sufficient information provided to asylum seekers on the procedures, their rights and obligations in practice? Yes With difficulty No

- ❖ Is tailored information provided to unaccompanied children? Yes No

The Asylum Act requires that the asylum seeker is informed in writing about their rights and obligations at least two working days before lodging their application for international protection (under the Czech Asylum Act lodging of the application is the 'provision of data relating to an application for international protection').¹⁷⁶ This information should be provided in the mother tongue of the applicant or another language that they understand. It should include the explanation of the consequences of withdrawing the application (explicitly or implicitly) and informing them of their right to seek help at any time from legal aid providers, refugee-support organisations, and UNHCR. The Ministry shall also inform the applicant about the possibility of requesting information relating to the course of the asylum procedure that concerns the applicant's personal situation. If it is not possible to include this information directly in the notice delivered to the applicant before lodging the application, the Ministry shall provide the written information to the

¹⁷³ SAC, judgement No 10 Azs 161/2022-56, 12 October 2022, available in Czech [here](#), paras 22–23.

¹⁷⁴ Section 86(4) of the Asylum Act.

¹⁷⁵ Section 2(1)(l) of the Asylum Act.

¹⁷⁶ Section 10 (1) of the Asylum Act.

applicant within a reasonable time, no later than 15 days from the date the applicant lodged the application for international protection.

The document with all the information that the applicant gets is available [here](#). The document is quite long - 10 pages - so asylum seekers can easily be overwhelmed by the amount of information provided at the very beginning of the procedure.

Alternatively, the information on the procedure and the rights and obligations of the applicant can be provided by legal aid providers. There are currently two different legal aid providers available for asylum seekers: (a) NGOs (OPU and SIMI) and (b) a private law firm contracted by the Mol (see Legal Aid). The Mol prioritises legal aid provided by the law firm. The written information given to the asylum seekers contains a brief mention about the possibility of benefiting from legal aid provided by the selected law firm. The asylum seekers are also given a pamphlet about the legal aid provided by this law firm. Information about this law firm are also provided in every asylum facility and on the website of the Mol. However, there is no mention of the possibility of using the legal aid provided by NGOs.

There is no other written information provided during later stages of the procedure. Additional information is provided to applicants in detention¹⁷⁷, applicants who are making an application in a place where their liberty is restricted¹⁷⁸ (prison, pre-trial detention, etc.), applicants from safe countries of origin¹⁷⁹, applicants filing further subsequent applications¹⁸⁰ and applicants under Dublin procedure.¹⁸¹ There is no information specifically tailored to the needs of unaccompanied children.

1.1 Information on Dublin

Asylum seekers are not systematically informed about the application of the Dublin Regulation. Only if the Mol assumes that another State would be responsible for assessing the application, the applicant receives a special document which includes information about the Dublin procedure. This document includes all the necessary information about the functioning of the Dublin system, information relevant for the determination of the responsible State, deadlines, grounds for detention, etc. On the other hand, it is written in a very formal, technical language which can make it not fully understandable for all the asylum seekers. It is thus necessary that the provision of this information is accompanied by the possibility to seek legal consultation with a lawyer.

1.2 Information at the border

As per section 3a(2) of the Asylum Act, asylum seekers should receive information on how to apply for asylum even prior to lodging their application, provided by police and NGOs. In practice, this information is provided in the form of flyers placed in police cells. However, these police cells are for persons departing from Czechia, not for persons arriving. There is no legal aid or monitoring of the premises for persons who have arrived in Czechia prior to being transferred to the airport reception centre. NGOs only have access to those who have already lodged their application. There is no interpretation at the border zone prior to lodging the asylum application.

UNHCR provides flyers at the reception centre. There is no systemic information provided prior to lodging the asylum application besides a UNHCR notice board on the wall before the border control. Furthermore, UNHCR faces crucial budget cuts after its US-AID program was suspended.

¹⁷⁷ See Annex 1 of the information available [here](#).

¹⁷⁸ See Annex 2 of the information above.

¹⁷⁹ See Annex 4 of the information above.

¹⁸⁰ See the information available [here](#).

¹⁸¹ See the information available [here](#).

2. Access to NGOs and UNHCR

Indicators: Access to NGOs and UNHCR

1. Do asylum seekers located at the border have effective access to NGOs and UNHCR if they wish so in practice? Yes With difficulty No
2. Do asylum seekers in detention centres have effective access to NGOs and UNHCR if they wish so in practice? Yes With difficulty No
3. Do asylum seekers accommodated in remote locations on the territory (excluding borders) have effective access to NGOs and UNHCR if they wish so in practice? Yes With difficulty No

Until 2022, free legal aid was mostly provided by NGOs, such as OPU, and funded by the Asylum, Migration and Integration Fund (AMIF). Following the expiration of AMIF funding, the Mol published a call for proposals which was only opened to lawyers registered at the Czech Bar Association. However, many lawyers providing free legal aid to asylum seekers and detained foreigners do not have experience in asylum or immigration law. As of March 2024, changes have been made and NGOs are now able to provide free legal aid in reception centres and detention centres alongside registered lawyers.

The legal assistance provided by NGOs or the selected law firm mainly includes advice on procedural rights and obligations, consultations regarding issues related to the individual circumstances of the case, or help with drafting an appeal against a negative decision. Lawyers from NGOs as well as private lawyers may also, within the limits of their current funding, provide legal representation (e.g., at the interview, when accessing the file, or during the familiarisation with the case file before the decision is issued) to applicants they themselves consider suitable or necessary. This option is used primarily by NGO lawyers providing legal assistance. Staff of the contracted law firm, on the other hand, limit their activities to counselling and assistance with drafting remedies.

At the appeal stage of the procedure, these scenarios are the most common regarding free legal aid:

- The applicant uses legal aid of the contracted law firm: they would prepare a briefly justified lawsuit with a proposal to appoint a lawyer and, if the applicant proves that they do not have sufficient financial resources, the court will appoint an attorney at its own expense, from a list of attorneys. There is no requirement that the lawyer must specialize in asylum law.
- The applicant uses legal aid from the NGO: the lawyer would prepare a detailed lawsuit and provide support to the asylum seeker throughout the appeal process.

Both lawyers from NGOs and the contracted law firm have access to all asylum and detention facilities, where they are available on a regular basis (once a week). In addition, they are regularly available in their offices located in larger cities (Prague, Brno, Ostrava, Píseň, Hradec Králové). NGOs and UNHCR have access to border facilities, but the continuity of funding for this is highly uncertain at the time of writing this report (see Legal Aid). Furthermore, no NGO, including UNHCR implementing partners, has access to the actual airport transit zone where the persons who are yet to formally lodge their application stay. NGOs providing free legal aid at the airport reception centre can only enter this particular centre and require accompaniment to enter this facility.

The situation changed after March 2026. With the end of AMIF project, the Mol informed representatives of NGOs that they will no longer have access to asylum facilities as they are no longer funded by the government. This happened despite the fact that OPU still remains UNHCR's implementing partner and has enough resources to continue with the provision of legal aid in all the asylum facilities.

H. Differential treatment of specific nationalities in the procedure

Indicators: Treatment of Specific Nationalities

1. Are applications from specific nationalities considered manifestly well-founded? Yes No
 - ❖ If yes, specify which:

2. Are applications from specific nationalities considered manifestly unfounded?¹⁸² Yes No
 - ❖ If yes, specify which: The application made by the applicant from safe countries of origin is considered manifestly unfounded, unless they prove otherwise.

There are no specific nationalities in cases of which the application would be considered manifestly well-founded. On the other hand, the application made by the applicant from safe countries of origin is considered manifestly unfounded, unless they prove that in their individual case the country should not be considered as safe.

In 2025, procedures have been frozen in case of Syrian applicants for international protection or prolongation of the subsidiary protection, due to the political changes in Syria. By the end of 2025 the procedures resumed. Before, all Syrian nationals were granted subsidiary protection or (less frequently) asylum. The recent information provided by the Mol suggests that this will no longer be the practice and every application will be considered individually. As of 2026, OPU came across several negative decisions for Syrian nationals (either not granting international protection or not prolonging subsidiary protection), where the Mol claims there is no longer an armed conflict going on in Syria.

There are a few countries whose nationals are generally granted subsidiary protection, namely: Afghanistan, Yemen, and Ukraine. As of 2026, the situation of Ukrainian nationals changed. The Mol now makes a distinction between different regions in Ukraine. If a person comes from western Ukraine, their application is usually rejected. Also, in 2023, all 22 applicants from Myanmar were granted asylum.

¹⁸² Whether under the 'safe country of origin' concept or otherwise.

Reception Conditions

Short overview of the reception system

Asylum seekers in the Czech Republic gain access to the reception conditions as soon as the application is registered by the responsible authorities. Sometimes, especially at the airport of Prague, the asylum application never gets registered by the Aliens Police or the Mol Department for Asylum and Migration Policies and people are pushed-back to the planes heading to the airports of their departure. The main provider of reception conditions to asylum seekers is the Mol - Refugee Facilities Administration (RFA - www.suz.cz).

The reception conditions are provided for as long as the asylum procedure at the first and the second instance is ongoing. In the extraordinary 'third' instance proceedings before the SAC, the reception conditions are in general not provided to asylum seekers, but the RFA can grant an exceptional reception conditions provision to vulnerable individuals awaiting the decision of the SAC.

Recognised refugees who register themselves in the so-called State Integration Program are entitled to accommodation provision in IAS for the maximum period of 18 months and can register themselves as job seekers with local labor offices which entitles them to benefit from the regular state social benefits system.

Reception centres (PřS)

PřS centres provide accommodation for newly arrived applicants for international protection until the basic entry procedures (identity verification, submission of an application for international protection, medical examinations) have been completed. Accommodation, meals, basic hygiene products, medical care, social and psychological services and leisure activities are provided here. Applicants are not allowed to leave the facility freely until the prescribed medical examinations have been completed. RFA operates a reception centre in the transit area of Prague Airport (at the external Schengen border) and a reception centre in Zastávka u Brna.

Accommodation centres (PoS)

After completing the entry procedures at the reception centre, applicants (those who cannot secure accommodation by their own means and efforts) have the option of staying at one of the accommodation centres until their application for international protection (under the jurisdiction of the OAMP MV) is processed. They can leave the centre, receive financial contributions, and prepare their own meals. Social workers are available to applicants, who can take advantage of leisure activities, voluntary Czech language courses, and legal and psychological assistance.

The RFA operates accommodation centres in Kostelec nad Orlicí, Havířov, Zastávka, and Bělá pod Bezdězem.

Integration Asylum centres (IAS)

Integration Asylum centres provide temporary accommodation for persons who have been granted international protection in the form of asylum or subsidiary protection, have entered the state integration program, and do not have other housing secured. All residents are provided with assistance from a social worker, counseling focused on finding housing, employment, and other integration activities, including Czech language courses as a key activity of the state integration program. The maximum length of stay for foreigners is 18 months, but most stay for a significantly shorter period. SUZ operates IAS in Brno, Jaroměř, Havířov, and Ústí nad Labem - Předlice.

Facilities for the detention of foreigners – (ZZC)

The facility is intended for the detention of foreigners who have been issued with a decision on administrative expulsion and detention by the Immigration Police. Foreigners who are to be transferred to another EU Member State under the Dublin Regulation and who are considered to be at risk of absconding may also be placed in ZZC. Foreigners detained under the Asylum Act may also stay in the ZZC.

Foreigners are provided with accommodation, meals, and basic material support. Social workers, leisure time educators, a psychologist, legal services, and necessary and urgent medical care are available through the Ministry of the Interior Medical Facility (ZZ MV).

The RFA operates two ZCC facilities for men only, in Vyšní Lhoty and Balková. One ZCC facility in Bělá Jezová is intended for women only, families with children, and other vulnerable groups of people.

A. Access and forms of reception conditions

1. Criteria and restrictions to access reception conditions

Indicators: Criteria and Restrictions to Reception Conditions

1. Does the law allow for access to material reception conditions for asylum seekers in the following stages of the asylum procedure?

| | | | |
|---------------------------|---|---|-----------------------------|
| ❖ Regular procedure | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> Reduced material conditions | <input type="checkbox"/> No |
| ❖ Dublin procedure | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> Reduced material conditions | <input type="checkbox"/> No |
| ❖ Admissibility procedure | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> Reduced material conditions | <input type="checkbox"/> No |
| ❖ Border procedure | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> Reduced material conditions | <input type="checkbox"/> No |
| ❖ Accelerated procedure | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> Reduced material conditions | <input type="checkbox"/> No |
| ❖ First appeal | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> Reduced material conditions | <input type="checkbox"/> No |
| ❖ Onward appeal | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> Reduced material conditions | <input type="checkbox"/> No |
| ❖ Subsequent application | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> Reduced material conditions | <input type="checkbox"/> No |

2. Is there a requirement in the law that only asylum seekers who lack resources are entitled to material reception conditions? Yes No

Asylum seekers, in general, are all entitled to reception conditions in the centres of the RFA according to the law during the various types of asylum procedures. Those who opt to live in private housing are not entitled to any state subsidies or reception conditions.¹⁸³ In general, asylum seekers are not allowed to legally work for the first six months from the moment of lodging the asylum application.¹⁸⁴ Therefore, those who opt to live in private housing must rely on their savings or undeclared work.

In case of an onward appeal procedure stage before the SAC, asylum seekers are not entitled to reception conditions,¹⁸⁵ and accommodation and a financial allowance is provided only on the basis of exceptions granted by the RFA.¹⁸⁶ Vulnerable persons are usually granted such exceptions.

There is no requirement in the law that would grant reception conditions only to asylum seekers who lack resources.

Asylum seekers are required to contribute towards the costs of services related to their reception. Asylum seekers with sufficient resources must contribute towards the cost of their reception in RFA facilities.¹⁸⁷ At the beginning of the asylum procedure, applicants are informed about the obligation to declare any financial resources in writing¹⁸⁸ and, at the start of the asylum procedure, all individuals are checked to see if they have any finances.¹⁸⁹ In every case, asylum seekers with their own financial resources must always be left with the living minimum,¹⁹⁰ so contributions towards the costs of services provided to asylum seekers are only deducted from the amount exceeding the living minimum. The same applies to detainees and detained asylum seekers. Decree No. 376/2005 sets the daily costs for meals and

¹⁸³ Section 42 of the Asylum Act.
¹⁸⁴ Section 97(e) of the Employment Act.
¹⁸⁵ Section 78d of the Asylum Act.
¹⁸⁶ Section 79(5)(e) of the Asylum Act.
¹⁸⁷ Section 42 (3) of the Asylum Act.
¹⁸⁸ An obligation to declare financial resources is enshrined in section 45(1) of the Asylum Act.
¹⁸⁹ This information was provided by the worker of RFA.
¹⁹⁰ As set out in Act No. 110/2006 Coll.

accommodation [112 CZK (approx. € 4.6) for meal costs and 130 CZK (approx. € 5.4) for accommodation costs].

Asylum seekers are entitled to material reception conditions from the moment they submit their asylum application. All asylum seekers who do not opt to live in private housing are entitled to accommodation, meals and basic sanitary supplies.¹⁹¹ They are also entitled to a financial allowance if they are actually staying and living in the RFA facility.

Decree No. 376/2005 establishes the regular dates for allowance payouts. A person may lose their eligibility for the allowance if they fail to attend on the scheduled day without a reasonable excuse. If an adult applicant for international protection who is accommodated in a reception or residential centre performs activities for the benefit of other applicants that facilitate the adaptation to the environment of the asylum facility and at the same time contribute to the proper operation of the asylum facility and to improving mutual coexistence with the surrounding community, they may receive increased pocket money. These activities may be carried out on the basis of an assignment made by the head of the asylum facility, up to a maximum of 30 hours per month.¹⁹²

2. Forms and levels of material reception conditions

Indicators: Forms and Levels of Material Reception Conditions

1. Amount of the monthly financial allowance/vouchers granted to single adult asylum seekers as of 31 December 2025 (in original currency and in €): 4,860 CZK/ approx. € 200¹⁹³

Under the law, reception conditions for applicants for international protection are provided both in kind and in the form of financial support. Applicants registered as residing in an asylum facility are provided with accommodation, food and basic hygiene items.¹⁹⁴ In addition, the Ministry ensures psychological, social and other necessary services and items, taking into account the individual needs of the applicant and the need to support non-conflictual coexistence within asylum facilities.¹⁹⁵ If food is not provided in kind, a financial contribution corresponding to the subsistence minimum (4,860 CZK; approx. € 200) is granted instead, with the possibility of an increase where medically indicated dietary needs require higher costs.¹⁹⁶

Financial reception conditions further include pocket money (30 CZK; approx. € 1.2 a day) granted for the period during which the applicant is present in an asylum facility.¹⁹⁷ This amount has not been raised since June 2008. Applicants who perform activities benefiting other applicants and contributing to the operation of the asylum facility may receive increased pocket money. The law also provides for a one-off financial contribution in the event of the death of a family member who was residing in an asylum facility.

During the period in which this financial contribution is provided, entitlement to pocket money does not arise,¹⁹⁸ unless increased pocket money is granted (see above). The financial contribution is paid only for the period of the applicant's presence in the asylum facility and is provided in advance in the form of a recoverable advance payment.

As regards housing, accommodation is primarily provided within asylum facilities, including reception and accommodation centres. Where the capacity of such facilities is exhausted or where this is necessary due

¹⁹¹ Section 42(1) of the Asylum Act.

¹⁹² Section 42a(3) of the Asylum Act.

¹⁹³ It is an amount corresponding to the subsistence minimum for a single person. This amount varies slightly in the case of a multi-person household: CZK 4,470 (approx. € 194) for the first adult in the household, CZK 4,040 (approx. € 166) for each additional adult, CZK 2,480 (approx. € 102) for children under 6 years of age, and CZK 3,050 (approx. € 125) for children aged 6–15.

¹⁹⁴ Section 42(1) of the Asylum Act.

¹⁹⁵ Section 42(2) of the Asylum Act.

¹⁹⁶ Section 42(4) of the Asylum Act.

¹⁹⁷ Section 2 of Decree No. 376/2005.

¹⁹⁸ Section 42(4) of the Asylum Act.

to the circumstances of the applicant's stay, the Mol may also ensure accommodation outside asylum facilities through contracts with accommodation service providers.

These forms of reception conditions are not merely theoretical but are applied in practice. Accommodation, food, basic hygiene items and pocket money constitute the standard reception conditions for applicants residing in asylum facilities, while financial contributions are used as an alternative where services are not provided in kind. Psychological and social services are actively ensured based on individual needs, and accommodation outside asylum facilities is used as a practical solution in situations where it is required.

Asylum seekers living in private housing are not entitled to material reception conditions except for health care.

In general, material reception conditions are never fully provided only through a financial allowance. In those accommodation centres where meals are not served, asylum seekers receive a financial allowance in the amount of a subsistence minimum that should cover the purchase of food. The subsistence minimum is defined by law and represents the benchmark used to ensure an adequate standard of living. The law thus links the level of financial reception conditions directly to the general social welfare system applicable to nationals.

The law treats the subsistence minimum as the criterion for ensuring an adequate standard of living and subsistence. Adequacy is therefore not defined autonomously within asylum legislation but is determined by reference to the legally defined subsistence minimum and, where relevant, adjusted to individual needs, such as dietary requirements due to health conditions. Different amounts may apply depending on household composition, but the law does not distinguish between different procedural categories of asylum seekers (such as accelerated procedures).

Asylum seekers are generally treated less favourably than nationals regarding material support. While nationals may access the full system of social welfare benefits under general social assistance legislation, asylum seekers are excluded from most mainstream social benefits and instead fall under a separate reception system governed by the law on asylum. Nationals in need may be entitled, for example, to benefits such as housing allowance, child benefits, income support or other forms of social assistance, subject to statutory conditions. These benefits are not available to asylum seekers, who instead receive accommodation, food or financial contributions, and pocket money within asylum facilities. Monetary support for asylum seekers is therefore not equivalent to that provided to nationals. Although the financial contribution for asylum seekers may be linked to the subsistence minimum, it is provided within a more limited and controlled framework and is often combined with in-kind support rather than paid as unrestricted social welfare. As a result, asylum seekers do not enjoy the same level of choice or breadth of social protection as nationals, even where the nominal reference amount is similar.

There have been no reports of lack or difficulty in accessing public funds hampering or limiting the provision of reception conditions.

3. Reduction or withdrawal of reception conditions

Indicators: Reduction or Withdrawal of Reception Conditions

1. Does the law provide for the possibility to reduce material reception conditions?
 Yes No
2. Does the law provide for the possibility to withdraw material reception conditions?
 Yes No

There are provisions in the law that allow the material reception conditions to be reduced.¹⁹⁹ In particular, if an asylum seeker seriously violates the accommodation rules in RFA facilities, the Mol may decide to reduce their financial allowance. This allowance can be reduced from the living minimum to the existential

¹⁹⁹ Section 42(6) of the Asylum Act.

minimum. Reductions of material reception conditions are temporary measures applied in accordance with the law, so that the reduction may be imposed only for a month.²⁰⁰

A serious violation of the accommodation rules is considered to be conduct such as endangering the life or health of persons in the asylum facility; producing, possessing, or consuming alcohol or other addictive substances; manufacturing or storing items that could be used to threaten the safety of persons or property; entering the facility under the influence of alcohol or addictive substances; repeatedly breaching the smoking ban; or persistently failing to observe hygiene standards.

Reduction of provision of material reception conditions on the basis of the grounds as per Article 20(2) of the Reception Conditions Directive is not applied by law or the relevant authorities.

