

COUNTRY REPORT
THE CZECH
REPUBLIC



Undocumented Migration

Counting the Uncountable. Data and Trends across Europe

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CLANDESTINO

Undocumented Migration: Counting the Uncountable

Data and Trends across Europe

This interdisciplinary project is a response to the need for supporting policy makers in designing and implementing appropriate policies regarding undocumented migration. The project aims (a) to provide an inventory of data and estimates on undocumented migration (stocks and flows) in selected EU countries, (b) to analyse these data comparatively, (c) to discuss the ethical and methodological issues involved in the collection of data, the elaboration of estimates and their use, (d) to propose a new method for evaluating and classifying data/estimates on undocumented migration in the EU. Twelve selected EU countries (Greece, Italy, France and Spain in southern Europe; Netherlands, UK, Germany and Austria in Western and Central Europe; Poland, Hungary, Slovakia and the Czech Republic in Central Eastern Europe) are under study in this project. Three non EU transit migration countries used as key 'stepping stones' by undocumented migrants en route to the EU, notably Turkey, Ukraine and one Maghreb country, are also analysed. Where relevant, the project considers the factors affecting the shift between legal and undocumented status among migrant populations. The project work programme is complemented by two regional workshops with policy makers and academics, 12 fieldvisits each resulting in a series of meetings with key policy actors, NGOs and journalists working on migration in each of the EU countries studied. The CLANDESTINO database on irregular migration in Europe, the Project reports and Policy Briefs are available at: <http://clandestino.eliamep.gr>

Each country report reviews all relevant data sources on irregular migration (e.g. apprehended aliens at the border or in the inland, expulsion orders, people registered through health or other welfare schemes for undocumented immigrants, municipal registers, statistical estimates from national and European statistical services), assesses the validity of the different estimates given and where appropriate produces a new estimate for the year 2008 for the country studied. The country reports cover the period between 2000 and 2007 and the last year for which data or estimates were available when the study was finalised in 2009, notably in some countries 2007 and in other countries 2008. This quantitative analysis is complemented by a critical review of qualitative studies and by interviews with key informants with a view to exploring the pathways into and out of undocumented status in each country. It is noted that the non-registered nature of irregular migration makes any quantification difficult and always produces estimates rather than hard data.

The Hellenic Foundation for European and Foreign Policy (ELIAMEP) is the coordinating institution of the CLANDESTINO consortium. CLANDESTINO Partners include the International Centre for Migration Policy Development (ICMPD) in Vienna, the Hamburg Institute of Economics (HWWI), the Centre for International Relations (CIR) in Warsaw, the COMPAS research centre at the University of Oxford, and the Platform of International Cooperation on Undocumented Migrants (PICUM) in Brussels.

Charles University in Prague is an acknowledged educational and scientific institution not only in the context of the Czech Republic but also at a European level. The Department of Social Geography and Regional Development (of the Faculty of Science) is the most important centre in the field of human geography in the whole country and has about 1,000 students in bachelor and master study programs. Besides teaching, the Department specializes in doing research in the topics like theoretical issues in geography, settlement and urban structures, regional development and regional policy, population migration, land-use and a particular emphasis is placed on the geographical aspects of the post-socialist transformation of Czech society.

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Part I Setting the frame

I.1 The regular migration framework

I.1.1 Introduction

Between 1948 and 1989, during the communist era the Czech Republic (at that time a part of Czechoslovakia) had almost no “standard” international migrants (see more e.g. in Drbohlav 2004). The communist regime applied very restrictive migration policy that heavily limited free movement of the Czech population across international borders. Also, migration inflow of long-term immigrants into the country was very specific and, to large extent, concerned only citizens of other socialist/communist countries. These were mostly represented by temporary workers¹ who came chiefly from Poland, Vietnam, Hungary, Cuba, Mongolia, Angola and Korea while gaining skill and work experience. At the same time, they filled some gaps in the Czech labour market. Concerning emigration, Czechoslovakia had a significant migratory outflow of political emigrants who were considered by the communist Government as illegal emigrants.

A new era came with the 1989 Revolution. After deep societal transition and transformation processes that started at the very end of the 1980s (a robust shift from the socialist/communist regime with a centrally planned economy to parliamentary democracy based on a free market economy), the Czech Republic has quickly become an immigration and transit country. While not having experience with managing migration flows and immigrants’ integration processes the newly established democracy started applying very liberal migration policies and practices (until 1997). Besides that, also due to a fact that the standard of living of the Czech population was maintained and the economy attracted foreign labour force, numbers of immigrants were increasing. At the same time, geographical position of the country in the middle of Central/Eastern Europe brought many transit (irregular) migrants that tried to get through the country further to the West as soon as possible. Neither economic problems in the end of the 1990s, nor changed policies that within harmonization with the European Union (EU) became in some aspects “obligatorily” more selective and restrictive, prevented more immigrants to enter the country.