The Mol takes the decision to reduce material reception conditions on an individual basis and is reasoned. The assessment does not take the risk of destitution into consideration, and there are no safeguards in this regard. The law only provides one limitation as it prohibits a double reduction. This means that if a fine is imposed for offence under a different procedure for the same conduct, the financial allowance cannot be reduced.

While in practice it happens that the financial allowance is reduced, this only happens exceptionally.

The state may also impose sanctions for seriously violent behaviour. Such conduct may be treated as an administrative offence and dealt within offence proceedings and, where the conditions are met, it may also be treated as a criminal offence under the criminal procedure.

If the reception conditions for asylum seekers are reduced in accordance with Section 42(6) of the Asylum Act, they have the right to lodge an administrative appeal against the decision within 15 days to the Mol. However, this appeal does not have a suspensive effect, meaning that the reduction will remain in force while the appeal is pending. Free legal assistance is not guaranteed by law for this type of procedure.

Reception conditions are not limited or reduced due to large numbers of arrivals or limited capacity.

Reception conditions can be reduced in subsequent stages of the asylum procedure. If the applicant is residing in an RFA facility and remains eligible for state-provided support, the conditions may be limited on the basis of the same grounds as applied earlier in the procedure.

4. Freedom of movement

Indicators: Freedom of Movement

1. Is there a mechanism for the dispersal of applicants across the territory of the country?
 Yes No

2. Does the law provide for restrictions on freedom of movement?
 Yes No

Outside of the border zone, asylum seekers have freedom of movement within the State. In specific cases, the Mol can decide to confine applicants to the in-land reception centre for the duration of their procedure.

At the airport transit zone, asylum seekers do not have freedom of movement within the State. Applicants undergo a special procedure in which a decision is issued within 5 days to assess whether the entrance to the territory is permitted or not (see Border procedure). If the decision is positive, they will have freedom of movement. If it is negative, they will be detained at the airport reception centre.

No scheme of allocations of asylum seekers in regions or facilities exists. There are 4 accommodation centres in Czechia available and the applicants are housed there as per the *ad hoc* capacity in each of

²⁰⁰ Section 42(6) of the Asylum Act.

them. If need be, asylum seekers can petition the RFA and they can help relocate them to another facility. These requests are sometimes granted, but it is up to the discretion of the RFA.

Certain material conditions are solely subject to persons residing at the accommodation centres:²⁰¹ persons residing in those centres (i.e., those who cannot afford living in private housing) are provided with housing, meals, hygienic supplies, and pocket money. If the accommodation centre does not provide meals, asylum seekers truly residing in those centres receive a financial allowance for meals. People who are only formally registered in an accommodation centre but stay elsewhere for some days during the month are not entitled to financial support for those days. Access to health care and school for children is provided to all asylum seekers.

If someone leaves their open accommodation centre without an official permit, this can lead to the discontinuation of their procedure, formally labelling them as of ‘unknown residence’. Closed centres (i.e., airport reception centre or detention centres) cannot be abandoned by applicants.

In practice, asylum seekers can be moved from one centre to another. It depends on the discretion of the RFA. Short written reasons are provided to the applicant, but no appeal is available.

It is possible to limit the stay of an applicant for international protection in the territory to only part of the territory.²⁰² However, in practice this only happens during the border procedure where applicants are confined to staying at the closed airport reception centre (see Border procedure).

I. Housing

1. Types of accommodation

Indicators: Types of Accommodation

- 1. Number of reception centres: 5
- 2. Total number of places in the reception system: 923
- 3. Total number of persons in reception centres: 134 (2024)
- 4. Total number of persons in private accommodation: 0
- 5. Total number of persons in other forms of accommodation: 0
- 6. Type of accommodation most frequently used in a regular procedure:
 Reception centre Hotel or hostel Emergency shelter Private housing Other
- 7. Type of accommodation most frequently used in an accelerated procedure:
 Reception centre Hotel or hostel Emergency shelter Private housing Other

| Capacity and occupancy of the asylum reception system: (2025) | | |
|--|----------|---|
| Centre | Capacity | Occupancy at end (2024 ²⁰³) |
| Airport reception centre (detention type) | 36 | 0 |
| Zastavka reception and accommodation centre (partly detention type, partly open) | 202 | 39 |
| Kostelec accommodation centre (open) | 277 | 38 |

²⁰¹ Section 42 of the Asylum Act.
²⁰² Section 3d(1) of the Asylum Act.
²⁰³ Information provided by the RFA. At the time of writing of this report, statistics for 2025 were not available.

| | | |
|---|------------|------------|
| Bělá Jezová accommodation centre (open) | 180 | 18 |
| Havířov accommodation centre (open) | 228 | 39 |
| Total | 923 | 134 |

Source: Data provided by the RFA on OPU's request.

In 2024 the capacity of reception and residential centres was on average 18% utilised, calculated based on persons physically present. Including those officially registered but residing outside the centres, the occupancy would be 28% on average.²⁰⁴ In the Czech Republic, reception centres for asylum seekers are primarily managed by the central government. The MoI is responsible for asylum policy, setting operational standards, and overseeing all facilities, while the RFA, a budgetary organization under the MoI, operates and manages all reception centres, including accommodation, basic services, and administration.

In addition to accommodation provided directly in asylum facilities, the law allows for accommodation outside asylum facilities as part of the general reception scheme. Specifically, the MoI may ensure accommodation for asylum seekers with external accommodation service providers where the capacity of asylum facilities is exhausted or where accommodation outside an asylum facility is considered necessary in view of the circumstances of the applicant's stay. This accommodation is organised on the basis of contracts concluded by the MoI with service providers.

Such accommodation outside asylum facilities remains integrated into the statutory reception system and does not constitute a parallel or separate scheme. It serves as a complementary measure to standard reception facilities and is used primarily as a capacity or necessity-based solution, rather than as a distinct form of reception with different legal status. The law does not further specify the concrete types of facilities (such as hotels, private flats or emergency shelters), but it provides the legal basis for their use through contractual arrangements within the existing reception framework.

In 2025, there were no other types of accommodation used as the capacities of reception centres were not full. Altogether there were 1,037 asylum seekers coming to the reception or accommodation centres in 2025.

There is the airport reception centre in the transit zone, which is a *de facto* detention centre with no access to the outside facilities. There are of course border police stations with detention cells for people crossing the borders illegally both at the land borders and the airport Prague border. No access to NGO lawyers or private lawyers to such centres is provided.

Asylum seekers benefiting from the housing and reception services of the RFA cannot choose which centre they will be placed in. This is up to the RFA officials to decide. The stage of the procedure does not have any relevance for the decision.

National state funding and EU funding is provided for the management of the reception centres. OPU does not have any information about difficulties in accessing public funds for these purposes.

²⁰⁴ European Migration Network, *EMN ANNUAL REPORT on Asylum and Migration, 2024*, available [here](#).

2. Conditions in reception facilities

Indicators: Conditions in Reception Facilities

1. Are there instances of asylum seekers not having access to reception accommodation because of a shortage of places? Yes No
2. What is the average length of stay of asylum seekers in the reception centres? Not available
3. Are unaccompanied children ever accommodated with adults in practice? Yes No
4. Are single women and men accommodated separately? Yes No

2.1 Overall conditions

There are two types of reception facilities: reception centres and accommodation centres.

Reception Centres serve to accommodate newly arrived applicants for international protection until the completion of basic initial procedures (identity verification, submission of the international protection application, medical examination). Accommodation, meals, basic hygiene items, medical care, social and psychological services, and leisure activities are provided. Until the prescribed medical examinations are completed, applicants are not allowed to leave the facility freely (i.e., for the first days it operates under a detention regime).

The RFA operates a reception centre in the transit area of Václav Havel International Airport in Prague (at the external Schengen border) and a reception centre in Zastávka,²⁰⁵ which is a small town near Brno (second largest city in Czechia). From 2018 Zastávka has also worked as a residential centre for some of the asylum seekers. Usually asylum seekers with disabilities are accommodated here for the entire procedure, as other residential centres are not adapted for persons with disabilities.

After completing the initial procedures at a reception centre, those applicants who cannot arrange accommodation on their own may use accommodation in one of the residential centres until their international protection application is processed. Residents can leave the centre, receive financial allowances, and prepare their own meals. Social workers are available, and applicants can participate in leisure activities, voluntary Czech language courses, and receive legal and psychological assistance. Besides Zastávka, there are three residential centres: in Kostelec nad Orlicí, Havířov and Bělá pod Bezdězem.

In the reception/accommodation centre in Zastávka the applicants are accommodated in shared rooms, and shared bathrooms are available for multiple rooms. There is a dining room where applicants receive meals three times a day. There is also a choice of meat-free meals. Applicants are given pocket money for small expenses - 30 CZK (approx. 1.2 EUR) a day.²⁰⁶

In other accommodation centres no food is provided and applicants are given a subsistent allowance instead - currently 4,860 CZK (approx. € 200) a month for each individual. Half of this sum of money is being paid once in two weeks. There are shared kitchens where applicants can prepare their own meals. Residential centres in Havířov and Kostelec nad Orlicí are in smaller towns but with good accessibility to larger cities. The residential centre in Bělá Jezová is located in a remote area, in the middle of the forest, with the nearest village being 4 km away. This facility served only as a detention centre before, so accessibility was not an issue. Since 2019, part of the facility is a detention centre and the other part serves as a residential centre. Its remote location makes it difficult for applicants to access public transport, local services, shops, and cultural or social activities outside the centre.

²⁰⁵ Photos of the facility are available [here](#).

²⁰⁶ Decree No. 376/2005.

If applicants have enough money, they have to pay 130 CZK (approx. € 5.4) a night for the accommodation in the centre. If meals are provided in the centre, they have to pay an additional 112 CZK (approx. € 4.6) a day.

In general, there are no reports of overcrowding as the capacities of reception and accommodation centres are not full.

In most of the facilities, usually four people share one room. If the current capacity allows so, people are accommodated on their own. Facilities are equipped with shared sanitary and hygiene facilities, which are maintained and cleaned regularly according to operational standards, although precise schedules are not published. In residential centres where meals are not provided (Kostelec nad Orlicí and Havířov) there are shared kitchen facilities, allowing asylum seekers to cook for themselves. In Havířov residential centre two rooms share a bathroom and a kitchen. This facility is mostly used to accommodate families with children so that each family can have the whole 'appartement' for themselves.

In those facilities where meals are served, there are normally three options: meal with meat, meal without pork and vegetarian meal. Basic medically prescribed diets (such as diabetic, easily digestible, low-protein or gluten-free diets) can be accommodated. If a very specific diet is required, RFA aims to transfer the person as soon as possible to a facility with individual catering arrangements.

OPU does not have any information about any incidents related to reception conditions in the centres.

2.2 Activities in the centres

Asylum seekers in the Czech Republic have access to various activities and leisure opportunities within reception and residential centres. Facilities typically provide social, cultural, and educational activities, including workshops, recreational programs, and access to communal spaces. Centres offer children's centres, art workshops, libraries, tea rooms, playgrounds, sports equipment, and residents can participate in cultural events and excursions.

Asylum seekers are generally allowed to leave the facilities freely or make use of private accommodation. Services provided in residential centres are similar to those in reception centres.

The number of staff working in reception centres appears generally sufficient for carrying out day-to-day responsibilities, and staff are subject to training programmes as part of RFA's operational reporting and human resources practices.

Religious arrangements are available in reception and accommodation centres of the RFA.

2.3 Length of stay

The average length of stay of asylum seekers in the reception centres is not available, as many residents of the centres are officially registered there but live most of their time outside of the centres. Many asylum seekers are also registered at private addresses.

The length of stay usually depends on the length of the asylum procedure. Applicants are allowed to stay in the centre during the first and second instance procedure. If they file a cassation complaint against the negative decision of the regional court, the possibility of accommodation is not automatic during the time of the appeal, as they will not be considered to be applicants for the international protection anymore and, therefore, will only be allowed to stay in the centre with an agreement of the RFA. In practice, the RFA usually allows the stay of families with small children or vulnerable individuals.

Regarding the accommodation of those that have lodged a subsequent application, the same conditions apply, so accommodation is provided during the first and second instance procedure, either until the final decision of the Regional Court or until the latter rejects the interim request for suspensive effect.

J. Employment and education

1. Access to the labour market

Indicators: Access to the Labour Market

1. Does the law allow for access to the labour market for asylum seekers? Yes No
❖ If yes, when do asylum seekers have access the labour market? After 6 months
2. Does the law allow access to employment only following a labour market test? Yes No
3. Does the law only allow asylum seekers to work in specific sectors? Yes No
❖ If yes, specify which sectors:
4. Does the law limit asylum seekers' employment to a maximum working time? Yes No
❖ If yes, specify the number of days per year
5. Are there restrictions to accessing employment in practice? Yes No

Asylum seekers do not initially have free access to the labour market. According to current law, an asylum seeker may not be employed during the first 6 months from the date of lodging of their asylum application.²⁰⁷ After these initial 6 months, an asylum seeker can be employed, but they must obtain a work permit issued by the relevant regional branch of the Labour Office of the Czech Republic.²⁰⁸ This permit is granted without a labour market test (i.e., no requirement to prove that no Czech/EU worker is available), but it still requires following the formal permission process before employment can start. If an asylum seeker is granted international protection in the form of asylum or subsidiary protection, they gain free access to the labour market and no longer need said work permit.²⁰⁹

The work permit application is subject to an administrative fee (CZK 500; approx. € 20)²¹⁰ and it is tied to a specific job and employer. If the asylum seeker wants to find a different job or employer, a new permit must be obtained. Employers may require evidence of professional competence or qualifications depending on the nature of the job. In practice, this means recognition of diplomas and certificates may be necessary, especially for regulated professions, but this is a general requirement for foreign workers rather than a policy specific to asylum seekers.

In practice, asylum seekers face some difficulties when accessing the labour market. Obtaining a work permit might prove challenging for some applicants as the process is quite administratively difficult. Without the help of the future employer or skilled social worker it can be almost impossible for the applicant to arrange everything necessary for the Labour Office. Moreover, workers of the Labour Office often do not speak foreign languages.

An older research among asylum seekers shows that one of the main difficulties in finding work was the lack of information about employment conditions among employers who often do not understand how to hire asylum seekers legally, which reduces the employers' willingness to recruit them.²¹¹ More so, the validity of asylum seekers' ID cards is always limited for a maximum of 3 months, which may deter potential employers as they cannot have certainty that the asylum seeker will continue to be able to stay in the Czech Republic.

²⁰⁷ Section 97 (e) of the Employment Act.

²⁰⁸ Section 97 (e) of the Employment Act.

²⁰⁹ Section 98(c) of the Employment Act.

²¹⁰ Item 9(c) of the Annex to Act No. 634/2004 Coll.

²¹¹ Ondřej Hofírek, Radka Klvaňová, *K problematice přístupu žadatelů o azyl na trh práce v České Republice*, 2009, available [here](#).

Insufficient knowledge of the Czech language is also a major disadvantage when seeking employment. Most jobs in the Czech Republic require knowledge of Czech, especially for customer-facing or qualified employment. Many asylum seekers have limited proficiency in the Czech language, which restricts their job options mostly to manual, seasonal, or low-skilled work.

The absence of recognised credentials or documentation of prior qualifications is another barrier, which contributes to asylum seekers taking work below their skill level or being confined to secondary or low-skilled jobs.

Asylum seekers often have few contacts or networks in the Czech labour market and limited knowledge of how to search for jobs, which reduces their effectiveness in finding employment compared to other groups. This is why social workers are essential for helping asylum seekers with finding employment, but social workers that are available in the reception or residential centres usually do not help with these matters, and applicants are, thus, dependent on the assistance of social workers from NGOs.

Informal labour exploitation is also an issue, with some asylum seekers being employed under precarious or illegal conditions, often in seasonal or manual labour.

Asylum seekers do not generally have access to state-organised vocational training schemes while their asylum application is pending. Usually, such projects are organised by civil society organisations.

In the Czech Republic, there are good practices facilitating access to the labour market for asylum seekers and other third-country nationals, in particular through targeted integration and employment-support projects implemented by specialised NGOs with EU funding. A recent notable example is the project ‘Integration of Foreigners and Refugees into the Czech Labour Market’ (*Integrace cizinců a uprchlíků na český trh práce*), launched by the Czech Labour Office and implemented by OPU, between 1 September 2023 and 31 August 2025.²¹² The project was supported under the OPZ+ (Operational Programme Employment Plus), which is financed from the European Social Fund Plus (ESF+). This project was targeted at all migrants with legal residence in the Czech Republic, including EU citizens, asylum applicants, and beneficiaries of international and temporary protection. The main objective of the project was to reduce inequalities in access to the labour market for at least 200 participants (including asylum seekers). The support provided included individual employment counselling and career guidance, mentoring and coaching, assistance with job search and placement, Czech language courses, support in finding suitable requalification courses, and assistance with the recognition (nostrification) of foreign education and qualifications. The project was implemented in several regions, specifically in Prague, Plzeň, Hradec Králové, Ostrava, and Brno, which enhanced its accessibility and regional coverage. The project ended in 2025.

In 2025, a work permit was issued to 153 asylum seekers. It is not possible to tell exactly how many asylum seekers were in employment as some of them work illegally.

2. Access to education

Indicators: Access to Education

1. Does the law provide for access to education for asylum-seeking children? Yes No
2. Are children able to access education in practice? Yes No

Under the Asylum Act, applicants for international protection have access to education under the conditions laid down in the Education Act²¹³. Through the Ministry of Education, Youth and Sports, the State shall ensure the conditions for the successful integration into primary education of those applicants

²¹² European Commission, *Czechia: Labour Office launches new project to support the integration of foreigners*, 2025, available [here](#).

²¹³ Act No. 561/2004 Coll. on Preschool, Basic, Secondary, Higher Professional and Other Education (the Education Act).

for international protection for whom school attendance is compulsory under the laws of the Czech Republic.²¹⁴ Compulsory schooling in the Czech Republic lasts nine years, beginning at age six and ending no later than age 17, when pupils complete the ninth grade of elementary school.²¹⁵

Education of asylum seeking children is provided in regular schools. There are no major limitations regarding asylum seekers' access to education, with the exception of the language barrier. For newly arriving asylum seeking children, RFA provides initial Czech language courses in its centres but as soon as the child understands some Czech, he or she must attend a Czech school. Czech schools also have a duty to offer Czech language training courses (the volume has been set for the maximum of 400 extra hours of Czech language for foreign/refugee pupils²¹⁶).

Special needs must be addressed by the local Czech school using teacher assistants and special measures.²¹⁷ There are no separate schools for disadvantaged kids. In special circumstances parents are allowed to provide home schooling for their children, but OPU has never heard about such a situation in case of asylum seeking children.

In the Czech Republic, asylum seekers aged 18 and over face some obstacles in accessing vocational training and further education. While access to compulsory education ends at 18, participation in vocational or higher education is subject to general admission and administrative requirements, including proof and recognition of prior education (nostrification), which is often lengthy, complex and costly. A major barrier is insufficient knowledge of the Czech language, as most vocational programmes and university courses require a relatively high level of Czech. Financial constraints also play a significant role, as asylum seekers typically have very limited income and are not systematically supported as students. In addition, there is no comprehensive national policy specifically aimed at facilitating asylum seekers' transition into vocational or higher education, and preparatory or bridging programmes are scarce.

Some support mechanisms nevertheless exist. Asylum seekers and beneficiaries of international protection may access Czech language courses and requalification or vocational training through the Labour Office, provided they meet the conditions for registration as job seekers; these measures are often funded through active labour market policies and EU instruments, notably the European Social Fund Plus (ESF+). However, financial support for formal education is limited, and there is no nationwide scholarship scheme specifically targeting asylum seekers or refugees wishing to pursue higher education. While some universities offer general scholarships, fee reductions or limited social support, these are not tailored to the specific situation of asylum seekers and are usually insufficient to cover living and study costs in practice.

Children of asylum seekers have the same right to attend kindergarten as Czech citizens, as long as they are present in the Czech Republic and meet legal residence requirements (e.g., having asylum seeker status).²¹⁸ Knowledge of Czech is not a condition for admission. Children in their final year before compulsory school attendance have priority admission, just like Czech children. Children must have proof of vaccination or a medical certificate if they cannot be vaccinated.²¹⁹

²¹⁴ Section 80(4) of the Asylum Act.

²¹⁵ Section 36(1) of the Education Act.

²¹⁶ Section 11b(1) of the Decree No. 48/2005 Coll.

²¹⁷ Decree No. 27/2016 Coll. on the education of pupils with special educational needs and gifted pupils.

²¹⁸ Section 20(2)(d) of the Education Act.

²¹⁹ Section 50 of the Act No. 258/2000 Coll., on the Protection of Public Health and on Amendments to Certain Related Acts.

K. Health care

Indicators: Health Care

1. Is access to emergency healthcare for asylum seekers guaranteed in national legislation?
 Yes No
2. Do asylum seekers have adequate access to health care in practice
 Yes Limited No
3. Is specialised treatment for victims of torture or traumatised asylum seekers available in practice?
 Yes Limited No
4. If material conditions are reduced or withdrawn, are asylum seekers still given access to health care?
 Yes Limited No

Access to health care for asylum seekers in the Czech Republic is guaranteed in law and practice, and it goes beyond emergency care. Asylum seekers are included in the Czech public health insurance system from the moment they make the application, meaning they are treated as insured persons under the Public Health Insurance Act and are entitled to health care on broadly the same terms as Czech nationals.²²⁰ Therefore, because they are part of the public insurance system, asylum seekers can obtain both preventive and curative care, including general practitioner consultations, specialist care, hospital treatment, and necessary medical prescriptions.

The public health insurance system covers a wide range of services (outpatient, inpatient, emergency, preventive, etc.) subject to the general rules of the Czech system, and there is no formal legal restriction limiting asylum seekers only to emergency care.

In a detention centre, an applicant for international protection is entitled to the same level of health care as other detainees who have not applied for international protection.²²¹ This standard is lower than the standard of care afforded to applicants for international protection who are not detained. It includes emergency care for conditions that are immediately life-threatening, may lead to sudden death by exacerbating the disease progression, cause permanent disease progression without prompt provision of medical services, cause sudden suffering and pain, cause changes in the behaviour and actions of the person affected endangering them or those around them, or relate to pregnancy and childbirth, except for artificial termination of pregnancy at the request of the foreigner. Additionally, it includes healthcare care in connection with an ordered quarantine or in connection with other measures related to the protection of public health.²²²

In practice, asylum seekers have effective access to health care. There are no doctors in reception centres, so asylum seekers staying in reception centres can be accompanied to the doctor by social workers from the centre if needed. It does not happen that the applicant would have their reception conditions reduced or withdrawn (with the exception of the possibility to reduce the financial allowance).

The general Czech healthcare system includes mental health services (psychiatric and psychological care) that are available to insured persons, including asylum seekers. However, there is no separate legal provision that specifically guarantees specialised mental health care for torture survivors or traumatised asylum seekers beyond general access to mental healthcare services. In practice, access to psychological care is generally problematic in the Czech Republic. The demand for psychological care is rising and waiting periods can be quite long (weeks or months). For those applicants accommodated in residential centres, psychological help is available directly in the centre.²²³ A psychologist is not always present at the facility. The RFA has contracts with selected psychologists who are available by

²²⁰ Section 7(1)(p) of the Act No. 48/1997 Coll., on Public Health Insurance and on Amendments and Supplements to Certain Related Acts

²²¹ Section 88(5) Asylum Act in conjunction with section 176 of the Immigration Act.

²²² Section 176(1) of the Immigration Act.

²²³ Under section 42(2) of the Asylum Act psychological services shall be ensured for asylum seekers accommodated in asylum facilities.

appointment. Only few psychologists have contracts with the insurance companies that would allow people to seek psychological help on the expenses of the insurance company. Most of the time it is necessary to pay for psychological help (usually 1,000 – 1,500 CZK; approx. €40 - €60 an hour) which is not manageable for most asylum seekers.

Specialised trauma- or torture-specific treatment is not formally guaranteed by law and often depends on referrals and capacity within the system. In practice, specialised psychosocial support services are often run by NGOs working with refugees and migrants (e.g., AMIGA for mental health and psychosocial support, proFem for survivors of gender-based violence). These NGOs, however, are facing some budget cuts which make the availability of their services very limited.

L. Special reception needs of vulnerable groups

Indicators: Special Reception Needs

1. Is there an assessment of special reception needs of vulnerable persons in practice?

Yes No

The Asylum Act requires the RFA to determine whether applicants for international protection are vulnerable.²²⁴ If an applicant for international protection is deemed to be a vulnerable person, the RFA must also identify whether the applicant has specific needs, determine the nature of those needs, and take them into account for the entire duration of the applicant's stay in the asylum facility.

The definition of 'vulnerable person' covers, in particular: unaccompanied minors, parents or family with a minor child, or parents or family with an adult child with a disability, persons over 65 years of age, persons with a disability or a serious illness, pregnant women, victims of trafficking in human beings, or people who have been tortured, raped, or subjected to other serious forms of psychological, physical, or sexual violence.²²⁵

A biannual training course on human trafficking is provided for staff working in reception centres for asylum seekers and refugees, as well as in detention facilities for foreigners. The training, delivered in cooperation with La Strada Czech Republic, focuses on identifying victims of trafficking within these facilities and referring them to appropriate assistance. Although the authorities could not specify how many social workers have taken part in the course, they stated that each centre or facility has at least one social worker trained in detecting trafficking victims.²²⁶

The Asylum Act requires that the Mol ensures that persons working with applicants for international protection in asylum facilities, especially when they are vulnerable individuals, have received appropriate training.²²⁷ In practice, in every asylum facility there is a special wing designated to accommodate vulnerable applicants where other applicants do not have access to.²²⁸ There is currently no monitoring mechanism in place to assess vulnerability.

Single women and women with children are accommodated separately from single men and families. The Czech Republic operates a unique facility for the care of unaccompanied minor foreigners, the Facility for Children of Foreign Nationals (ZDC), which provides care to separated children who are not Czech citizens (not only to asylum seekers).

The reception system for unaccompanied migrant minors in the Czech Republic is a centralised system run by ZDC based in Prague. The ZDC - which was established by the Ministry of Education, Youth and Sports - is the main centre specialised in the reception and care of all foreign children and refugees at risk. The facility includes a diagnostic institute, an educational care centre, and a primary school. Within the diagnostic institute, the facility primarily provides diagnostic, therapeutic, health, and educational

²²⁴ Section 81(2) of the Asylum Act.

²²⁵ Section 2(1)(i) of the Asylum Act.

²²⁶ GRETA report, op. cit., section 36.

²²⁷ Section 79(8) of the Asylum Act.

²²⁸ This is a practice observed in asylum facilities, but it is not guaranteed by law.

services. Unaccompanied minors who are studying at secondary schools or universities are allowed to stay at the facility under a contract until the age of 26. To ensure a successful integration process, a so-called training apartment is also available, where individuals prepare for leaving the facility (in 2024, four UAMs studying at universities lived there).

The number of unaccompanied migrant children arriving in the Czech Republic each year is very low - between 30 and 70. In 2024, a total of 51 unaccompanied minor migrants passed through the Facility for Children of Foreign Nationals.²²⁹ The largest group consisted of people from Ukraine (mostly from failing family or foster care backgrounds). Other significant groups were people from Syria and Afghanistan. Not all of these children applied for international protection. Updated data for 2025 were not available.

In case the capacity of ZDC is not sufficient, it is possible that the children are accommodated in unsuitable centres for Czech children with behavioural disorders, where they are faced with challenging conditions. The OPU team assists all unaccompanied migrant children who are placed in ZDC facilities or other childcare facilities or homes.

Staff of the ZDC, where unaccompanied foreign children are accommodated, receive periodic training by La Strada Czech Republic on the prevention of human trafficking. Further, since the beginning of the war in Ukraine, efforts have been made to develop the training on human trafficking also for social workers of local offices for the social and legal protection of children (OSPODs). For 2023-2024, in co-operation with La Strada Czech Republic and UNICEF, a newly accredited training focusing on child trafficking is offered at the regional level.²³⁰

There are no specialised assistance measures available for victims of trafficking in the centres for asylum seekers and refugees of the RFA. In their comments on the draft GRETA report, authorities indicated that the facilities for asylum seekers have safeguards in place for potential victims of trafficking in human beings and they do not consider it necessary to set up a specific assistance program.²³¹

During the asylum application process nuclear families are accommodated together.

M. Information for asylum seekers and access to reception centres

1. Provision of information on reception

Asylum seekers should receive information on how to apply for asylum even prior to lodging their application, provided by police and NGO.²³² However, in practice, this is covered by flyers placed in the departure police cells at the airport, and NGOs only have access to those people who have already lodged their application.

Once applicants filed their application at the transit zone, the social workers at the facility inform all asylum seekers on their rights and obligations. This information is accompanied by a flyer in multiple languages. NGOs providing free legal aid inform them on their legal status and access to the labour market (or lack thereof, as for the first 6 months of the procedure this is not provided).

The information provision system will be adequate as long as the NGOs providing free legal aid continue to do so, which is currently uncertain (See Legal aid).

2. Access to reception centres by third parties

Indicators: Access to Reception Centres

1. Do family members, legal advisers, UNHCR and/or NGOs have access to reception centres?
 Yes With limitations No

²²⁹ European Migration Network, *EMN ANNUAL REPORT on Asylum and Migration, 2024*, available [here](#).

²³⁰ *Ibid*, section 38.

²³¹ GRETA report, *op. cit.*, section 147.

²³² Section 3a(2) of the Asylum Act.

The law provides for access to reception centres for family members, legal advisers, UNHCR and NGOs. Until the end of March 2026, NGOs visited all reception centres weekly. There were no formal obstacles, as long as the visit was conducted within the framework of an official EU-AMIF scheme. However, as of April 2026, access of NGOs to reception and accommodation centres have been restricted (see section on Legal aid).

Furthermore, no NGO (including UNHCR implementing partners) has access to the actual airport transit zone where the persons are who are yet to formally lodge their application. NGOs providing free legal aid at the airport reception centre only have entry to this particular centre and require accompaniment to enter this facility.

Other people can only enter reception centres after the RFA has granted them a permission. This, however, also serves to protect the persons in the facility.

N. Differential treatment of specific nationalities in reception

OPU does not have information on specific nationalities being treated preferentially or discriminated against. However, refugees and migrants who are not white are at higher risk of being rejected by private housing providers, by private employers, and/or being subjected to *ad hoc* residence controls by police patrolling the streets and, hence, are more susceptible to detention.

Detention of Asylum Seekers

A. General

Indicators: General Information on Detention

| | |
|--|-----|
| 1. Total number of asylum seekers detained in 2025: | 216 |
| 2. Number of asylum seekers in detention at the end of 2025: | 43 |
| 3. Number of detention centres: | 3 |
| 4. Total capacity of detention centres: | 824 |

Note: This section concerns detention in detention centres. However, there is also detention at the border procedure, specifically at the airport reception centre which is a detention-like facility. For more information on detention at the airport reception centre, please see sections on Asylum Procedures, Border procedures and Reception Conditions: Freedom of Movement.

The capacity of the detention centres in 2025 was as follows:

- Bělá-Jezová detention centre: 220 beds
- Bálková detention centre: 174 beds
- Vyšní Lhoty detention centre: 450 beds

Asylum seekers who applied for international protection in detention are routinely maintained in detention throughout the procedure. In a case where the application is made in a detention centre, the Mol typically claims there are reasonable grounds for believing that the application for international protection was made solely with a view to avoid or delay the deportation although the asylum seeker could have applied for international protection earlier.²³³ Specific vulnerabilities of asylum seekers which limit the grounds for their detention are often overlooked or ignored.²³⁴

Additionally, individuals who have been found by the police as having entered irregularly and who have a EURODAC hit in another EU country are routinely detained for the purpose of their Dublin transfer.²³⁵ Moreover, these individuals are detained on the basis of the Immigration Act, as they are not considered asylum seekers under the Asylum Act.²³⁶ This denies them the additional protection offered against detention to vulnerable asylum seekers under the Asylum Act.²³⁷

If a person is detained under the Asylum Act, the detention is ordered by the Mol,²³⁸ While if they are detained under the Immigration Act it is ordered by the Immigration Police.²³⁹

The detention may impact the availability of interpretation and access to legal counselling during the asylum procedure, especially since all the detention centres are located in remote and hard to access areas.

OPU has also observed a tendency to rush applications submitted in detention in expedited procedures. The Mol assessed an important number of cases submitted in detention as manifestly ill-founded.²⁴⁰ In some cases, judicial appeal against a decision finding an asylum application manifestly ill-founded does not have automatic suspensive effect,²⁴¹ potentially further expediting the procedure.

²³³ Section 46a (1)(e) of the Asylum Act.

²³⁴ Section 46a (3) of the Asylum Act.

²³⁵ Section 129 of the Immigration Act.

²³⁶ Section 2(1)(b) of the Asylum Act.

²³⁷ Section 129 of the Immigration Act as compared with section 46a(3) of the Asylum Act.

²³⁸ Section § 46a of the Asylum Act.

²³⁹ Sections 124 (4), 124a, 124b (1) (a)(b), 129 of the Immigration Act.

²⁴⁰ Section 16 of the Asylum Act.

²⁴¹ Section 32 (2) of the Asylum Act.

O. Legal framework of detention

1. Grounds for detention

Indicators: Grounds for Detention

1. In practice, are most asylum seekers detained
 - ❖ on the territory: Yes No
 - ❖ at the border: Yes No
2. Are asylum seekers detained during a regular procedure in practice? Frequently Rarely Never
3. Are asylum seekers detained during a Dublin procedure in practice? Frequently Rarely Never

The MoI may decide to detain an applicant for international protection in a reception centre or in a detention centre if so-called special measures (i.e., alternatives to detention) cannot be effectively applied, if:²⁴²

- (a) the purpose of the detention is to reliably establish or verify their identity;
- (b) they present a forged or falsified identity document and their identity is not otherwise known;
- (c) there are grounds for believing that they could pose a danger to the security of the state or public order;
- (d) they will be transferred to another EU Member State under the Dublin III Regulation and there is a serious risk of absconding, in particular if they have already evaded or attempted to flee in the past, or have expressed an intention not to respect a final decision on transfer to another EU Member State under the Dublin III Regulation or if such an intention is evident from their conduct;
- (e) the application for international protection has been lodged in a detention facility and there are reasonable grounds for believing that it has been made solely with a view to avoiding or delaying the threat of expulsion, extradition or surrender under a European arrest warrant for prosecution or imprisonment abroad, although the person could have applied for international protection earlier; or
- (f) the applicant has seriously violated an obligation imposed by an alternative to detention.²⁴³

If it is not possible to effectively apply an alternative to detention, the Immigration Police shall detain a foreigner who has unlawfully entered or stayed in the territory of the Czech Republic for the necessary period of time for the purpose of their transfer pursuant to the Dublin III Regulation.²⁴⁴

In the case of an applicant for international protection who is a vulnerable person within the meaning of section 2(1)(i) of the Asylum Act, the MoI may, if necessary, decide on their detention only if they are over 18 years of age and have repeatedly and seriously violated an obligation imposed on them by an alternative to detention.²⁴⁵ This does not include an applicant for international protection who is considered vulnerable due to their disability, if the disability does not prevent their placement in a reception centre or detention. As such, the police are authorised to detain an unaccompanied minor only if there is a reasonable risk that they may endanger the security of the State or seriously disturb public order and if it is in their best interest to do so, in accordance with the Convention on the Rights of the Child.²⁴⁶ In the event of reasonable doubt that an unaccompanied foreigner is a minor, the police are entitled to detain the foreigner until their actual age is established. The police shall initiate actions to establish the age of the foreigner without delay after their detention. If the foreigner refuses to carry out the age ascertainment procedures, they shall be regarded as an adult. If the results of the age determination are inconclusive, the foreigner shall be regarded as an unaccompanied minor.

²⁴² Section 46a (1) of the Asylum Act.

²⁴³ Section 46a (2) of the Asylum Act.

²⁴⁴ Section 129 (1) of the Immigration Act.

²⁴⁵ Section 46a (3) of the Asylum Act.

²⁴⁶ Section 129 (5) of the Immigration Act.

The Immigration Police shall issue a new decision on detention if the MoI has not issued such a decision pursuant to § 46a Asylum Act, if the foreigner detained for the purpose of their expulsion applied for international protection in detention and there are reasonable grounds to believe that, although they could have applied for international protection earlier, they have submitted an application for international protection with the aim of avoiding or delaying the threat of expulsion, extradition or transfer for prosecution abroad.²⁴⁷ This provision is only rarely used in practice.

If an alternative to detention cannot be effectively applied, the police is entitled to detain a foreigner who has submitted an application for international protection for the purpose of their administrative expulsion, if their expulsion has already been finally decided or administrative expulsion proceedings have been initiated on grounds pursuant to § 119(1)(a) or § 119(1)(b)(6) or (7) Immigration Act.²⁴⁸ This provision is only extremely rarely used in practice. According to the jurisprudence, its wording is not sufficiently clear to be applied in practice.²⁴⁹

Most asylum seekers who have applied for international protection in the territory in the Zastávka reception centre are not detained. In contrast to that, most asylum seekers who have applied for international protection in a detention centre or at the Václav Havel airport are detained.

The grounds for detention are generally interpreted broadly by the MoI and the Immigration Police. Issues of concern include the following:

- Lack of vulnerability assessment at the beginning of detention and throughout the detention period.
- Broad interpretation of various detention grounds, including, 'reasonable grounds for believing that an application has been made solely with a view to avoiding or delaying the threat of expulsion', 'risk of absconding' and 'danger to the public order'.
- Lack of adequate review of whether the grounds for detention continue to persist throughout the detention period.
- Length of detention, which is typically set close to the maximum permissible detention period, without due regard to the purpose of the detention in each case.
- Amendments to the Asylum Act adopted in the context of the EU Pact on Asylum and Migration will allow for immigration detention of families with children starting from June 2026.

The Immigration Police shall decide to detain a foreigner for the purpose of their transfer under the Dublin III Regulation only if there is a serious risk of absconding.²⁵⁰ A serious risk of absconding in the context of the Dublin III procedure is defined in section 129 (4) of the Immigration Act and section 46a (1) (d) of the Asylum Act.

Under the Asylum Act, individuals are detained for the purpose of their Dublin transfer if they have come to the Zastávka reception centre in order to lodge their asylum application, they have an active EURODAC hit and there is a serious risk of absconding defined in section 46a (1) (d) of the Asylum Act. A serious risk of absconding is deemed to exist if the foreigner has been staying in the territory irregularly, has previously avoided transfer to another EU Member State or has attempted to abscond or has expressed an intention not to comply with a final decision on transfer, or if such an intention is evident from their conduct.²⁵¹

Under the Immigration Act, individuals are detained for the purpose of their Dublin transfer if they have been found to be staying irregularly in Czech territory, have an active EURODAC hit and there is a serious risk of absconding defined in section 129 (4) of the Immigration Act. In this case, they are not considered

²⁴⁷ Section 124 (4) of the Immigration Act.

²⁴⁸ Section 124a of the Immigration Act. These grounds include a well-founded risk that a foreign national, during their stay in the territory, could endanger state security or seriously disturb public order (section 119(1)(a)); the fact that a foreign national crosses the state border in hiding or attempts to do so (§ 119(1)(b)(6)) or crosses the state border outside an official border crossing (section 119(1)(b)).

²⁴⁹ SAC, judgement No 6 As 146/2013-44, 2 April 2014, available in Czech [here](#); SAC, judgement No 1 Azs 146/2019-23, 28 August 2019, available in Czech [here](#).

²⁵⁰ Section 129(4) of the Immigration Act.

²⁵¹ Section 46a(1)(d) of the Asylum Act.

asylum seekers in the Czech Republic within the scope of the Asylum Act, depriving them of added protection for vulnerable groups which the Asylum Act offers. A serious risk of absconding is deemed to exist, in particular, if the foreigner has been staying in the territory irregularly, has previously avoided transfer to another EU Member State or has attempted to abscond or has expressed an intention not to comply with a final decision on transfer or if such an intention is evident from their conduct.²⁵² Furthermore, a foreigner who is to be transferred to an EU Member State not directly adjacent to the Czech Republic is deemed in serious risk of absconding if they cannot lawfully travel independently to that Member State and cannot provide the address of their place of residence in the territory. A serious risk of absconding is deemed to exist, in particular if the person has already evaded or attempted to flee in the past, or has expressed an intention not to respect a final transfer decision to another EU Member State under the Dublin III Regulation, or if such an intention is evident from their conduct.²⁵³

In both cases, the usage of the term ‘in particular’ suggests that this definition is demonstrative, meaning that other acts may also be interpreted as falling within the definition of ‘risk of absconding’.

In practice, the risk of absconding is interpreted broadly. Typically it is sufficient for the individual to have entered Czechia irregularly with an active EURODAC hit to be considered at risk of absconding. According to the jurisprudence, a serious risk of absconding usually exists, if the foreigner has set a destination country in the EU, which they were trying to reach irregularly with the help of smugglers to whom they paid a pre-agreed sum to make the journey possible, and where they cross state borders outside official border crossings.²⁵⁴

If a person in an irregular situation who has been detained by the Immigration Police for the purpose of their return under the Immigration Act²⁵⁵ applies for international protection while in detention, they will typically be detained on the basis of a new detention order issued by the Mol on the basis of the Asylum Act.²⁵⁶ The only exceptions are vulnerable asylum seekers, who can only be detained if they have repeatedly and seriously breached an obligation imposed on them by an alternative to detention.²⁵⁷ Accordingly, as a rule, vulnerable individuals should be released once they apply for international protection in detention. However, due to the gaps in assessing vulnerability, they are often detained by a new detention order of the Mol. Moreover, even if the Mol decides not to detain them, they can be detained on the basis of a new detention order issued by the police.²⁵⁸ Accordingly, it cannot be stated that applying for international protection in detention leads to the person’s release.

According to section 46a(13) of the Asylum Act, an asylum seeker must be released without unnecessary delay if:

- the grounds for their detention have ceased to exist;
- the time limit set out in the decision on detention or on the extension of detention has expired;
- the court decides to annul the decision on detention or the decision to extend the period of detention;
- the obligation to release the applicant for international protection arises upon the delivery of the judgment; or
- the applicant for international protection has been granted asylum or subsidiary protection.

²⁵² Section 129 (4) of the Immigration Act.

²⁵³ Section 46a (1) (d) of the Asylum Act.

²⁵⁴ SAC, judgement No 5 Azs 166/2020-54, 8 February 2021, available in Czech [here](#).

²⁵⁵ Section 124 of the Immigration Act.

²⁵⁶ Section 46a(1)(e) of the Asylum Act.

²⁵⁷ Section 46a(3) of the Asylum Act.

²⁵⁸ Section 124(4) of the Immigration Act.