¹ The system of recruiting workers but also students and apprentices functioned via intergovernmental agreements, and, to much lesser extent, also through individual contracts.

Currently, numbers of immigrants and especially numbers of those economically active (highly probably both legal and irregular ones) are in the Czech Republic much higher (see table 3 and 4) than in any other European post-communist country (see e.g. Drbohlav 2006). Logically, respecting historical and cultural patterns (and taking into account that „old migratory systems within Europe have already been shaped and cemented“) and geographical position of the country most immigrants to the Czech Republic have come from Slovakia (Slovaks represent a very specific group due to common history within one state – Czechoslovakia and very similar cultural traditions and language), countries of the former Soviet Union and Vietnam.

Obviously, massive migration movements may bring about important impacts upon various social structures like socio-economic, socio-cultural, political, psychological or geographical ones. In the Czech reality, the most distinctive impacts of the international migration movements relate to the economic sphere. The question as to how to regulate economic immigration and consequent immigrants' integration into the Czech economy and, indeed, society, has become an important challenge for the state administration as well as for the whole society. In terms of materialization of many aspects of international migration movements and their management a new era begun after the Czech Republic has become a member of the European Union (in May 2004 – harmonization of the Czech migratory legislation and practices with those in the EU) and, then, when the country has joined the Schengen Agreement (in December 2007 – the state borders of the Czech Republic „disappeared“ within the EU territory).

Political parties in the Czech political arena have so far paid rather limited attention to international migration and immigrants' integration. Accordingly, the Government and both Chambers of Parliament, except “mandatory following EU policies“, have until recently done more or less the same. It does not mean, however, that international migration issues have not been dealt with in the Czech Republic. Despite many problems, situation in the given field (managing migration and integration) has so far been “one of the most developed” among all post-communist countries of Central/Eastern Europe (see also Drbohlav 2003, Drbohlav, Horáková, Janská 2005, Čaněk, Čížinský 2006). As a matter of fact, many problems that burden the Czech Republic are typical of many other developed immigration countries. Obviously, the last development in the field of migration and integration policy of the Czech Republic is more positive – more pro-active and systematic measures have recently been

applied or are being prepared. Indeed, combating irregular migration and migrants' irregular economic activities are one of the priorities too.

I.1.2 Basic migratory parameters – legal migration

Current openness of the country is, for example, confirmed by the following facts: altogether, 653,241 visas were issued by the Czech Republic in 2007 (among others 292,316 to Russian and 142,245 to Ukrainian citizens) and, at the same year, some 267 million persons crossed the Czech state border (in both directions) (Zpráva 2008). Regarding migration movements the Czech Republic has been gaining migrants via its net migration (see table 1). There is a clear trend of importantly increasing immigration over time whereas (since 2001) emigration figures have oscillated between 21,000 and 35,000.

Table 1 International migration (flows), Czech Republic, 2000-2007

	2000	2001	2002	2003	2004	2005	2006	2007
Immigration	7,802	12,918	44,679	60,015	53,453	58,276	68,183	104,445
Emigration	1,263	21,469	32,389	34,236	34,818	21,796	33,463	20,500
Gross migration	9,065	34,387	77,068	94,251	88,271	80,072	101,646	124,945
Net migration	6,539	-8,551	12,290	25,779	18,635	36,480	34,720	83,945

Source: Czech Statistical Office e

Notes: Emigration figures are underestimated, since despite there is a mandatory deregistration of Czechs before leaving the country for a long time or permanently, only a limited number of people does it. Thus, also the net migration is, in fact, lower than it is shown in the table. A "jump" in 2002 was due to changing categories within the official Czech statistics – long-term stays started being newly included.