2. Alternatives to detention

Indicators: Alternatives to Detention

1. Which alternatives to detention have been laid down in the law? Reporting duties
 Surrendering documents
 Financial guarantee
 Residence restrictions
 Other
2. Are alternatives to detention used in practice? Yes No

There are two types of alternatives to detention laid down in the Asylum Act, and four types of alternatives to detention laid down in the Immigration Act. In both cases, the law refers to them as 'special measures' and the law requires that detention is only used if these cannot be effectively applied.²⁵⁹

The Asylum Act recognizes in section 47 the following two alternatives to detention:

- a. staying in a residential centre designated by the Mol; and
- b. reporting in person to the Mol at a time specified by the Mol.

The Immigration Act recognizes in § 123b the following four alternatives to detention:

- a. the obligation of the foreigner to notify the police of the address of their place of residence, to stay there, to notify the police of any change on the following working day and to stay at the address of the place of residence for the purpose of carrying out a residence check within the specified period of time;
- b. the deposit of funds in freely convertible currency in the amount of the expected costs related to the administrative expulsion (financial guarantee) by the foreigner or by a Czech citizen or a foreigner with a long-term or permanent residence permit (depositor);
- c. the obligation of the foreigner to report in person to the police at the time specified by the police; and
- d. the obligation of the foreigner to stay at a place designated by the police and to be present at that place at a specified time for the purpose of carrying out a residence check.

Based on the observance of practice by OPU, it can be said that, in some cases, the decision is based on individual circumstances, in other cases, individual circumstances are disregarded. It appears the Mol uses a certain template for the detention decisions. To the knowledge of OPU, there is no specific necessity or proportionality test applied, although the law says explicitly that the Mol may decide to detain an asylum seeker only where necessary.²⁶⁰

In OPU's experience, alternatives to detention are extremely rarely applied in practice.

According to the information provided by the Mol on request, no alternative to detention of an asylum seeker has been used in 2025.

3. Detention of vulnerable applicants

Indicators: Detention of Vulnerable Applicants

1. Are unaccompanied asylum-seeking children detained in practice? Frequently Rarely Never
- ❖ If frequently or rarely, are they only detained in border/transit zones? Yes No
2. Are asylum seeking children in families detained in practice? Frequently Rarely Never

²⁵⁹ Section 46a(1) of the Asylum Act, sections 124(1) and 129(1) of the Immigration Act.

²⁶⁰ Section 46a(1) of the Asylum Act.

The Asylum Act imposes additional limitations on the detention of vulnerable asylum seekers within the meaning of section 2(1)(i) of the Asylum Act. This provision recognizes as vulnerable, in particular: an unaccompanied minor; a parent or family with a minor child or a parent or family with an adult child with a disability; a person over 65 years of age; a person with a disability or serious illness; a pregnant woman; a victim of trafficking in human beings; or a person who has been tortured, raped or subjected to other serious forms of psychological, physical or sexual violence.

According to section 46a (3) of the Asylum Act, in the case of a vulnerable applicant for international protection, the Mol may, if necessary, decide on their detention only if they are over 18 years of age and have repeatedly and seriously violated an obligation imposed on them by an alternative to detention. This does not include an applicant for international protection who is considered vulnerable due to their disability, if the disability does not prevent their placement in a reception centre or detention. Section 46a (3) of the Asylum Act thus implies that in the case of a vulnerable asylum seeker, the Mol must first make at least one attempt at imposing an alternative to detention before resorting to their detention.²⁶¹ Unaccompanied minors cannot be detained under the Asylum Act,²⁶² nor can alternatives to detention be applied to them.²⁶³

In contrast to the Asylum Act, the Immigration Act does not impose any such additional limitations and does not recognize specific individuals as vulnerable. This means that in case an asylum seeker is detained under the Immigration Act,²⁶⁴ they do not benefit from additional protection for vulnerable groups.

However, in practice, due to the lack of assessment of vulnerability, vulnerable asylum seekers are routinely detained both under the Asylum and the Immigration Act.

In the past, the Mol refused to recognize as vulnerable even categories of asylum seekers clearly falling under the protected categories under section 2 (1)(i) of the Asylum Act. These detention decisions have been typically later overturned by courts. For example, the Mol did not recognize as vulnerable a pregnant woman from Iraq with a six year old daughter who was a victim of domestic violence in her country of origin,²⁶⁵ or an elderly woman of 66 years of age.²⁶⁶ It did not recognize as vulnerable adults accompanying their minor relatives (i.e., cousins, nephews), claiming these do not constitute a family within the meaning of section 2 (1) lit. i) of the Asylum Act.²⁶⁷

More complex situations of vulnerability have been either completely overlooked or downplayed by the Mol and sometimes even by courts. For example, the Mol did not recognize as vulnerable a young woman who escaped forced marriage to an elderly man and was suffering from severe mental health conditions including acute stress reaction, claustrophobia and anxiety disorder. The mental health condition was in the course of her detention confirmed by health reports from her country of origin and by a report from a psychiatric hospital in Czechia where she was brought for examination.²⁶⁸

The Mol also did not recognize as vulnerable a family from Türkiye who were Alevites and Kurds, supporters of the HDP-party, and who requested asylum on religious and ethnic grounds and were travelling with an adult child who was suffering from a severe mental health condition. During the asylum interview following their detention, the family explained their son was suffering from panic attacks and insomnia as a result of past persecution in their country of origin. Further, the son never finished high-school and was suffering from depression and fearing to lose his loved ones as he already lost his grandfather when he was 12 years old. According to the family, his health condition was worsening while detained. Due to his health conditions, he was unable to attend the asylum interview, and he explained to the Mol he believed there was something wrong with his heart and his hands were shaking regularly.²⁶⁹

²⁶¹ Regional Court in Prague, judgement No 49 A 9/2018- 37, 30 November 2018, available in Czech [here](#).

²⁶² Section 46a(3) of the Asylum Act.

²⁶³ Section 47(3) of the Asylum Act.

²⁶⁴ Sections 124(4) and 129 of the Immigration Act.

²⁶⁵ Regional Court in Prague, judgement No 49 A 9/2018- 37, 30 November 2018, available in Czech [here](#).

²⁶⁶ Regional Court in Prague, judgement No 56 A 4/2021-17, 25 February 2021, available in Czech [here](#).

²⁶⁷ SAC, judgement No 5 Azs 306/2022-48, 8 December 2022, available in Czech [here](#); SAC, judgement No 5 Azs 307/2022-76, 8 December 2022, available in Czech [here](#).

²⁶⁸ SAC, judgement No 6 Azs 259/2022-49, 20 April 2023, available in Czech [here](#).

²⁶⁹ Municipal Court in Prague, judgement No 50 A 8/2022-27, 10 October 2022, available in Czech [here](#).

Further, the Mol did not recognize as vulnerable a couple with regard to whom the government of their country of origin suspected cooperation with a coup movement. The woman, who previously worked as an attorney, was imprisoned in pre-trial detention for eight months and subjected to inhumane and degrading treatment, as she was strip searched and refused food and the possibility to shower. After she was released from pre-trial detention, she lived in hiding for two years before leaving her country of origin. She provided the court with the judgement from her country of origin according to which she was sentenced to imprisonment for 7 years. Her husband was sentenced to imprisonment for 6 years and, while in pre-trial detention, was subjected to physical and psychological pressures to confess.²⁷⁰

Children in families are routinely detained for the purpose of their Dublin transfer under the section 129 of the Immigration Act. In most cases, this detention has been annulled by the courts. Unaccompanied minors awaiting or undergoing an age assessment who have been found to have entered the country irregularly and have an active EURODAC hit are also routinely detained in the context of their expected Dublin transfer under section 129 of the Immigration Act.²⁷¹ In some cases, this detention has been annulled by the courts either due to a lack of reasons in the decision or to the failure to adequately consider the rights of accompanying minors or address disputed ages. In cases where adults were detained alongside children—such as cousins or siblings— courts ruled that the detention of the adult effectively deprived the children of their liberty, requiring a rigorous evaluation of the best interests of the child and the necessity of such an extreme measure. Furthermore, decisions were annulled when authorities failed to investigate credible evidence of a foreigner's minority status, such as birth certificates, or neglected to provide detailed, individualized reasoning for why milder alternatives to detention were insufficient for vulnerable groups.²⁷²

4. Duration of detention

| Indicators: Duration of Detention | |
|--|----------|
| 1. What is the maximum detention period set in the law (incl. extensions): | 180 days |
| 2. In practice, how long in average are asylum seekers detained in 2025? | 76 days |

Under the Asylum Act, asylum seekers can be detained for up to 180 days.²⁷³ The courts repeatedly criticized a practice where the Mol automatically detained asylum seekers for prolonged periods, including the maximum permissible duration, with a first detention decision and without proper justification.²⁷⁴

If the foreigner applies for international protection while detained under the Immigration Act, the time spent detained under the Immigration Act does not count towards the 180 days time limit.²⁷⁵ In practice, the additional number of days spent in detention should not exceed 14 days (7 days time limit to apply for international protection when detained under the Immigration Act plus 5 working days time limit for the Mol to decide whether the foreigner will be detained on the basis of a new detention order under the Asylum Act after they applied for international protection while in detention).

Under the Immigration Act, foreigners can be detained for up to 180 days.²⁷⁶ Contrary to the Asylum Act, foreigners younger than 18 years of age and families with children can be detained for up to 90 days under the Immigration Act.²⁷⁷

²⁷⁰ Municipal Court in Prague, judgement No 48 A 4/2021-20, 4 October 2021, available in Czech [here](#); Regional Court in Prague, judgement No 49 A 4/2021-20, 4 October 2025, available in Czech [here](#).

²⁷¹ Section 129(5) of the Immigration Act.

²⁷² See, e.g., Municipal Court in Prague, judgement No 19 A 3/2025- 20, 6 February 2025, available in Czech [here](#); Regional Court in Brno, judgement No 22 A 18/2023 – 24, 7 July 2023, available in Czech [here](#); SAC, judgement No 2 Azs 275/2022 – 34, 16 June 2023, available in Czech [here](#).

²⁷³ Section 46a(5) of the Asylum Act

²⁷⁴ SAC, rjudgement No 9 Azs 38/2024-50, 14 March 2024, available in Czech [here](#); SAC, judgement No 9 Azs 187/2024-29, 24 October 2024, available in Czech [here](#).

²⁷⁵ Section 46a(4) of the Asylum Act.

²⁷⁶ Section 125(1) of the Immigration Act.

²⁷⁷ Section 125(1) of the Immigration Act.

In the case of detention in the context of a Dublin transfer, the courts have concluded that the length of detention derives from various deadlines under Article 28 Dublin III Regulation, and depends on the individual steps taken in the Dublin procedure. Generally, the first detention order should not be longer than 30 days, corresponding to the one month period for the MoI to submit a take-charge or take-back request with another EU Member State. This order can then be prolonged depending on the steps taken in the Dublin procedure and the response of the receiving Member State, including a potential remonstrations (i.e., a request for reassessment of the answer). In any case, the foreigner cannot be detained longer than six weeks from receiving a positive response to a take-charge or take-back request from the receiving Member State.²⁷⁸ If, however, the foreigner intentionally frustrates a transfer to be carried out within this six-week period, they may be re-detained, as their release would unduly impede the effectiveness of the procedures carried out pursuant to the Dublin III Regulation.²⁷⁹

In the case of detention for the purpose of age assessment in the context of a Dublin transfer, the length of the first detention order should correspond to the expected length of the age assessment procedure. Generally, it should not take longer than several days.²⁸⁰ The detention can be hereafter prolonged depending on the results of the age assessment.

On average, asylum seekers were detained for 76 days in 2025 (compared to 111 days in 2024), according to the information provided by the MoI.

OPU is not aware of cases where the maximum detention duration was exceeded. However, OPU is aware of cases where individuals have not been released, or have not been released on time following a judgement overturning a decision ordering the detention of asylum seekers.²⁸¹

Since the asylum procedure in Czechia is rather slow, and exceptionally may take up to several years, most asylum seekers will not spend the whole status determination procedure in detention, although in some cases accelerated procedures may apply.

P. Detention conditions

1. Place of detention

Indicators: Place of Detention

1. Does the law allow for asylum seekers to be detained in prisons for the purpose of the asylum procedure (i.e., not as a result of criminal charges)? Yes No

If so, are asylum seekers ever detained in practice in prisons for the purpose of the asylum procedure? Yes No

| Detention capacity and occupancy: 2025 | | |
|--|----------|-----------------------|
| Detention centre | Capacity | Occupancy at end 2025 |
| Bělá-Jezová | 200 | N/A |
| Bálková | 174 | N/A |
| Vyšní Lhoty | 450 | N/A |
| Total | 824 | N/A |

Source: Information provided by the RFA upon OPU's request.

²⁷⁸ SAC, judgement No 7 Azs 11/2015-32, 19 February 2015, available in Czech [here](#).
²⁷⁹ SAC, judgement No Azs 310/2019-25, 11 February 2020, available in Czech [here](#).
²⁸⁰ SAC, judgement No 5 Azs 107/2020-46, 25 June 2020, available in Czech [here](#).
²⁸¹ Municipal Court in Prague, judgement No 18 A 78/2020-65, 3 February 2021, available in Czech [here](#).

Asylum seekers are typically detained in specialized facilities, called ‘facilities for the detention of foreigners’ (*zařízení pro zajištění cizinců - ZZC*). In these facilities, they are detained with other third country nationals. The Asylum Act also allows asylum seekers to be detained in a reception facility.²⁸² However, this option is, to OPU’s knowledge, rarely used.

When a person is intercepted as irregularly staying or transiting through the territory, they can be detained for 48 hours in a police cell.²⁸³ This is usually the case for individuals transiting Czech territory who have an active EURODAC hit in another EU Member State, and the police prepare to issue them a subsequent detention order for the purpose of their Dublin transfer.²⁸⁴

To OPU’s knowledge, asylum seekers are never detained with ordinary prisoners. However, there could be cases where a person arrived with falsified documents at the border, was prevented from lodging their asylum application and put in an ordinary prison in the context of a criminal procedure.

Asylum seekers are regularly detained at the Václav Havel international airport.

2. Conditions in detention facilities

Indicators: Conditions in Detention Facilities

1. Do detainees have access to health care in practice? Yes No
❖ If yes, is it limited to emergency health care? Yes No

2.1 Overall conditions

The RFA is in charge of the management of the detention centres.²⁸⁵ The outside security is managed by the Immigration Police and security inside the detention centres is managed by private security companies. In some cases, the Immigration Police is entitled to enter the detention facility. Police officers may enter a detention unit for the purpose of preventive action to prevent disturbances of public order, violations of the internal order of the facility or to protect life, health and property; they may enter areas where children are accommodated only exceptionally for the purpose of preventive action.²⁸⁶

Staff in the detention centres have different levels of training and education. There have been reported issues with the behaviour of private security, especially as these are low-paid jobs performed typically by people who did not have access to higher education. At times, OPU has noted racist or transphobic comments from these individuals.

Detention conditions have been considered overall relatively satisfactory, although the quality of individual detention facilities differs.

In recent years, the recommendations of the Ombudsperson who visits detention facilities regularly focused mainly on ensuring effective access to legal services for detainees placed in so-called ‘pre-admission’ (i.e., the housing unit in the detention centre where the detainee is placed before they undergo a medical examination), access to legal services for detainees placed under the strict regime, improving overall equipment in the strict regime units, further reduction of security elements, e.g., by removing the catheters and bars on windows, providing civilian uniforms for private security service workers, reducing the number of so-called “thorough personal searches” requesting the detainees to strip naked or squat, improving hygienic standards, or ensuring better contact of detainees with the outside world, e.g., by allowing telephone calls via the Internet, as well as improving medical care.²⁸⁷

²⁸² Section 46a(1) of the Asylum Act.

²⁸³ Section 27 of the Act no. 273/2008 Coll., Police Act.

²⁸⁴ Section 129 of the Immigration Act.

²⁸⁵ Section 130(2) of the Immigration Act.

²⁸⁶ Section 132a(2) Immigration Act.

²⁸⁷ Public Defender of Rights, Report from visit to the facility No 43/2022/NZ, 3 April 2023, available in Czech [here](#); Public Defender of Rights, Report from visit to the facility No 41/2021/NZ, 20 September 2022, available in Czech [here](#); Public Defender of Rights, Report from visit to the facility No 81/2019/NZ, 15 July 2020, available in Czech

Also, the CPT reports noticed some shortcomings in the past. In particular, the CPT criticised the fact that placing the detainees in a strict regime may result in *de facto* solitary confinement in situations when only one foreigner is placed in the strict regime at a time. The CPT recommended that these detainees should be enabled to have adequate daily contact with other people. It also criticised the practice of confiscating mobile phones or the widespread use of so-called “thorough body searches”, as well as the obligation of the detainees to cover the costs of their detention.²⁸⁸ During the last two visits to the Czech Republic, the CPT did not visit the detention facilities.²⁸⁹

As part of the latest Schengen evaluations, the Czech Government was requested to take measures to ensure that the conditions in the Bálková detention centre correspond to the administrative nature of immigration detention. In 2020, the government was instructed to modify the design and layout of the detention facility as much as possible, to avoid restricting access to leisure activities, to improve the sanitary conditions in the detention centre and to repair the sanitary infrastructure.²⁹⁰ In 2025, it was instructed to improve the detention conditions in the Bálková detention centre by ensuring appropriate maintenance and good state of repair; ensuring that the regime applicable to the detention for foreigners is adjusted to reflect the nature of the administrative detention; providing sufficient possibilities to remain in a meaningful contact with the outside world; applying alternative arrangements for exercise in poor weather conditions.²⁹¹

In the last years, OPU has not registered from the detainees any complaints regarding insufficient cleaning, or insufficient number of showers and toilets for the detainees.

According to the law, the RFA should provide each detainee with a bed, a chair, a locker for storing personal belongings, food and basic hygiene products (which should generally include sanitary towels and other hygienic products for women).²⁹² According to the Ombudsperson reports, in the past sanitary towels were in some cases not provided to women during periods of overcrowding.²⁹³ In OPU's experience, at present the hygienic items are provided to the detainees upon request.

In 2025, there have not been reported problems of overcrowding. However, the situation can change depending on the changing migratory patterns. There were reports of overcrowding from 2014 to 2016 (see above) and by the end of 2022²⁹⁴.

According to the law, the RFA should provide each detainee with a bed, a chair, a locker for storing personal belongings, food and basic hygiene products.²⁹⁵ It is also OPU's experience that, at the moment of the drafting of this review, each detainee has their own bed.

Single women, families, families with children and individuals in the process of age assessment are placed in the Bělá-Jezová detention centre. Bálková and Vyšní Lhoty are exclusively for single men. In case of need, other vulnerable individuals (i.e., vulnerable single men) can be placed in Bělá-Jezová detention centre. Normally, all the detainees in Bělá-Jezová are accommodated in the same building. This can,

[here](#); Public Defender of Rights, Report from visit to the facility No 33/2016/NZ, 22 December 2016, available in Czech [here](#).

²⁸⁸ CPT, *Report to the Czech Government on the visit to the Czech Republic carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 1 to 10 April 2014*, March 2015, available [here](#).

²⁸⁹ CPT, *Report to the Government of the Czech Republic on the visit to the Czech Republic carried out by the CPT from 2 to 11 October 2018*, July 2019, available [here](#); CPT, *Report to the Government of the Czech Republic on the visit to the Czech Republic carried out by the CPT from 16 to 26 April 2024*, March 2025, available [here](#).

²⁹⁰ EU Council, *Council Implementing Decision setting out a recommendation on addressing the deficiencies identified in the 2019 evaluation of the Czech Republic on the application of the Schengen acquis in the field of return*, 8995/20, June 2020, available [here](#).

²⁹¹ European Commission, *Schengen evaluation: Czechia, 2024*, available [here](#).

²⁹² Section 134(1)(a) of the Immigration Act.

²⁹³ Public Defender of Rights, Report from visit to the facility No 24/2015/NZ, 9 September 2015, available in Czech [here](#).

²⁹⁴ Public Defender of Rights, Report from visit to the facility No 43/2022/NZ/, 3 April 2023, available in Czech [here](#).

²⁹⁵ Section 134(1)(a) of the Immigration Act.

however, lead to a situation where men and women are not accommodated fully separately. (i.e., a single woman might be accommodated in the same building and on the same corridor as a group of men in the process of age assessment). On the other hand, in Bělá-Jezová, the management was in the past able to organize a higher security corridor for vulnerable individuals to which other detainees did not have access to.

Families with children or couples are typically accommodated together in shared rooms, the room for families with children should be adequate to the child's age.²⁹⁶ Single detainees usually share their room with one other detainee.

In all of the detention facilities, there are wardrobes with free of charge clean clothes that can be made use of by the detainees.

In the past, Iniciativa Hlavák reported cases of former detainees arriving at Prague main train station after they had been released from the detention centres in inadequate clothing or without adequate backpack or luggage to store their personal belongings (i.e., with only a plastic bag).

The detainees can choose from several different diets depending on their religious or other preferences. Adults receive food three times per day. Children receive food five times per day.

In Bělá-Jezová, Bálková and Vyšní Lhoty, the detainees have access to open-air spaces during the day time. These spaces can be considered of adequate size.

Specific rules apply in case the foreigner is placed under a strict regime (§ 135 Immigration Act). In this situation, they have the right to take a walk within a designated area for a minimum of one hour per day.²⁹⁷ However, they have to be accompanied by the Immigration Police. The Immigration Police may also restrict or cancel the walk for serious reasons. The possibility to limit or abolish the walk-altogether has been in the past criticized by the CPT.²⁹⁸

2.2 Activities

In Bělá-Jezová, activities for children are organized by the social workers. Moreover, children who are not officially detained but only accommodated in the detention facility can leave the detention facility upon the consent of their relatives. The RFA tries to organize trips outside of the facility for these children.

The RFA is obliged to enable the attendance to school a foreigner who is subject to compulsory school attendance under the Education Law.²⁹⁹ Compulsory school attendance applies to foreign nationals who are entitled to reside permanently or temporarily in Czechia for more than 90 days and to applicants for international protection.³⁰⁰

Children can receive education in the detention centre or in the Bělá-Jezová village. However, to OPU's knowledge, this is rarely organized in practice.

Detainees have access to reading or leisure materials. In each facility, there is a library and TV room from which they can borrow reading materials. The RFA should, if possible, provide books, daily newspapers and magazines, including foreign ones, if they are distributed in the Czech Republic.³⁰¹

²⁹⁶ Section 141(4) of the Immigration Act.

²⁹⁷ Section 134(3) of the Immigration Act.

²⁹⁸ CPT, *Report to the Government of the Czech Republic on the CPT's visit to the Czech Republic from 1st to 10 April 2014*, op. cit.

²⁹⁹ Section 142(1) of the Immigration Act.

³⁰⁰ Section 36(2) of the Asylum Act.

³⁰¹ Section 134(1)(d) of the Immigration Act.

Detainees also have access to computers or internet boxes. However, some facilities struggle with stable internet connection due to their remote location. Also, as their personal phones are taken away upon entry in the detention facility, the detainees struggle to access accounts requiring two-steps verification.

2.3 Health care and special needs in detention

In detention, the law provides for emergency care for conditions that are immediately life-threatening; may lead to sudden death by exacerbating the disease progression; cause permanent disease progression without prompt provision of medical services; cause sudden suffering and pain; cause changes in the behaviour and actions of the person affected, endangering them or those around them; or relate to pregnancy and childbirth, except for artificial termination of pregnancy at the request of the foreigner. Additionally, it includes healthcare in connection with an ordered quarantine or in connection with other measures related to the protection of public health.³⁰²

The health care is either provided in the detention facility or if needed in a medical facility outside of the detention.³⁰³ Upon request, social workers can also organise, free of charge, counselling with a psychologist.³⁰⁴

Single women, families, families with children and individuals in the process of age assessment are placed in the Bělá-Jezová detention centre. Bálková and Vyšní Lhoty are exclusively used for detaining single men. In case of need, other vulnerable individuals (i.e., vulnerable single men), can be placed in the Bělá-Jezová detention centre. Normally, all the detainees in Bělá-Jezová are accommodated in the same building. As noted above, however, this can lead to a situation where men and women are not accommodated fully separately (i.e., a single woman might be accommodated in the same building and on the same corridor as a group or men in the process of an age assessment). On the other hand, in Bělá-Jezová, the management was in the past able to organize a higher security corridor for vulnerable individuals to which other detainees did not have access to.

Social workers should identify any specific reception needs during the first intake interviews. However, OPU is not aware to what extent this is done based on a standardized screening tool. Social workers also organized specialized health care in case of need.

Vulnerable individuals are often kept in detention. Information on a person's vulnerability is not passed forward between the RFA, the Mol and the Immigration Police. In some cases, vulnerable individuals managed to successfully challenge their detention in courts.

In Bálková and Vyšní Lhoty, OPU is not aware of any additional support provided to vulnerable individuals.

3. Access to detention facilities

Indicators: Access to Detention Facilities

1. Is access to detention centres allowed to:

| | | | |
|-------------------|---|---|-----------------------------|
| ❖ Lawyers: | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> Limited | <input type="checkbox"/> No |
| ❖ NGOs: | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> Limited | <input type="checkbox"/> No |
| ❖ UNHCR: | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> Limited | <input type="checkbox"/> No |
| ❖ Family members: | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> Limited | <input type="checkbox"/> No |

Detainees have the right to receive visits from an attorney at law or a legal counsel from an NGO.³⁰⁵ Further rules on the visits are specified in the internal regulations.³⁰⁶ According to the visiting regulations, NGOs providing legal counselling or other services (i.e. social or religious services) have to request an

³⁰² Section 88(5) of the Asylum Act, section 176 of the Immigration Act.
³⁰³ Section 176(3) of the Immigration Act.
³⁰⁴ Section 134(4) of the Immigration Act.
³⁰⁵ Section 144(3) of the Immigration Act.
³⁰⁶ Návštěvní řád Zařízení pro zajištění cizinců Správy uprchlických zařízení MV [Visiting Regulations of the Refugee Facilities Administration], Příloha č. 1 pokynu Ř č. 17/2024, available [here](#).

entry permit through the website of the RFA.³⁰⁷ Attorneys at law do not have to request such a permit, provided they present a power of attorney to represent a concrete detainee.³⁰⁸ In the same way, a NGO providing legal counselling does not have to request an entry permit provided they can present a power of attorney to represent a concrete detainee.³⁰⁹ Visits may take place at any time in the room designated for this purpose, except during the night time or if the operational reasons of the facility prevent it (e.g., capacity of the room designated for legal advice, meal times, etc.).³¹⁰

Additionally, a representative of an international or non-governmental organisation protecting the rights of persons deprived of their liberty is entitled to conduct a monitoring visit. They have to submit a written request to the RFA at least 3 working days in advance and, in doing so, they are obliged to follow the instructions of the RFA. These requests are normally accepted. The RFA is entitled not to allow the monitoring visit in case of a threat to the proper functioning and security of the facility.³¹¹

Additionally, the law guarantees access to the Ombudsperson who is entitled to carry out systematic visits to places where persons deprived of their liberty by public authority are or may be found, with the aim of protecting them from torture, cruel, inhuman, degrading treatment or punishment and other ill-treatment.³¹² The Ombudsperson is entitled to visit the detention facility without prior notice, as part of a so-called unannounced visit.³¹³ Following the visit to the detention facility, the Ombudsperson draws up a report on its findings, which may also include recommendations or proposals for improvement with different degrees of urgency.³¹⁴ These reports are available in the Ombudsperson's Register of Opinions (ESO, <https://www.ochrance.cz/esol/>).

In 2024, representatives of the Ombudsperson visited the detention facility in Bělá Jezová. The goal was to verify the conditions for families with children and unaccompanied minors. In the final report,³¹⁵ the Ombudsperson stated that no ill-treatment was occurring at the facility and staff treated detainees with respect. However, despite this generally positive assessment, the report also identified several shortcomings that reduce the quality of care provided to vulnerable groups.

- Regarding material conditions, the prison-like character of the environment was criticized, which consisted of internal fencing over two meters high and razor wire that was visible directly from the windows of family rooms.
- Another criticized point was the metal stops on windows that allowed them to be opened only about 10cm, preventing sufficient ventilation. In the area of contact with the outside world, the Ombudsperson highlighted limited possibilities for internet calls and the fact that accommodated children did not receive their own phone cards, making them dependent on their parents' credit. Furthermore, there was a lack of privacy at payphones in the hallways, and information about stay rules was not provided to children in a child-friendly format, such as via pictograms.

Reactions from the responsible authorities to the proposed corrective measures were mixed. The RFA proceeded to remove metal stops from most windows and introduced a pilot regime of free internet access in Bělá-Jezová, which now allows calls via apps like Instagram or Skype. The RFA also began issuing phone cards to children upon individual request and now offers outings outside the complex to all children, regardless of age. However, it strictly refused to remove the razor wire and internal fencing, considering them necessary for security and efficient operation. The Ombudsperson expressed disagreement with the retention of these security features.

In response to the report, the Immigration Police sent the Ombudsperson a methodology for the age assessment of foreigners. It was in this area that the Ombudsperson found serious procedural

³⁰⁷ Article 5(1) of the Visiting Regulations.

³⁰⁸ Article 6(1) of the Visiting Regulations.

³⁰⁹ Article 6(1) of the Visiting Regulations.

³¹⁰ Article 6(2) of the Visiting Regulations.

³¹¹ Section 149(2) of the Immigration Act.

³¹² Section 1a(1)(c), section 1b(2)(b) of the Act No. 349/1999 Coll. Act on the Public Defender of Rights and the Defender of Children's Rights (Ombudsperson Law).

³¹³ Section 15 of the Ombudsperson Law.

³¹⁴ Section 21c(3) of the Ombudsperson Law.

³¹⁵ Public Defender of Rights, Report from visit to the facility No 2/2024/NZ/AM, 22 July 2024, available [here](#).

shortcomings, where unaccompanied minors were labelled as adults after X-ray exams and immediately moved to facilities for adult men without being able to comment on the result or defend themselves. One such foreigner was even found to be a minor again after spending two months among adults and was placed in the care of child protection services. Regarding the creation of a methodology for personal searches of children and their escorts, the immigration police forwarded this task to the Directorate of the Uniformed Police, and the result is still pending. The police also refused to prepare child-friendly information materials themselves, stating it is a task for the RFA.

The law does not foresee any specific rules on access to individuals placed in alternatives to detention.

In practice, NGOs may struggle to obtain entry permits if their counselling is not funded through a project approved by the Mol. This has to do with changes in the funding structure for free legal aid to asylum seekers and detainees implemented since 2022.

Prior to this date, this counselling was provided by NGOs and was covered through funding from the EU AMIF fund which the Mol was redistributing nationally. This funding scheme was set to expire by 2022, with the grant covering legal aid to asylum seekers expiring by the end of April and another grant covering legal aid to detainees coming to a close by October 2022. Thereafter, the Mol decided to fund these activities from the national budget, citing the delayed AMIF Regulation for the 2021-2027 programming period as the key reason. Consequently, the Mol published a call for proposals for service providers in March 2022, with NGOs explicitly excluded from responding to the call and only attorney offices allowed to apply. Following the call, the Mol selected a law firm as the service provider for the period following April 2022 (for asylum seekers), respectively October 2022 (for persons in detention). That despite the fact that this law firm did not have any experience in foreigners' and asylum law so far and had a somewhat dubious reputation from the past. Several newspapers reported about the change pointing out that the new system will be more expensive and is likely to be of lesser quality. In 2023, the Ombudsperson also conducted an inquiry into the overall system for legal aid for detainees as well as the quality of legal aid provided by the attorneys after 2022. In its report, the Ombudsperson noted, among others, the following shortcomings:³¹⁶

- Insufficient independence of the Mol as the administrator of the legal aid system. The system should be administered by an administrative authority which does not at the same time decide on asylum applications or the detention of asylum applicants.
- No consideration as to the knowledge of asylum and immigration law when selecting the legal aid provider, as well as a lack of training of the legal aid provider by independent experts.
- Limitation of legal aid only to the administrative procedure. This results in the need to request a new attorney to be assigned by the court in court proceedings and leads to a lack of continuation in the counselling provision.
- Time allocated to each consultation was usually between 10-15 minutes, including interpretation, since the funding covers only visits of about 2-3 hours.
- Important reduction in lawsuits and cassation complaints against immigration detention. Whereas in 2018, the detainees supported by NGOs submitted 170 cassation complaints to the SAC, in 2023 only 17 such complaints were submitted with the help of the attorney.
- Overall reduction of detainees' satisfaction with the quality of legal services from 2022 and lack of independent quality oversight.
- Shortfalls in funding legal aid that have affected its availability.

Moreover, even in cases where NGOs have been successful in ensuring additional funding, in particular from private donors, the authorities created additional bureaucratic obstacles to access the detention facilities. The long-term entry permit was denied based on the fact that the funding does not come from the Mol. Accordingly, OPU could only visit detainees who expressly requested a visit by OPU or who OPU was already representing on the basis of a power of representation. On some occasions, these visits would take place only in the visitors' room where no computer, printers or other equipment are available, and while such a room did not provide for a safe private space suitable for counseling vulnerable and

³¹⁶ Public Defender of Rights, *Access to free legal aid for foreigners deprived of their liberty*, report No KVOP-28177/2025, 16 July 2025, available in Czech [here](#).

traumatized persons. In 2023, the Government Council on Human Rights and its Committee on the Rights of Foreigners adopted a motion requesting the authorities to grant NGOs access to the detention facilities on the basis of a long-term permit and independently from whether or not they receive funding for its activities from the MoI.³¹⁷ The practice of connecting access to detention facilities with the question of funding was also criticised by the Ombudsperson.³¹⁸

Based on the observance of OPU, by the end of 2023, the funding structure for legal counselling changed again and the MoI reopened the calls for the provision of legal assistance to NGOs, when the budget for the new AMIF programming period was approved. From March 2024 to September 2025, the counselling was thus provided in parallel by the attorney at law and NGOs. In October 2025, there was a three week gap in the provision of legal counselling in the detention facilities and at the Václav Havel airport due to administrative delays in approving the financing for a new contractual period.

In short, while the law does guarantee entry into the detention facilities, NGOs may face difficulties in accessing them in situations where they do not receive funding for the provision of legal counselling from the government, as the government connects the questions of funding with the question of access to these facilities.

As noted above, only NGOs who have a contract on the provision of legal services with MoI have regular access to detention facilities. Between January and September 2025, the Consortium of Migrant Assisting Organizations in Czechia had such a contract with the MoI. On that basis, OPU was regularly present in Bělá-Jezová, Bálková and Vyšní Lhoty each week. SIMI was present at Václav Havel airport upon request. In October 2025, there was a three weeks gap in the provision of legal counselling in the detention facilities and at the airport due to administrative delays in approving the financing for a new contractual period. As of November 2025, NGOs continue to have access to all of the detention facilities.

UNHCR visits the detention centres on an *ad hoc* basis. Legal counselling is provided by UNHCR's partners (OPU). However, currently the UNHCR does not cover legal counselling in detention facilities - the project only covers legal counselling in reception and accommodation facilities for asylum-seekers. The visits conducted by UNHCR have solely monitoring purposes, so it does not provide any services to detainees. Reports are not publicly available.

The law guarantees the detainee the right to receive visitors.³¹⁹ The detainee has the right to receive visitors four times a week for one hour at a time, with a maximum of four people present at any one time. In justified cases, the head of the facility or his or her representative, in agreement with the police, may allow more frequent visits or longer visiting times and, if the capacity of the rooms designated for visits allows, the number of persons may also be increased.³²⁰

Further rules on the visits are specified in the internal regulations (*Návštěvní řád Zařízení pro zajištění cizinců Správy uprchlických zařízení MV*).³²¹ These specify that visits may take place every day between 9:00 and 20:00, except when meals are served or unless particularly serious operational reasons prevent it.³²²

The visit takes place in the visiting room. The RFA is entitled to monitor the course of the visit visually. Normal social contacts (handshake, hug, kiss) are allowed during the visit. The visit of a foreigner placed in a strict detention regime takes place in the presence of the Police of the Czech Republic.³²³

³¹⁷ Motion of the Committee for the Rights of Foreigners of the Government Council for Human Rights dated 20 February 2023 to enable the provision of legal counselling in facilities for the detention of foreigners by non-governmental organizations; available [here](#).

³¹⁸ Public Defender of Rights, *Access to free legal aid for foreigners deprived of their liberty*, report No KVOP-28177/2025, 16 July 2025, available in Czech [here](#).

³¹⁹ Section 134(1)(c) of the Immigration Act.

³²⁰ Section 144(1) of the Immigration Act.

³²¹ *Návštěvní řád Zařízení pro zajištění cizinců Správy uprchlických zařízení MV* [Visiting Regulations of the Refugee Facilities Administration], Příloha č. 1 pokynu Ř č. 17/2024, available [here](#).

³²² Article 4(3) of the Visitation Regulation.

³²³ Article 4(2) of the Visitation Regulation.

Mobile phones are taken away by the Immigration Police during the intake inspection. The detainees are entitled to make an initial call in the duration of three minutes during their intake. They are allowed to write down phone numbers from their mobile phones. In some cases, mobile phones can be provided to the detainees for a limited amount of time upon request (i.e., in case they need to contact their lawyer, forward them documents, etc.).

There are public phones and phone cards (or codes) available in the detention centres. These can be used to contact either family members or legal representatives. However, some facilities struggle with stable phone and internet connection due to their remote location. Typically, the cards also only suffice for brief calls to very remote locations such as Afghanistan or Syria. In Bělá-Jezová, once the credits expire, the detainees are provided with extra credit if they need to contact their legal representatives. It is not clear to what extent this practice followed in Bálková or Vyšní Lhoty.

Politicians do have access to detention centres. OPU is not aware of the media trying to gain access to detention centres in the past years.

Q. Procedural safeguards

1. Judicial review of the detention order

Indicators: Judicial Review of Detention

1. Is there an automatic review of the lawfulness of detention? Yes No
2. If yes, at what interval is the detention order reviewed?

Asylum seekers are informed of the reasons for their detention and legal challenges available in the detention order. The detention order is handed over to the asylum seeker in person by the Mol or Immigration Police officer in the presence of an interpreter (as the order as such is in Czech). However, as a matter of practice, the worker should summarize the reasons for the detention and the legal challenges available which are hereafter interpreted to the detainee by the interpreter. It is not clear to what extent this practice is followed in each case. In some cases, the Immigration Police gives the detainees a list of NGOs providing legal assistance to foreigners together with the detention order.

Additionally, asylum seekers are informed about their right to legal assistance by the social workers in the detention centre during their intake interview with the social worker which also takes place in the presence of an interpreter.³²⁴ Moreover, in each detention facility there is a bulletin board with leaflets and brochures in several languages explaining the typical reasons for a person's detention, the legal challenges available, the right to legal assistance and other rights and duties of the detainees.³²⁵ These leaflets also explain when a lawyer is present in the detention centre and how a person can register for legal counselling.

National legislation provides for a judicial review of detention.³²⁶ However, this review is not automatic but has to be always initiated by the individual, even in cases of prolonged detention. In theory, both the Mol and the Immigration Police are required to examine whether the reasons for the detention of the individual continue to exist throughout the duration of the detention.³²⁷ However, it is not clear whether and how this examination is carried out in practice in each case. The detainees do not receive any information on the result of this examination.

The competent courts to review the detention order are the administrative courts, sitting in a single-judge chamber.³²⁸ The judicial review has to be requested within 15 days from receiving the detention order.³²⁹

³²⁴ Section 131 of the Immigration Act

³²⁵ Ibid.

³²⁶ Section 46a(7) of the Asylum Act.

³²⁷ Section 46a(10) of the Asylum Act, section 126 (a) Immigration Act.

³²⁸ Section 31(2) of the Administrative Justice Code.

³²⁹ Section 172(4) of the Immigration Act.

The foreigner can send the lawsuit either directly to the court, or to the Mol or the Immigration Police who issued the decision. If the lawsuit is submitted with the Mol or the Immigration Police, the Mol or the Immigration Police forward the lawsuit, their reply to the lawsuit and the administrative file to the court within 5 working days.³³⁰ If the lawsuit is submitted with the court, the court requests the Mol or the Immigration Police to present their reply to the lawsuit and the administrative file to the court within 5 working days. The court will decide on the lawsuit within 7 working days from receiving the administrative file.³³¹

If the court annuls the detention decision, the Immigration Police or the Mol are obliged to release the detainee upon the pronouncement of the judgement.³³² In practice, a short version of the judgement appears on the digital notice board of the court on the same day the judgement is pronounced. The courts also usually inform the Immigration Police or the Mol per email. After that, the court should produce a full judgement in writing including reasoning within maximum 1 month.³³³ The detainee has the option to file a cassation complaint with the SAC within two weeks from receiving the judgement of the Regional Court.³³⁴ There are no specific deadlines for the proceedings before the SAC.

Additionally, detainees can request an administrative review called 'request for release'.³³⁵ This request is submitted directly with the Mol or the Immigration Police who issued the detention order. The detainee can submit this request no earlier than 15 days after the date of entry into force of the last decision of the Mol, the Immigration Police or the court regarding their detention, whichever is later. The Mol has to decide on this request within 5 working days.³³⁶ If the decision on this request is negative, it can again be challenged in court in the same manner as a detention order.

In some cases, OPU noted delays in the Immigration Police or the Mol forwarding the case file with their reply to the lawsuit. In some cases, this was not carried out in the legally required 5 working days.

The limits for pronouncing the judgement within 7 working days are generally respected by the regional courts. In some cases, OPU noted delays in producing the full judgement including its reasoning, which prevented the detainees from taking further legal steps in the procedure (submitting the cassation complaint, or alternatively submitting a request for release).

2. Legal assistance for review of detention

Indicators: Legal Assistance for Review of Detention

1. Does the law provide for access to free legal assistance for the review of detention?
 Yes No
2. Do asylum seekers have effective access to free legal assistance in practice?
 Yes No

The national law as such does not provide for access to free legal assistance for the review of detention, due to a general lack of legal framework for free legal aid.

The detainees are entitled to request the court to appoint them a free of charge representative for the proceedings in which they challenge the legality of their detention.³³⁷ However, typically the detainees will need legal assistance in order to submit such a request in the first place. In the proceedings in front of the regional courts, the detainees can be represented by NGOs providing legal counselling to asylum

³³⁰ Section 172(4) of the Immigration Act.

³³¹ Section 172(5) of the Immigration Act.

³³² Section 127 (1)(b) of the Immigration Act; section 46a(13)(c) of the Asylum Act.

³³³ Section 54(3) of the Administrative Justice Code.

³³⁴ Section 106(2) of the Administrative Justice Code.

³³⁵ Section 46a(10) of the Asylum Act; section 129a of the Immigration Act.

³³⁶ SAC, judgement No 7 Azs 119/2025-17, 14 August 2025, available in Czech [here](#); Regional Court in Ostrava, judgement No 62 Az 5/2023-21, 14 March 2023, available in Czech [here](#).

³³⁷ Section 46a(6) of the Asylum Act; section 35(10) of the Administrative Justice Code.

seekers.³³⁸ In the proceedings in front of the SAC, a representation by an attorney at law is obligatory.³³⁹ The detainees can again request the court to appoint them an attorney free of charge.

Asylum seekers may face obstacles in accessing legal assistance in detention. Legal counsels are usually present in each of the detention centres once or twice per week for only about 2-3 hours. Typically, the detainees are requested to register for legal counselling ahead in order to organize adequate translation. If a detainee fails to register, they may not be able to get in touch with the counsel which may result in missing important deadlines. Furthermore, it may be difficult to organize interpretation for some of the rare languages. Moreover, as the interpretation is usually organized via phone, the understanding may be limited due to the lack of visual support, the difficulty in building trust between the interpreters and the detainees, and the poor voice transmission quality resulting from the bad reception due to the remoteness of the places where the detention facilities are located.

Moreover, as explained above, at present, the counselling is provided by an attorney at law, selected on the basis of a public tender by the MoI, and NGOs, on the basis of a grant provided by the MoI, following the changes in the funding of legal counselling implemented after 2022.

In the past, OPU, as well as some of the courts, noted doubts regarding the quality of legal counselling provided by the attorney at law hired by the MoI.³⁴⁰ Following the end of provision of legal aid in detention facilities by OPU by the end of 2022, where OPU no longer had access to the detention facilities, several clients kept turning to OPU by post and phone, citing lack of trust towards the new legal aid providers. In the few cases that OPU could follow, it observed that the lawsuits prepared by the attorney were typically extremely short (1-2 pages). Typically, the attorney would repeat the personal history of the client, state they do not agree with the detention decision and request the court to assign the client a legal representative paid by the court. This newly assigned attorney would then have to supplement the lawsuit with additional argumentation, typically within deadlines of just a few days. Notwithstanding the fact that such a system is even more costly for the national budget, it can also endanger the chances of asylum seekers and detainees in succeeding in the relevant proceedings. Per the Administrative Procedure Code, all the relevant points of appeal have to be included in the original submission. After the time-limit for bringing the matter to court expires, it is only possible to provide additional argumentation on the points of appeal already included in the original submission, but not to add new ones. Accordingly, it is crucial that the original submission includes, at least in short form, all of the relevant points of appeal. While these requirements have been rendered less stringent resulting from EU law requiring the court to *ex officio* verify that all legal conditions for the detention are met, some courts are not aware of this obligation and a good quality lawsuit remains fundamental for the success of a case. Shortcomings of the system for legal aid for detainees as well as the quality of legal aid provided by attorneys after 2022 are apparent also based on the inquiry of the Ombudsperson (see above).³⁴¹

Detainees do not have access to their mobile phones and have only limited access to the internet due to unstable internet connection in some of the detention facilities. They have access to a phone booth located in the corridors of the detention centre. This can make contact between detainees and their lawyers challenging as the lawyers are unable to contact the detainees directly and flexibly in case of need.

On the other hand, lawyers can visit their clients during the visitation hours of the detention centre. They have to request an entry permit from the RFA.

³³⁸ Section 35(5) of the Administrative Justice Code.

³³⁹ Section 105(2) of the Administrative Justice Code.

³⁴⁰ Martin Kopa, 'Zrcadlové bludiště azylového práva', in *Víceúrovňová spravedlnost: Soudní ochrana v kontextu interakce národního, nadnárodního a mezinárodního systému*, Odborné symposium pořádané Ústavním soudem u příležitosti předsednictví České Republiky v Radě Evropské unie (Constitutional Court of the Czech Republic, February 2023, page 33, available [here](#)).

³⁴¹ ³⁴¹ Public Defender of Rights, *Access to free legal aid for foreigners deprived of their liberty*, report No KVOP-28177/2025, 16 July 2025, available in Czech [here](#).

Meetings are usually held in private. The only exception is when the detainee is held in a strict regime section. In this case, a police person will usually be present, although such practice is contrary to the law.³⁴² This practice has been criticized by the Ombudsperson.³⁴³

Lawyers can request to be accompanied by an interpreter. In a case where the legal counselling is funded through an Mol grant, the interpreter can be paid from this budget. However, due to the remote location of the detention centres, the limited budget which would not allow to cover the costs of transport and time spent in transport, and the variety of languages spoken by the detainees, the interpretation is, however, usually organized on a distance basis through phone calls. In a case where the person pays their own private lawyer, they would also have to cover the costs of the interpreter.

R. Differential treatment of specific nationalities in detention

OPI does not have information on specific nationalities being more susceptible to detention or systematically detained. However, foreigners who are not white might be at higher risk of being subjected to *ad hoc* residence controls by police patrolling the streets and hence more susceptible to detention.

OPI is not aware of specific nationalities staying in detention longer than others.

³⁴² Section 144(4) of the Immigration Act.

³⁴³ Public Defender of Rights, inquiry report No 3728/2017/VOP, 25 April 2018, available [here](#).

Content of International Protection

The Mol issued a national Policy on Integration of Foreigners in 2016. Every year, guidelines for the implementation of this policy are being issued (available [here](#)). The Guidelines include definition of priorities of integration, measures to achieve the priorities, determination of the responsible ministries and budget allocation. Beneficiaries of international protection are part of the target group, although they are not subject to all the measures.

There is also a State Integration Program (*Státní integrační program*) dedicated specifically to the beneficiaries of international protection.³⁴⁴ It is carried out by the RFA (*Správa uprchlických zařízení*) in cooperation with non-governmental organisations and financed by the government. All beneficiaries of international protection can enter the program within one year after granting of international protection. The program supports the beneficiaries in six areas: housing, employment, education, social system, health care, and orientation in the society. A basic Czech language course is also part of the program.

After being granted international protection, the beneficiary receives written information on his status and rights.³⁴⁵

At the end of 2025 there were 1,371 recognised refugees in the Czech Republic, most of them from Myanmar, Afghanistan, Russian Federation and Belarus; and 1 139 beneficiaries of temporary protection, most of them from Ukraine and Syria.³⁴⁶

A. Status and residence

1. Residence permit

Indicators: Residence Permit

- | | |
|--|-------------|
| 1. What is the duration of residence permits granted to beneficiaries of protection? | |
| ❖ Refugee status | Unlimited |
| ❖ Subsidiary protection | 1 - 3 years |

A recognised refugee is automatically entitled to permanent residence according to the Immigration Act (§ 76 of the Asylum act). The biometric residence permit card is issued for the duration of 10 years and, after its expiration, the refugee status is still valid so the recognised refugee only has to apply for a new biometric card and not for extension of the refugee status or residence permit.

Subsidiary protection is granted for as long as the person is at risk of serious harm, minimal duration is 1 year (§ 53a of the Asylum act). Usually it is granted for the period of 2 years, occasionally for 3 years. Subsidiary protection can be prolonged repeatedly, if the risk of serious harm persists. After 5 years, the beneficiary of subsidiary protection can apply for permanent residence, if they fulfill the requirement of knowledge of the Czech language at A2 level and has a stable income and accommodation.

The decision granting international protection automatically grants the residence permit. After the decision is handed over to the beneficiary, they apply for the biometric residence permit card. The card is issued by the local Mol office according to the residence address of the beneficiary, usually within 3 to 6 weeks. In practice there are no systematic difficulties in obtaining such cards.

Regarding the renewal of the residence permit, the procedure differs between refugee status and subsidiary protection. Recognised refugees only have to apply for a new biometric residence permit card every 10 years. In practice there are no observed difficulties in obtaining this card.

³⁴⁴ Information about the SIP is available [here](#).

³⁴⁵ The information in Czech is available [here](#).

³⁴⁶ For detailed numbers see Ministry of the Interior of the Czech Republic, Department for Asylum and Migration Policy, *INTERNATIONAL PROTECTION IN THE CZECH REPUBLIC: annual statistical overview*, available [here](#), pages 9 - 10.

Beneficiaries of subsidiary protection can apply for the extension of their status before expiration of its validity. The Mol then conducts administrative proceedings similar to the asylum procedure to assess if the risk of serious harm still persists. These proceedings can take up to 6 months. If the validity of subsidiary protection expires in the meantime, the person will still retain the status of subsidiary protection beneficiary until the decision on extension comes into force. In practice, minor difficulties occur. When the biometric card expires, the beneficiary has to hand it over to the Mol and is left without a residence permit card till they receive a new biometric card based on the extension decision. In the meantime, the beneficiary will only have the alien's passport with a stamp confirming extension of its validity for the duration of the extension proceedings (i.e., maximum for 3 months). This causes difficulties in communication with employers, banks, state offices, etc., and makes travelling abroad complicated (for information on negative extension decisions see Cessation).

2. Civil registration

Registration of child birth:

Every child born in the Czech republic, regardless of the citizenship of their parents, is registered in the Book of births at the Registry Office.³⁴⁷ If the child was born in a health care facility, the facility will report the birth to the local registry office within 3 working days. In other cases, the parents must report the birth themselves by appearing personally at the register office. The necessary documents to do so are the following:³⁴⁸

- Statement about the birth issued by the health care facility (or an oral statement of the parent if the child was not born in a health care facility); and
- Agreement of the parents on the name and surname of the child; and
- For a child born during a marriage: marriage certificate of the parents; or
- For a child born outside a marriage:
 - agreement of the parents on the determination of paternity;
 - birth certificates of the child's mother and father (unless the father is unknown); and
 - final divorce judgement if the child's mother is divorced or the husband's death certificate if the child's mother is widowed

After the birth registration, the birth certificate is issued within 30 days, usually it takes one or two weeks. Civil registration and birth certificate is essential for the provision of almost all rights of the child and its parents, such as application for residence permit and travel document, health insurance, social support.

There are no significant difficulties faced by beneficiaries of international protection in practice. It is recommended to submit the Agreement of the parents on the determination of paternity and the Agreement of the parents on the name and surname of the child prior to the birth to make the issuance of the birth certificate easier and faster.

Registration of marriage

A marriage can be concluded by an officer of any Register Office (civil ceremony) or by a recognized representative of a church (religious ceremony). The religious ceremony is recognized by the state, there is no need to have an additional civil ceremony.³⁴⁹

Documents necessary to enter into marriage by a foreigner^{350 351}:

- Travel document
- Birth certificate
- Certificate of legal capacity to marry from the country of origin or country of long-term residence

³⁴⁷ Section 14 - 19 of the Act No. 301/2000 Coll. on civil registers, names and surnames, available [here](#).

³⁴⁸ Official governmental information provided [here](#).

³⁴⁹ Official governmental information provided [here](#).

³⁵⁰ Section 32 - 41 of the Act No. 301/2000 Coll. on civil registers, names and surnames, available [here](#).

³⁵¹ Detailed description of the requirements in English available [here](#).

- Confirmation of legal stay on the territory from the Czech foreigner police
- Additional documents if the person was previously married

Beneficiaries of international protection may request the registry office to waive some of the documents requirements if there are substantial difficulties in obtaining the documents from their country of origin. Communication by beneficiaries of international protection with the state authorities of their country of origin might be a reason for cessation of the protection. The registry offices don't have a unified approach in this matter and most of them don't know that they can waive the documents. Usually the beneficiaries have to contact more registry offices to find one that would waive the requirement to submit all the documents, which often causes difficulties.

The certificate of marriage is issued a maximum of 30 days after the ceremony, usually taking one or two weeks. Beneficiaries of international protection are obliged to notify the change in the marital status to the MoI within 3 days after the change. The certificate of marriage is essential for the provision of certain rights of the married couple, such as family reunification or property rights.

Same-sex couples cannot enter into marriage in the Czech Republic, but they can enter into an official partnership. In the past this was only possible if one of the partners was a Czech citizen. From 1 January 2025, however, there was a change in the law that also allows two foreign nationals to enter into partnership in the Czech Republic. Requirements for entering into partnership are the same as for marriage. Rights and obligations of the partners are identical with spousal rights, with exceptions in adoption and determination of paternity. Occasionally, migrants reported difficulties with entering into partnership as not all city councils understood this change in the law and demanded one of the partners be Czech.

3. Long-term residence

Indicators: Long-Term Residence

1. Number of long-term residence permits issued to beneficiaries in 2025 : 14

The total number of beneficiaries of international protection that obtained long-term resident status in accordance with Directive 2003/109/EC, is 27 (11 of them are recognised refugees, 16 of them beneficiaries of temporary protection).

Beneficiaries of international protection have two possibilities to obtain a long-term residency. They can either apply for permanent residence or for long-term resident status in accordance with Directive 2003/109/EC. The requirements are almost identical, except the Czech exam on the level of A2, which is a mandatory condition for obtaining permanent residence.³⁵² For better understanding of the importance of long-term resident status, the 'standard' permanent residence will be explained first in the following paragraphs.

Permanent residence

If a beneficiary of international protection obtains permanent residence, their international protection will cease. For recognised refugees, it makes almost no sense to apply for permanent residence, as the rights of recognised refugees are identical (or even better) as those of permanent residents. The only exception where it makes sense to apply for permanent residence is if the recognised refugee wants to travel to their country of origin, as this is not possible while holding the status of beneficiary of international protection.

Contrary to recognised refugees, permanent residence is of essential importance for beneficiaries of subsidiary protection. It protects them from the risk of losing their residence permit in the case that the situation in their home country would change to such an extent that international protection is no longer necessary. Most beneficiaries apply for permanent residence after 5 years of residence in the Czech

³⁵² The requirements are defined in section 70 of the Immigration Act.

Republic, if they fulfil the conditions (knowledge of the Czech language at A2³⁵³ level and stable income and accommodation).

EU long-term resident status in accordance with Directive 2003/109/EC

The EU long-term resident status is of fundamental importance mainly for beneficiaries of subsidiary protection who don't speak Czech and thus cannot take the language exam and obtain 'standard' permanent residence. The second benefit of the EU long-term resident status is that the beneficiary can keep international protection together with the resident status (which is advantageous, for example, in cases where the foreigner is unable to obtain a passport from his home country or in cases where the protection against extradition is needed).

Criteria for obtaining the EU long-term resident status are the same for refugees and subsidiary protection beneficiaries. The conditions are defined in section 53d of the Asylum act:

- Residence on the territory of the Czech Republic for at least 5 years (conditions identical with the Directive);
- No serious violation of public order or threat to the security of the Czech Republic or another Member State of the EU; and
- Stable income in the same amount as for the application for permanent residence: regularly monthly income of the applicant must be higher than the basic subsistence levels of persons living together in the household and the housing costs. In 2025, the basic subsistence was 4,860 CZK (approx. € 200) for a single living adult, 4,470 CZK (approx. € 185) for adults, the amounts for children vary between 2, 480 – 4,040 CZK depending on the age. The living costs are 16,540 CZK (approx. € 680) for two persons in the household, 18,900 CZK (approx. € 780) for three persons and 20,510 CZK (approx. € 850) for four or more persons in the household.

The application for long-term resident status can be submitted in person, sent per post or data box (official electronic communication with the state authorities). The responsible authority is the same as for the asylum procedure (i.e., the Mol, Department of Asylum and Migration policy, Division of International Protection). The time limit for the issuance of the permit is the general time limit for administrative proceedings, i.e., 30 days or maximum 60 days in complicated cases. This time limit is usually respected in practice.

The EU long-term resident status is quite an unknown matter, although it has been part of the Asylum Act since 2013.³⁵⁴ Beneficiaries of international protection are usually aware of the possibility to apply for permanent residence or citizenship, but they mostly don't know about the EU long-term resident status. Even for the Mol it is not a standard institute, which causes the following difficulties. First, beneficiaries of subsidiary protection who obtained the EU long-term resident status receive biometric residence permit cards in the duration of the subsidiary protection, although according to the directive they should obtain residence permit cards in the duration of 5 years. Second, in the case that the beneficiary loses subsidiary protection, but the EU long-term resident status persists, the resident status turns to permanent residence, but there are no publicly known rules on this procedure, as this situation has probably never occurred yet.

³⁵³ The obligation to take the language exam does not apply in the following cases: foreigners younger than 15 years or older than 60 years; at least 1 year of school attendance or high school studies in Czech language; foreigners with disabilities.

³⁵⁴ See Public Defender of Rights, inquiry report No 5615/2018/VOP/JST, 9 June 2020, available [here](#), chapter C. 1. The Ombudsman recommends the Mol to inform beneficiaries of international protection about the possibility to apply for the resident status.

4. Naturalisation

Indicators: Naturalisation

| | |
|--|------------------|
| 1. What is the minimum residence period for obtaining citizenship? | |
| ❖ Refugee status: | 5 ³⁵⁵ |
| ❖ Subsidiary protection: | 10 |
| 2. Number of citizenship grants to beneficiaries in 2025: | 7 ³⁵⁶ |

Naturalisation is regulated by the Citizenship Act.³⁵⁷ The procedure is different for refugee status and subsidiary protection. Whereas a recognised refugee can apply for the Czech citizenship directly from the refugee status, a beneficiary of subsidiary protection must obtain permanent residence first. Recognised refugees may be granted an exemption from the minimum residence period requirement, while former subsidiary protection holders may be granted this exemption only according to the same rules as other third-country nationals (e.g., if they were born in the Czech Republic, are younger than 18 years, their spouse is a Czech citizen, or in the case of stateless persons). The other criteria are the same.

Criteria for obtaining citizenship:

- Physical presence in the Czech Republic for at least half of the period required as a minimum residence period for obtaining citizenship;
- Clean criminal record, except negligent crime where no unconditional prison sentence was imposed. If the applicant resides in the Czech Republic for less than 10 years, this condition applies also to the countries where the applicant was residing for more than 6 months during the past 10 years. Recognised refugees and former subsidiary protection holders don't have to prove this condition in relation to their country of origin;
- Czech language exam at B1 level and a Czech Life and Institutions Exam.³⁵⁸ This condition does not apply to applicants younger than 15 years or older than 65 years, applicants with at least 3 years of school attendance or high school studies in Czech language, or applicants with disabilities;
- No serious breach of legal duties in the field of health insurance, social welfare system, employment, taxes, customs and public service fees in the past three years;
- Sufficient income in the past three years (with no minimum amount specified); and
- No dependence on the social welfare system in the past three years, except for persons who cannot achieve their own income due to their health status, school attendance or high school studies, maternity and parental leave or caring for a disabled person.

Naturalisation procedure

Application for Czech citizenship can be submitted in person at the regional authority or at the Municipal District Authority of Prague according to the place of residence. After a personal interview the regional authority sends the complete application together with their opinion to the Mol, Citizenship Division of the General Administration Department.

The time limit for the procedure is 6 months. In practice, this is the biggest obstacle, as the procedure usually takes 1 to 2 years, as the department is overwhelmed with applications and the regional authority or the ministry often request additional documents from the applicant.

There is a current obstacle regarding applicants from the Russian Federation. As a part of security measures against Russia all citizenship procedures of Russian citizens are suspended for the duration of

³⁵⁵ Fulfilment of this condition may be waived, if the recognised refugee fulfilled the other conditions.

³⁵⁶ This number applies only to recognised refugees, for subsidiary protection holders it is not available. The number is not final, as the data for 2025 is still being collected. Based on the official information provided upon request by the Mol.

³⁵⁷ Act No. 186/2013 Coll., on Citizenship of the Czech Republic and on Amendments to Certain Acts (Act on Citizenship of the Czech Republic), available [here](#).

³⁵⁸ Information about the exam is available [here](#).

provision of temporary protection to Ukrainian nationals.³⁵⁹ A group of senators together with a public initiative submitted a legal action against this measure to the Constitutional Court, and the decision is expected within a year. This measure does not affect recognised refugees, as they can still apply for and obtain Czech citizenship, but it affects beneficiaries of subsidiary protection, who have to obtain permanent residence prior to the naturalisation procedure.

Statistics

Available data only include recognised refugees, not subsidiary protection beneficiaries. As they have to obtain permanent residence at first, they fall under the general statistics on citizenship. In the year 2025 only 7 recognised refugees obtained citizenship, however this number is not final, as the data for 2025 is still being collected. In the previous years it was significantly more, in total 271 cases since 2017.³⁶⁰

5. Cessation and review of protection status

Indicators: Cessation

1. Is a personal interview of the asylum applicant in most cases conducted in practice in the cessation procedure? Yes No
2. Does the law provide for an appeal against the first instance decision in the cessation procedure? Yes No
3. Do beneficiaries have access to free legal assistance at first instance in practice? Yes With difficulty No

According to the information provided by the Mol, there were less than 5 cessation decisions issued in 2025 regarding refugee status (the beneficiaries were from Uganda, Iraq and stateless people). There was no cessation decision issued regarding subsidiary protection.

Grounds for cessation of refugee status³⁶¹

- Prior to granting refugee status, the refugee provided false information or concealed essential facts relevant for granting of international protection;
- the refugee has voluntarily re-availed himself or herself of the protection of the country of his citizenship;
- the refugee has voluntarily re-acquired the citizenship of the country he had left due to persecution;
- the refugee has acquired a new citizenship and can enjoy the protection of this country;
- the refugee voluntarily resides in the country which he or she left due to persecution;
- the refugee can enjoy protection of the country of their citizenship, because the circumstances in connection with which they have been recognised as a refugee have ceased to exist;
- a refugee being a stateless person is able to return to the country of former habitual residence, because the circumstances in connection with which they have been recognised as a refugee have ceased to exist;
- the refugee should have been or is excluded from refugee status according to Article 12 (2) of the recast Qualification Directive;
- there are valid reasons to consider the refugee a threat to national security;
- the refugee was sentenced for a particularly serious crime; or
- refugee status that was granted for the purpose of family reunification can cease if the ground for family reunification does not exist anymore and there is no other reason worthy of special consideration to keep the refugee status.

³⁵⁹ Sections 7x - 7y of the Act No. 65/2022, on Certain Measures in Connection with the Armed Conflict in Ukraine Caused by the Invasion of Russian Federation Troops, available [here](#); this amendment is in force since February 2025.

³⁶⁰ Data provided by the Czech Statistical Office, October 2025, available [here](#).

³⁶¹ Section 17 of the Asylum Act.

Grounds for cessation of subsidiary protection³⁶²

- Circumstances which led to the granting of subsidiary protection have ceased to exist or have changed to such a degree that protection is no longer required;
- the beneficiary of subsidiary protection should have been or is excluded from subsidiary protection according to Article 17 of the recast Qualification Directive;
- prior to granting of subsidiary protection the beneficiary provided false information or concealed facts relevant for granting of subsidiary protection; or
- there is a reasonable suspicion that the beneficiary of subsidiary protection committed a particularly serious crime.

Cessation procedure

If the Department of Asylum and Migration Policy finds reasons for cessation of international protection, they initiate the cessation procedure. In almost all cases personal interview takes place, the beneficiary of international protection has the chance to present his reasons against the cessation and submit evidence in his favour. The beneficiary can appeal against the cessation decision to the regional administrative court within one month from the date of delivery of the decision.³⁶³ The appeal to the court has an automatic suspensive effect. The beneficiary can be granted free legal assistance within the services of NGOs, although the service is not as widely available as in proceedings of granting international protection. The beneficiary can also be granted free legal representation upon request for the court proceedings, if they prove a lack of financial means to pay for a solicitor.

There is no systematic review of protection status in the Czech Republic. However, within the procedure of extension of subsidiary protection, the Mol assesses if the circumstances which led to the granting of subsidiary protection still persist.³⁶⁴ Denial of extension of subsidiary protection is occasionally applied in practice. Some of these decisions were cancelled by the court and the protection was extended in the end.³⁶⁵ The beneficiary is also entitled to apply for permanent residence or EU long-term resident status during the extension procedure, including the court proceedings, if they fulfil the conditions.

In 2025, 635 applications for the extension of subsidiary protection were submitted. Protection was extended in 446 cases, in 8 cases the extension was denied (Belarus, Cuba, China, Moldova, Russia, Tajikistan and Uganda), and in 17 cases the procedure was discontinued.³⁶⁶

Concerning beneficiaries of subsidiary protection from Syria,³⁶⁷ their applications for extension were suspended beginning 8 December 2024, as the Mol was waiting to see how the situation in Syria would develop. Those people who applied for an extension and their protection expired in the meantime still kept the status of beneficiary of international protection, but did not have a biometric card, only the alien's passport with a limited validity for the duration of the extension procedure.³⁶⁸ During autumn of 2025, the Mol started to resume the suspended procedures and already issued a few decisions by the time of writing this report. It is too early to tell what the general attitude of the Mol towards beneficiaries of subsidiary protection from Syria will be like. At the time of writing, it seems that protection of vulnerable persons and groups that still face particular danger in Syria will be extended, but not in other cases. The Syrian beneficiaries are aware of this situation and those who fulfill conditions are applying for permanent residence or EU long-term resident status (i.e., the only regular residence permit, except permanent residence, that beneficiaries of subsidiary protection are eligible to apply for, is the blue card).

³⁶² Section 7a of the Asylum Act.

³⁶³ The decision is always delivered personally and with an interpreter, if necessary.

³⁶⁴ Section 53a of the Asylum Act.

³⁶⁵ Regarding Iraq see Regional Court in Prague, judgement No 13 Az 4/2023-48, 31 January 2024, available in Czech [here](#); regarding Belarus see Regional Court in Brno, judgement No 34 Az 14/2021-42, 23 August 2022 available in Czech [here](#); regarding Ukraine see SAC, judgement No 5 Azs 227/2020-52, 22 April 2022, available in Czech [here](#) and judgement No 5 Azs 218/2020-28, 22 April 2022, available in Czech [here](#).

³⁶⁶ Ministry of the Interior of the Czech Republic, Department for Asylum and Migration Policy, *INTERNATIONAL PROTECTION IN THE CZECH REPUBLIC: annual statistical overview*, available [here](#).

³⁶⁷ By the end of 2024 there were according to the official statistics provided by the Mol upon request 250 beneficiaries of subsidiary protection from Syria.

³⁶⁸ This suspension is not in accordance with the law. The Asylum Act, section 26(1)(c) allows this kind of suspension only in the procedure of granting international protection, not in the extension procedure. However, in this short period of time there was no decision of the court on this matter.

Cessation of refugee status is applied rather rarely in practice, mainly in cases of serious crimes, residence or travelling to the country of origin, or changes in family situation in the cases of asylum granted for the purpose of family reunification. According to experience of OPU the cessation procedure was initiated in a couple of cases where the spouse, who was the primary holder of asylum, died or the couple divorced. There were also a couple of cases where the primary holder of asylum was a minor child and their mother was granted asylum for the purpose of family reunification. After the child came of age, the Mol initiated a cessation procedure concerning the mother. In some of these cases the family members managed to receive permanent residence during the cessation procedure.³⁶⁹

6. Withdrawal of protection status

Indicators: Withdrawal

1. Is a personal interview of the beneficiary in most cases conducted in practice in the withdrawal procedure? Yes No
2. Does the law provide for an appeal against the withdrawal decision? Yes No
3. Do beneficiaries have access to free legal assistance at first instance in practice? Yes With difficulty No

Withdrawal (termination) of international protection is applied in the following cases:³⁷⁰

- death of the beneficiary of international protection;
- acquisition of citizenship of a Member State of the EU;
- written statement of the beneficiary about withdrawal of international protection;
- expiry of subsidiary protection; or
- international sanctions applicable to the beneficiary.

If reasons for withdrawal occur, no administrative procedure is conducted. International protection terminates automatically by operation of law, and no decision is issued. Thus there is no interview and no appeal.

If the beneficiary decides to withdraw their protection status, they only have to submit a written statement about the withdrawal to the Mol, and their protection status will terminate at the moment of delivery of the statement.

According to the information provided by the Mol, there were 22 cases of withdrawal of refugee status in 2025 based on a written statement of the beneficiary (8 cases from Syria and less than 5 cases from each Azerbaijan, Belarus, Iraq, Cameroon, Kazakhstan, Russia, Ukraine, Uzbekistan).

³⁶⁹ See, for example: Municipal Court in Prague, judgement No 19 Az 6/2024- 52, 5 March 2025, available in Czech [here](#); In this case the wife of a recognised refugee had asylum for the purpose of family reunification. Her asylum was ceased for the reason that the couple didn't live together anymore for 8 years, although they didn't divorce. The court confirmed the cessation decision, but took care to give the wife enough time to receive permanent residence.

³⁷⁰ Section 18 of the Asylum Act.

B. Family reunification

1. Criteria and conditions

Indicators: Family Reunification

1. Is there a waiting period before a beneficiary can apply for family reunification? Yes No
 - ❖ If yes, what is the waiting period?
2. Does the law set a maximum time limit for submitting a family reunification application? Yes No
 - ❖ If yes, what is the time limit?
3. Does the law set a minimum income requirement? Yes No
Generally, there is a minimum income requirement but there are significant exceptions where no proof of income is required.

There are two possible residence permits that can be obtained by family members of beneficiaries of international protection: long-term residence permit for family reunification, or long-term visa for family purpose.

Long-term visa for family purposes

This type of visa is for family members of recognised refugees and subsidiary protection beneficiaries, according to section 30 of the Immigration Act.

There is no exact definition in the Immigration Act as to the family members eligible to apply. In practice, the same persons are considered as family members as listed below, but the law enables the Mol to grant the visa also to a foreigner not included in the list below.

Long-term residence permit for family reunification

This permit is only for family members of recognised refugees (asylum holders), according to section 42a of the Immigration Act and Directive 2003/86/EC of 22 September 2003 on the right to family reunification.

The following family members are eligible to apply for it:

- Spouse
- Minor child or minor child of the spouse (including substitute family care)
- Major dependent child of recognised refugee or major dependent child of their spouse (a constantly studying child without income up to 26 years)
- Solitary parent older than 65 years (including a parent that is single, divorced, widowed, etc.).
- Parent or a major child that is unable to care for themselves due to health reasons
- Parent of a minor recognised refugee (or a different relative if the child has no parents)
- Parent of a major recognised refugee (or a different relative if the child has no parents), if they applied for asylum before achieving the age of 18 years. In this case there is a time limit for submitting the application: 3 months after the asylum was granted.

There is no waiting period before a beneficiary of international protection can apply for family reunification, beneficiaries can apply directly after obtaining international protection.

In general there is no time limit for the application, with two exceptions:

- A parent of an adult recognised refugee can apply only within 3 months after the asylum was granted
- If a family member of a recognised refugee applies for a long-term residence permit for family reunification within 3 months after asylum was granted, and the family relationship existed already before the recognised refugee entered the territory of the Czech Republic, the material requirements for the application are significantly lower. The applicant needs to submit only a travel document, photograph and a proof of the family relation.

Applicants have to fulfil material requirements, which differ according to the type of residence permit.

For a long-term residence permit for family reunification (see exception described above):

- Proof of accommodation
- Proof of financial means - regularly monthly income of the family must be higher than the basic subsistence levels of the family members (members of the family after the reunification) and the housing costs. In 2025 the basic subsistence is 4,470 CZK (approx. € 185) for an adult, the amounts for children vary between 2,480 – 4,040 CZK depending on the age. The living costs are 16,540 CZK (approx. € 680) for two persons, 18,900 CZK (approx. € 780) for three persons and 20,510 CZK (approx. € 850) for four or more persons in the family.
- Proof of family relation (e.g., birth certificate, marriage certificate). If it is impossible to submit official documents, the applicant can prove the relationship in a different way.
- Criminal register record from the country of origin (except for children under 15 years or countries of origin that don't issue it)
- Consent of the second parent in cases of minor children (only if the second parent is not living in the Czech Republic or not applying for family reunification as well)
- Health insurance
- Travel document (e.g., passport)

For a long-term visa for family purpose (see exception below):

- Proof of accommodation
- Proof of financial means - lump sum of 115,810 CZK (approx. € 4,750) for an adult person for one year; 78,250 CZK (approx. € 3,220) for an adult person for 6 months. For children, they shall provide proof of 50% of these amounts. This is to be proved by an account statement.
- Proof of family relation (e.g., birth certificate, marriage certificate).
- Criminal register record from the country of origin (except for children under 15 years or countries of origin that don't issue it).
- Health insurance.
- Travel document (e.g., passport).
- Exception: spouse of a beneficiary of international protection, if the marriage existed already before the beneficiary entered the territory of Czech Republic, and a minor child or a minor child of the spouse of the beneficiary of international protection do not have to prove the financial means. If these family members don't have a travel document, they are allowed to submit a different official document, which provides the data on their identity and citizenship.

As mentioned above, family members of recognised refugees can apply for both of the residence permits, family members of subsidiary protection beneficiaries can only apply for the long-term visa. The long-term residence permit contains advantages such as free access to the labour market and a legal claim to obtain the residence permit, if the conditions are fulfilled.

According to the information provided by the Mol, there is no statistical data on this for 2025, as this data is not being collected.

Family members of beneficiaries of international protection can also apply for asylum. If they don't fulfil the conditions to obtain international protection, they can be granted asylum (section 13 of the Asylum act) or subsidiary protection (section 14b of the Asylum act) for the purpose of family reunification, if it is a case worthy of special consideration. In practice, close family members are usually granted international protection for the purpose of family reunification.

2. Status and rights of family members

If the family members obtained international protection for the purpose of family reunification, they will have the same status and rights as the sponsor, but not in other cases.

If the family members have a residence permit or a long-term visa, they fall under the Immigration Act, not under the Asylum Act (as the sponsor does). The beneficiary of international protection has for the purpose of employment, healthcare and social welfare the same status as a person with a permanent residence. This mainly implies free access to the labour market, participation in public health insurance and access to the social security benefits. In contrast with that, the family members have free access to the labour market only in the case of long-term residence, in the case of the long-term visa they need a work permit³⁷¹. Moreover, they will have access to the public health insurance only if they are employed (with exceptions³⁷²) and have limited access to the social security system after 365 days of residence in the Czech Republic.

C. Movement and mobility

1. Freedom of movement

Beneficiaries of international protection enjoy freedom of movement within the Czech Republic, so they can freely choose their place of residence. If the beneficiary decides to enter the State Integration Program (for detailed information see Content of International protection), they can use accommodation in an Integration Asylum centre (*Integrační azylové středisko*) for the first 18 months after international protection was granted. There are four of these centres in the country: Předlice, Jaroměř, Brno and Havířov.

According to the information provided by the RFA, the allocation of beneficiaries to the integration asylum centres is determined by the free capacity in the facilities. However, other criteria and the individual situation of the beneficiary are also taken into account. The factors assessed include family composition (individual, family with children), health status and any special needs, previous ties to a particular location (e.g., existing social contacts, school attendance, availability of health care, employment, Czech language courses), or linguistic and cultural compatibility with other residents.

Within the State Integration Program, social assistance is provided regardless of whether the beneficiary lives in the integration asylum centre or in a private accommodation. There is always a social worker present in the integration asylum centres, which makes the cooperation with the beneficiary easier. If the beneficiary lives in a private accommodation, they can reach the social worker in the SIP contact places in the five biggest cities or a social worker of cooperating NGOs in three other cities.³⁷³

2. Travel documents

Beneficiaries of international protection can obtain a Czech travel document upon request. There are no conditions except holding valid international protection. Recognised refugees can obtain a biometric refugee passport (travel document according to the Convention of 28 July 1951) with a validity period of 10 years (5 years for children younger than 15 years). Beneficiaries of subsidiary protection can obtain a biometric aliens' passport with a validity period limited to the validity of their subsidiary protection, but its validity can be repeatedly prolonged according to the extension of their protection. These travel documents have no limitations on travelling to certain countries or to the country of origin. However, travelling to the country of origin may be a reason for cessation of international protection.

Based on the information provided by the MoI, in 2025 there were 138 refugee passports issued to recognised refugees and 342 aliens' passports issued to beneficiaries of subsidiary protection.

³⁷¹ Sections 89 and 98 of the Employment Act.

³⁷² Children with long-term residence permits participate in the public health insurance but have to pay the insurance fee themselves. For children that are beneficiaries of international protection, the government pays the insurance fee. Section 2 subsection 1 letter b) point 11 of the Public Health Insurance Act, No. 48/1997 Coll.

³⁷³ See official information on SIP available [here](#).

The regional office (according to the place of residence) of the Department of Asylum and Migration policy of the Mol is responsible for the issuance of these travel documents. The time limit for issuing the passport is 30 days, and there are no obstacles in practice to obtain them.

OPU has not noted any obstacles in recognition of travel documents of beneficiaries of international protection issued by another country.

D. Housing

Indicators: Housing

| | | |
|---|-------------------|--------|
| 1. For how long are beneficiaries entitled to stay in reception centres? | 18 | months |
| 2. Number of beneficiaries staying in reception centres as of 31 December 2024: | 33 ³⁷⁴ | |

The maximum length of stay for beneficiaries of international protection in so-called integration centres of RFA is 18 months.³⁷⁵

Unaccompanied children/youngsters have better conditions and are placed in the specialized children's home www.zdcpraha.cz under the Ministry of Education or in the half way houses (flats in Prague and Brno with social and legal assistance) run by OPU.

There were 33 beneficiaries staying in reception centres as of 31 December 2024. The average number of beneficiaries of international protection residing in the RFA integration centres in 2024 was 36 individuals.

The main forms of accommodation provided to beneficiaries of international protection are flats in larger houses.

There are no difficulties in obtaining accommodation after status is granted. There are four centres, providing holders of international protection with a total of 32 accommodation units (allocated according to the size and composition of the resident families) with a maximum capacity of 95 beds. As the number of beneficiaries staying in reception centres suggest, the capacities are not full so basically anyone who holds international protection has a possibility to get state provided accommodation.

E. Employment and education

If a beneficiary of international protection registers in the so-called State Integration Program (SIP), housing and other assistance is provided including individual plans for each beneficiary of international protection to be agreed with and followed later on with the help of RFA and NGOs. There are refugee specific national, regional or local plans.

1. Access to the labour market

Beneficiaries of international protection (including subsidiary protection) have free access to the Czech labour market under the same conditions as Czech nationals (i.e., without a labour market test or special permit being needed)³⁷⁶.

According to the experience of OPU, in practice, effective access to employment remains limited for many beneficiaries. While a significant number do enter the labour market, their employment is often unstable or concentrated in low-skilled sectors, and overall labour market integration remains challenging despite the absence of formal legal barriers. The main obstacles to finding and maintaining employment include insufficient knowledge of the Czech language, which significantly limits job opportunities, as well as

³⁷⁴ RFA, *Annual report 2024*, available [here](#).

³⁷⁵ Section 79(4) of the Asylum Act.

³⁷⁶ Section 98(c) of the Employment Act.

difficulties with recognition of foreign qualifications and prior work experience, often resulting in over-qualification. Additional barriers include lack of documentation, and limited social and professional networks. The Czech state provides targeted support mainly through the State Integration Programme, which offers free Czech language courses, employment counselling, and assistance with qualification recognition, as well as access to Labour Office services such as retraining and active labour market measures. Despite these support mechanisms, institutional assistance is considered insufficient to fully overcome structural barriers, and practical access to suitable employment remains uneven.

In the Czech Republic, there are good practices facilitating access to the labour market for beneficiaries of international protection and other third-country nationals, in particular through targeted integration and employment-support projects implemented by specialised NGOs with EU funding.

From the recent period, a notable example is the project 'Integration of Foreigners and Refugees into the Czech Labour Market' (*Integrace cizinců a uprchlíků na český trh práce*), implemented by OPU – between 1 September 2023 and 31 August 2025³⁷⁷. The project was supported under OPZ+ (Operational Programme Employment Plus), which is financed from the European Social Fund Plus (ESF+). The project targeted third-country nationals, including asylum seekers and beneficiaries of international protection. Its main objective was to reduce inequalities in access to the labour market for at least 200 participants. The support provided included individual employment counselling and career guidance, mentoring and coaching, assistance with job search and placement, Czech language courses, support in finding suitable requalification courses, and assistance with the recognition (nostrification) of foreign education and qualifications. The project was implemented in several regions, specifically in Prague, Plzeň, Hradec Králové, Ostrava, and Brno, which enhanced its accessibility and regional coverage.

Professional and educational qualifications obtained abroad can be recognised in the Czech Republic, including for beneficiaries of international protection, but recognition is not automatic and depends on the type of qualification. Basic, secondary and higher vocational education is recognised through a nostrification procedure conducted by regional authorities,^{378 379} while foreign higher education degrees are recognised by a public Czech university offering a comparable accredited programme and, if no such programme exists, the Ministry of Education (MŠMT) may intervene.^{380 381} Applicants must submit original or certified copies of diplomas, documentation on the content and duration of studies, proof that the foreign institution is recognised in the country of origin, and official Czech translations. Where substantial differences are identified, authorities may require a nostrification examination (in case of secondary and higher vocational education). It is done in Czech language, but the applicant may arrange for an interpreter. For regulated professions (doctors, lawyers etc.), nostrification alone is not sufficient and additional licensing requirements apply under sector-specific legislation. The statutory processing time for recognition of basic and secondary education is 30 days, extendable by another 30 days in complex cases, while recognition of higher education is generally decided within comparable timeframes in practice, though no single fixed deadline applies uniformly. In reality, according to the experience of OPU, procedures often take longer due to incomplete documentation or the need for additional assessments. The main obstacles include the frequent absence of original diplomas or transcripts, the need for document authentication and certified translations, administrative complexity, and costs associated with the process. Beneficiaries of international protection can be allowed to replace the missing documents through a sworn statement.³⁸² It is up to the responsible regional authority (*krajský úřad*) to decide whether this would be allowed or not. In case of doubts about the level of education attained, the regional authority shall require the applicant to take a nostrification exam.

³⁷⁷ See the information about the project [here](#).

³⁷⁸ Sections 108 - 108a of the Act No. 561/2004 Coll., on Preschool, Primary, Secondary, Tertiary Professional, and Other Education (the Education Act).

³⁷⁹ See the official governmental information on *Recognition of primary, secondary or higher vocational education attained in foreign schools*, available [here](#).

³⁸⁰ Sections 89-91 of the Act No. 111/1998 Coll., on Higher Education Institutions and on Amendments to Certain Other Acts (Higher Education Act), available in Czech [here](#).

³⁸¹ See the official governmental information on Nostrification, available in Czech [here](#).

³⁸² Section 108a(4) of the Education Act.

Based on the information provided by the Labour Office, there were 1,265 beneficiaries of international protection in employment at the end of 2025 (this includes recognised refugees and beneficiaries of subsidiary protection, as the statistical data does not distinguish between these categories).

2. Access to education

The law provides access to education for children who are beneficiaries of international protection in the Czech Republic. Foreign children who legally stay in the Czech Republic, including those granted international protection (refugee status or subsidiary protection), have the same rights and obligations to access education as Czech citizens under the Education Act. This includes preschool, primary, secondary and further education, subject to the general conditions of compulsory and age-appropriate schooling. Foreign children staying in the Czech Republic for longer than 90 days, including beneficiaries of international protection, are entitled to attend primary school on the same conditions as Czech students.

There is also a clear age framework attached to education. Compulsory education in the Czech Republic generally begins at age 5 (preschool) or 6 (primary school) and continues until the completion of nine years of basic schooling, typically ending at age 15. However, if schooling started later due to later arrival, compulsory attendance can extend to age 17. After reaching 18 years, a pupil is no longer obliged to attend school even if they have not completed compulsory education. These rules apply to all children legally resident in the Czech Republic, including those with international protection.³⁸³

In practice, children may still face some obstacles to effective participation. The most common challenge is the language barrier, as instruction is in Czech and limited proficiency can hinder learning and social integration. Other practical issues include documentation gaps, which can complicate appropriate grade placement, and age-related placement challenges, particularly for older children who have missed years of schooling. While there are no nationwide accelerated education programmes for out-of-school youth, schools can provide catch-up support and tailored learning plans.

To facilitate integration, the Czech education system offers preparatory language classes and Czech language instruction within schools, often referred to as 'language preparation classes' (*třídy pro jazykovou přípravu*)³⁸⁴. These classes are free and aim to help foreign children acquire sufficient Czech to participate in mainstream education. Additionally, teachers receive methodological support and municipalities may implement supplementary programmes funded by the state to assist foreign pupils with language learning and school adaptation.

The law guarantees pupils with special educational needs the right to free support through auxiliary measures and access to education in adapted facilities. Auxiliary measures are proposed by school advisory facilities (SAF - *Školské poradenské zařízení, ŠPZ*)³⁸⁵ and provided by school staff, including specialists such as school psychologists, special education teachers, or behavioural advisors. Examples include Czech as a second language, assistant teachers, modified materials or evaluation, special textbooks, and inclusion in the special education system. The first level is a school-based support plan (optional), while higher-level measures recommended by SAF require an individual education plan with parental consent.

School advisory facilities (SAF), including pedagogical-psychological counselling centres and special teaching centres, provide free advisory services and methodological guidance for pupils and schools. Parents or students can register with SAF, which issues a detailed report and binding recommendation to the school within three months.

Higher-level auxiliary measures may involve inclusion in the special education system, either through individual integration into regular classes, group integration within regular schools, or attendance at specialised schools. Education of pupils with special needs is primarily conducted in regular schools, with

³⁸³ Section 36 of the Education Act.

³⁸⁴ See the information available [here](#).

³⁸⁵ Section 116 of the Education Act.

separate schools or classes available for those with physical, sensory, intellectual, autism, learning or behavioural disorders, speech impediments, or multiple disabilities. Diagnosis is conducted by specialists, may last several hours, and requires an interpreter if the child or guardians do not speak Czech. SAF are in high demand, and appointments may need to be booked months in advance, but they cannot refuse applicants.

With the exception of the language barriers, there are no obstacles in accessing vocational courses financed by state Labor Offices. Furthermore, there are special vocational training programs offered by NGOs with finances from the ESF program.

Child beneficiaries of international protection have the same right to attend kindergarten as Czech citizens, as long as they are present in the Czech Republic and meet the residence requirements (e.g., holding the status of asylum seeker).³⁸⁶ Knowledge of Czech is not a condition for admission. Children in their final year before compulsory school attendance have priority admission, just like other children. Children must have proof of vaccination or a medical certificate if they cannot be vaccinated following the mandatory vaccination plan in the Czech Republic.

Beneficiaries of international protection are entitled to higher education under the same conditions as nationals. OPU is not aware of any special scholarships for beneficiaries of international protection and there are no specific obstacles (with exception of the language barrier). Some universities or their departments provide a scholarship for Ukrainian refugees (regardless of whether they are beneficiaries of international protection or not).³⁸⁷

F. Social welfare

Beneficiaries of international protection in the Czech Republic have access to social welfare under the general social protection system, provided they satisfy the legal conditions that apply to all residents. Recognised refugees and beneficiaries of subsidiary protection both qualify as legally resident third-country nationals, and under Czech social policy they are eligible for social assistance and social services such as benefits in material need, state social support benefits (e.g., child allowance, housing allowance), and access to social services if they meet the statutory criteria (e.g., residence, income, family situation).^{388 389} Persons granted international protection are treated in the social welfare system like other foreigners with lawful residence or Czech citizens for the purpose of benefit eligibility, and they can apply for these benefits through the relevant authorities such as the Labour Office or social services offices.

There is no legal distinction in access to basic social welfare between recognised refugees and beneficiaries of subsidiary protection in the Czech Republic; both statuses confer entitlement to social benefits under the same rules as for other residents. Beneficiaries of international protection — including those with refugee status and those with subsidiary protection — can access assistance in material need and other social benefits if they meet the statutory conditions, and they are covered by the same mechanisms as Czech nationals and other long-term residents.

In addition to statutory social benefits, many beneficiaries can also receive support through the State Integration Programme (SIP), which helps with housing, language, employment, education and social integration following the grant of protection. SIP itself is not a social welfare benefit, but it can provide practical integration assistance that complements formal social support systems.

The main authorities responsible for granting social assistance are:

- The Ministry of Labour and Social Affairs (MPSV) is responsible for Central policymaking and oversight of social benefits;

³⁸⁶ Section 20(2)(d) of the Education Act

³⁸⁷ See e. g. Faculty of Arts, Masaryk University: Stipendium na podporu studia ukrajinských studentů (podzim 2025), available [here](#).

³⁸⁸ Section 3 of the Act No. 117/1995, on State Social Assistance, available in Czech [here](#).

³⁸⁹ Section 5 of the Act No. 111/2006, on Assistance in Cases of Material Need, available in Czech [here](#).

- Regional Branches of the Labour Office (*Úřad práce ČR*), that is responsible for Administration and payment of social assistance benefits; and
- The Mol, that administers international protection statuses and the SIP, which is linked to initial social support and integration services for beneficiaries.

The provision of social welfare is not tied to a requirement to reside in a specific place or region, but the responsibility of a local labour office is based on the registered address of the beneficiary of international protection.

Although beneficiaries of international protection are legally entitled to social assistance, in practice they might face a number of obstacles when accessing these benefits. A recurrent theme in the refugees' own testimonies is that not knowing Czech language makes interactions with authorities and understanding social support systems much more difficult, which affects their ability to apply for and effectively use social welfare services. Not knowing the language also complicates basic tasks like dealing with social offices, understanding eligibility criteria, and completing applications, even when financial support or material assistance is available. Poor orientation within the Czech institutional framework and lack of knowledge about how the social benefit system works lead to confusion and frustration among many beneficiaries, undermining their practical access to social assistance.

In addition to language barriers, respondents reported difficulties navigating the system itself, including challenges in understanding what benefits they are entitled to and how to apply. Confusion about social benefits, education placement, re-qualification courses, health insurance and other systems was repeatedly mentioned, indicating that institutional complexity and lack of tailored guidance are key practical barriers. Although programmes like the State Integration Programme (SIP) provide initial material support and some social worker assistance, the overall integration experience highlighted by interviewees suggests that the administrative burden and systemic complexity of social welfare structures still create obstacles for many beneficiaries in accessing social assistance in practice.³⁹⁰

G. Health care

Under Czech law and the public health insurance system, everyone residing in the Czech Republic who is covered by public health insurance has the right to health care under the same conditions as Czech citizens. Once enrolled in public health insurance, there may not be limitations to the health services provided compared to citizens of the Czech Republic.

For beneficiaries of international protection (recognised refugees and holders of subsidiary protection), health insurance is provided automatically when their status is granted, and they are incorporated into the public health insurance system.³⁹¹ This entitles them to a full range of healthcare services covered by public insurance, including medical consultations, specialist care, preventive services, emergency care, maternal and child health services, and necessary treatment — just like any other insured resident.

In Czechia, beneficiaries of international protection (refugees and holders of subsidiary protection) are entitled to mental health care under the public healthcare system on the same terms as Czech citizens, as they are covered by public health insurance.

Mental health and psychosocial support services have been integrated into the national response for displaced populations, particularly following the large influx of Ukrainian refugees since 2022. The World Health Organization (WHO) together with the Czech Ministry of Health and partners established coordinated mental health and psychosocial support interventions across multiple regions, involving

³⁹⁰ Marie Heřmanová, Jakub Andrlé, *Integration at first hand: reception, adaptation and integration in the Czech Republic from the perspective of refugees themselves*, 2022, available [here](#).

³⁹¹ Section 2(1)(b)(3) and section 2(1)(b)(4) of the Act No. 48/1997, on Public Health Insurance and on Amendments to Certain Related Acts, available in Czech [here](#).

dozens of service providers, and provided thousands of mental health consultations to Ukrainian refugees to address depression, anxiety and trauma-related needs.³⁹²

However, there is no specialised national programme exclusively dedicated to victims of torture, SGBV, or other trauma that is separate from the general system; specialised clinical responses for these specific groups are not established as distinct legal entitlements beyond the regular mental health services available to all insured residents. In practice, both beneficiaries of international protection and Czech nationals face significant barriers to accessing specialised mental health care, including long waiting times and shortages of psychiatrists, psychologists and child mental health specialists.

A WHO qualitative study among refugees (primarily Ukrainian) found that although people are aware of available psychological services, many reported difficulties in accessing routine care, such as finding a family doctor or getting timely specialist appointments, and language barriers further complicate access even where services exist.³⁹³ These structural constraints and the limited number of professionals make practical access to specialised mental health treatment challenging for beneficiaries of international protection, particularly those with severe trauma or torture-related needs, similar to the situation faced by the general Czech population.

Some practical barriers may sometimes limit effective access, and many of these barriers are shared with Czech nationals but are exacerbated for beneficiaries of international protection. Language barriers are frequently reported as a major challenge: not speaking Czech makes it harder to communicate with providers, navigate the system, and complete necessary paperwork. According to the experience of OPU refugees also face difficulties finding and registering with a general practitioner, getting timely appointments (especially with specialists), and long waiting times for routine and specialised care due to limited health system capacity.

In the Czech Republic, COVID-19 vaccination is provided free of charge through the public health care system for insured persons and is part of preventive public health policy. Vaccination against COVID-19 is funded from public health insurance and available at contracted providers like general practitioners or vaccination centres. Beneficiaries of international protection (and asylum seekers once they are covered by public health insurance) have the same entitlement to vaccination as Czech citizens because they are participants in the Czech health insurance system.³⁹⁴

³⁹² See the information of the National Institute of Mental Health, available [here](#).

³⁹³ WHO, *Results of a qualitative study among refugees from Ukraine in Czechia*, May–September 2023, available [here](#).

³⁹⁴ See information of the General Health Insurance Company on Covid-19 vaccination available [here](#).

ANNEX I – EU Pact on Migration and Asylum

The Czech Republic has consistently opposed the introduction of mandatory migrant relocation quotas under the EU Pact on Migration and Asylum. The Czech government has maintained that the Pact does not impose automatic obligations to accept relocated asylum seekers and that Member States may instead fulfil their solidarity obligations through alternative means, such as financial or operational contributions. Both the government in office during the adoption of the Pact in 2024 and subsequent political representatives have publicly rejected compulsory relocation mechanisms, emphasising national discretion in implementation. Czech authorities have repeatedly stated that the country will not participate in mandatory migrant quotas and have sought to limit domestic implementation to procedural and border-related measures, while avoiding obligations to receive relocated migrants.

An extensive amendment to the Asylum Act was adopted in the summer of 2025 to implement the EU Migration Pact (with most provisions taking effect in June 2026).³⁹⁵

The amendment introduces a wide range of changes to the Czech asylum system, particularly in the areas of terminology, procedural rules, judicial review, return procedures, and material standards for applicants. One of the changes concerns the basic concepts and terminology used in the Asylum Act. Definitions such as “application”, “applicant”, and “family member” are now directly aligned with EU Regulations 2024/1348 and 2024/1347. The amendment also distinguishes between “making an application”, meaning the expression of a wish to seek international protection under Article 26 of the Asylum Procedures Regulation, and “lodging an application” or “providing data,” which constitutes the formal procedural act under Article 28 of the Asylum Procedures Regulation. Another major conceptual shift concerns the definition of a “final decision”. A final decision is now understood as the decision of the Regional Court on an action against the Ministry’s decision, except in cases involving the withdrawal of protection. According to the explanatory memorandum, this change enables the state to carry out returns immediately after the Regional Court has ruled, because a cassation complaint lodged with the Supreme Administrative Court will no longer automatically prevent return.

The amendment also significantly restricts access to the asylum procedure in certain situations. An expression of the intention to seek asylum is no longer regarded as an application if it is made during departure from the territory, during a readmission procedure, or after a criminal court has ordered extradition or expulsion. The explanatory memorandum states that this aims to prevent abuse of the asylum system by individuals attempting to avoid return at the last possible moment. Furthermore, the Ministry is now obliged to begin registering an application within five days of receiving information about it, whereas previously the period ranged from three to six working days. Applications must also be submitted personally at designated locations, such as border police facilities or reception centres. According to the explanatory memorandum, this requirement is intended to verify the genuine intention of the foreigner to seek protection and to prevent the previously abused practice of submitting applications from hospitals. In addition, where a parent submits an application, it is automatically considered to apply also to the parent’s minor child staying with them without an independent residence permit. This measure is intended to prevent family members from submitting applications successively in order to artificially prolong their stay.

Another substantial reform concerns the introduction of combined decisions on international protection and return. If the Ministry rejects an application for asylum or complementary protection, it will now simultaneously decide that the foreigner’s stay is unlawful and impose an obligation to leave the territory of the European Union. This eliminates the need for separate administrative expulsion proceedings conducted by the police following the rejection of an asylum claim, thereby significantly accelerating return procedures. The period for voluntary departure is set between seven and thirty days, although a shorter period may be imposed on persons considered a threat to public order or national security.

³⁹⁵ Act No. 314/2025 Coll., amending Act No. 325/1999 Coll., on Asylum, as amended, Act No. 326/1999 Coll., on the Residence of Foreign Nationals in the Territory of the Czech Republic and on Amendments to Certain Acts, as amended, and other related legislation, available [here](#).

The amendment also changes the duration and extension of protection statuses. Asylum will no longer be granted for an indefinite period but instead for at least three years. Beneficiaries of asylum will subsequently be required to apply for extensions, which may be granted for further periods of at least three years if the reasons for protection continue to exist. According to the explanatory memorandum, this reflects the broader European Union approach that international protection should only last for as long as the relevant danger persists. Subsidiary protection will be granted for at least one year and may be extended for periods of at least two years. At the same time, the national institution of humanitarian asylum is completely abolished in order to harmonise the system with EU standards.

Significant restrictions are also introduced in the area of health care and material reception conditions. Adult applicants for international protection and persons with tolerated stay status will now only be entitled to healthcare financed by the state to the extent of necessary or emergency care. The explanatory memorandum explicitly states that this measure is intended to respond to so-called "health tourism". By contrast, applicants under the age of eighteen remain fully covered by the public health insurance system. The Mol is also granted the power to reduce financial allowances to the subsistence minimum in several situations, including where the applicant submits a subsequent application, fails to cooperate during the proceedings, participates in unlawful secondary movements within the EU, or seriously violates accommodation rules, for example through aggression or drug-related conduct. Financial support must also be reduced once a decision has been issued transferring the applicant to another responsible Member State under the Dublin system.

The amendment further strengthens state control over applicants' residence and communication with authorities. The Mol may now designate a specific asylum facility where an applicant must reside, even outside detention, if justified by considerations of public order or a risk of absconding. The maximum period during which an applicant may temporarily leave such a facility is shortened to ten consecutive days, with an obligation to return by the tenth day at the latest. Applicants residing in private accommodation outside asylum facilities must submit proof of accommodation bearing the notarised signature of the property owner. Service of documents is also simplified: documents are delivered only to the last address reported by the applicant, and if they are not collected within ten days, a legal fiction of delivery applies. This is intended to eliminate the lengthy process of appointing guardians for applicants whose whereabouts are unknown.

Judicial review procedures are substantially accelerated. The time limit for filing an action is shortened to ten days in cases involving manifestly unfounded applications, border procedures, and detained applicants, whereas previously the limit was fifteen days. In other cases, the filing period is reduced from one month to fifteen days. Regional Courts are now also subject to fixed deadlines for deciding cases: five weeks for border procedures, four months for manifestly unfounded or withdrawn applications, six months for cases with suspensory effect, and twelve months for all other cases. The courts will decide on the basis of the factual situation existing at the time of their own decision, allowing them to consider developments occurring after the Mol's ruling. In addition, courts are no longer strictly bound by the specific points raised in the action and may take into account relevant circumstances not expressly invoked by the applicant. Cassation complaints to the SAC are newly inadmissible in cases concerning border procedures and third or further subsequent applications.

The amendment also fundamentally modifies the institution of tolerated stay on the territory. A certificate of tolerated stay will only be issued to a foreigner who has lodged a cassation complaint if the SAC grants that complaint suspensory effect. The previous financial allowance available to tolerated persons, amounting to up to 1.6 times the subsistence minimum, is abolished entirely, meaning that foreigners must now bear the costs of their stay themselves. Adults are likewise entitled only to necessary healthcare. Tolerated stay is granted for a maximum of three months and may be repeatedly extended until the cassation proceedings are concluded.

Finally, the amendment introduces several technical and border-procedure innovations. Both the Mol and the courts are expressly authorised to use machine translation and artificial intelligence tools for documents submitted without official translations. Interviews with applicants must now be recorded, at least in audio form, in order to prevent subsequent disputes concerning their content. A new border

procedure regime is also established at international airports, under which applicants may be required to remain in a reception facility for the duration of the procedure, generally for up to twelve weeks with the possibility of a further twelve-week extension, including through detention. Compliance with fundamental rights during these strict border procedures will be monitored by the Public Defender of Rights (Ombudsman).

ANNEX II – Transposition of the CEAS in national legislation

Directives and other CEAS measures transposed into national legislation

| Directive | Deadline for transposition | Date of transposition | Official title of corresponding act | Web Link |
|--|----------------------------|-----------------------|---|---|
| Directive 2011/95/EU Recast Qualification Directive | 21 December 2013 | 1 May 2013 | Zákon č. 103/2013 Sb., kterým se mění zákon č. 325/1999 Sb., o azylu a o změně zákona č. 283/1991 Sb., o Policii České republiky, ve znění pozdějších předpisů, (zákon o azylu), ve znění pozdějších předpisů, zákon č. 326/1999 Sb., o pobytu cizinců na území České republiky a o změně některých zákonů, ve znění pozdějších předpisů, a zákon č. 359/1999 Sb., o sociálně-právní ochraně dětí, ve znění pozdějších předpisů | https://www.zakonyprolidi.cz/cs/2013-103 |
| Directive 2013/32/EU Recast Asylum Procedures Directive | 20 July 2015 | 18 December 2015 | Zákon č. 314/2015 Sb., kterým se mění zákon č. 325/1999 Sb., o azylu, ve znění pozdějších předpisů, zákon č. 326/1999 Sb., o pobytu cizinců na území České republiky a o změně některých zákonů, ve znění pozdějších předpisů, zákon č. 221/2003 Sb., o dočasné ochraně cizinců, ve znění pozdějších předpisů, a další související zákony | https://www.zakonyprolidi.cz/cs/2015-314 |
| Directive 2013/33/EU Recast Reception Conditions Directive | 20 July 2015 | 18 December 2015 | Zákon č. 314/2015 Sb., kterým se mění zákon č. 325/1999 Sb., o azylu, ve znění pozdějších předpisů, zákon č. 326/1999 Sb., o pobytu cizinců | https://www.zakonyprolidi.cz/cs/2015-314 |

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|---|-------------------------------------|------------------|---|---|
| | | | na území České republiky a o změně některých zákonů, ve znění pozdějších předpisů, zákon č. 221/2003 Sb., o dočasné ochraně cizinců, ve znění pozdějších předpisů, a další související zákony | |
| Regulation (EU) No 604/2013 Dublin III Regulation | Directly applicable 20 July 2013 | 18 December 2015 | Zákon č. 314/2015 Sb., kterým se mění zákon č. 325/1999 Sb., o azylu, ve znění pozdějších předpisů, zákon č. 326/1999 Sb., o pobytu cizinců na území České republiky a o změně některých zákonů, ve znění pozdějších předpisů, zákon č. 221/2003 Sb., o dočasné ochraně cizinců, ve znění pozdějších předpisů, a další související zákony | https://www.zakonyprolidi.cz/cs/2015-314 |

The following section contains an overview of incompatibilities in transposition of the CEAS in national legislation:

| Directive | Provision | Domestic law provision | „Non-transposition or incorrect transposition |
|---|------------|----------------------------------|--|
| Directive 2013/32/EU Recast Asylum Procedures Directive | Article 46 | Section 32 (9) of the Asylum Act | The Czech legislature has still not fully transposed Article 46(3) of the Asylum Procedures Directive . Although, as of 1 July 2023, the Asylum Act includes a new provision in Section 32(9), according to which the court, when reviewing an action in international protection matters, must also take into account new relevant facts arising after the issuance of the Ministry's decision—provided that such facts relate to possible persecution or the risk of serious harm, and in this respect the court is not bound by the grounds of the action—this provision |

| | | | |
|--|--|--|---|
| | | | <p>remains insufficient. Where such facts affect the merits of the administrative decision, the court is required to annul the contested decision and remit the case to the administrative authority.</p> <p>Nevertheless, this provision does not reflect all aspects of Article 46(3) of the Directive. It allows only for an ex nunc review limited to new significant facts that arose after the administrative decision, and only where these facts relate to persecution or serious harm. It does not provide for the possibility of a full and independent ex nunc assessment of all factual circumstances existing at the time of the court's decision, nor of the legal questions arising from them. As a result, administrative courts remain constrained by a formalistic approach and are unable to substitute their own final assessment for that which the administrative authority failed to carry out properly.</p> |
|--|--|--|---|