As of 31 December 2007, a total number of 392,315 foreigners having a residence permit was registered in the country (see table 2). It represented 3.8% of the total population. Since 1993, a long-term increase in the number of foreigners has been recorded - in 1993 there were only 77,668 foreigners staying in the Czech Republic. The exceptions were years 2000 and 2001, where a significant drop occurred which may be linked to economic recession, more limited space in which migrants could operate and restrictive migratory legislation. Since 1996, there has been a gradual rise in the share of permanent residence permits (mostly linked with family reasons) at the expense of long-term residence permits (chiefly economic migrants) – from approximately 23% to current 43%. The reasons can be found primarily on the part of legislation – conditions for obtaining permanent residence have been eased (shorting of the

waiting period in relation to the EU regulations) as well as the increase of firmly established ethnic immigrant groups in the country over time.

Table 2 Migrant population (stocks), Czech Republic, 1993-2007

	1993	1995	1997	1999	2001	2003	2005	2007
Permanent residence ¹	31,072	39,242	56,797	66,754	69,816	80,844	110,598	157,512
Temporary residence ²	46,070	119,965	153,514	162,108	140,978	159,577	167,714	234,803
Total	77,668³	159,207	210,311	228,862	210,794	240,421	278,312	392,315

Source: Czech Statistical Office d

Notes: ¹ Permanent residence permits (mostly based on a family reunion or a family formation) can be gained after 5 years of residence (until 2006 it was after 10 years).

² Temporary migrants are those residing on visas for a period exceeding 90 days or on long-term residence permits. Visa for a period exceeding 90 days (mainly economic migration) has to be applied for at Czech embassies abroad and it can only be issued for a maximum of one year and cannot be prolonged. If the purpose of the visa still exists after the one-year period migrants can apply within the Czech Republic for a long-term residence permit. It is issued for one year and can be further renewed.

³In 1993 stateless persons (526) were counted separately.

Employment and business activity were the dominant purposes of the stay in the category of temporary - long-term resident holders in the Czech Republic whereas “family reunion” was the most frequent reason for granting permanent residence permit. One can see that the both migratory categories have been growing over time (table 2). The most rapid increase of immigrants occurred between 1993 and 1997 when “eager economy” was easily absorbing foreign labour force. It went hand in hand with a very liberal migratory legislation and practice. The second significant increase of the immigrant inflow is linked with the recent country’s joining the EU.

Regarding immigrants’ spatial distribution throughout the country, the capital city of Prague plays the most important role when one third of all legally staying immigrants were registered there at the end of 2007. It is 46% if the surrounding region of Central Bohemia is included (Czech Statistical Office c).

Ukrainians, Slovaks, Vietnamese, Poles and Russians dominate among officially registered foreigners in the Czech Republic (see table 3). Besides other patterns, one can pinpoint a gained dominance of Ukrainians in the course of time. Germans represent now by far the most numerous immigrant group coming to the Czech Republic from the West.

Table 3 Migrant population by citizenship (selected important migrant groups), Czech Republic, 1995-2007

	1995	1997	1999	2001	2003	2005	2007
Ukraine	28,158	43,402	65,883	51,825	62,282	87,789	126,721
Slovakia	39,725	52,178	40,362	53,294	64,879	49,446	67,889
Vietnam	14,213	20,950	24,824	23,924	29,046	36,832	51,101
Poland	23,053	25,019	18,278	16,489	15,766	17,810	20,601
Russia	4,387	8,938	16,906	12,423	12,605	16,273	23,278
Germany	5,553	5,927	6,112	4,937	5,188	7,187	15,700
Other	44,118	53,897	56,497	47,902	50,655	62,975	87,025
Total	159,207	210,311	228,862	210,794	240,421	278,312	392,315

Source: Czech Statistical Office b

Women represented 40% of the total number of foreign residents in the Czech Republic by the end of 2007. Out of the most important immigrant groups the highest share of females was among Mongolians (59%) and Belarusians (57%). On the other hand Germans (19%) and Moldovans (35%) have been the groups with the lowest shares of female residents (Czech Statistical Office f). In 2006, 72% of immigrants were aged between 20–49 years. Most young migrants were among Slovaks (e.g. 37% of Slovak immigrants were aged 20–29 years) (Cizinci 2007).

Asylum seekers do not represent an important population segment in quantitative terms. Accordingly, they do not have any significant influence on the Czech labour market. For example, in 2007 1,878 foreigners asked for asylum while 191 foreigners were granted asylum in the Czech Republic in the given year. Between 1994 and 2007 out of 79,363 asylum seekers only 1,969 gained asylum in the country (2.5%) (e.g. Horáková 2008).

In 2007, the number of all economically active (registered) foreigners in the Czech labour market increased to 309,027 and, thus, the proportion of foreign labour force (i.e. work permit and business license holders) in the total labour force in the Czech Republic reached 5.6% (see table 4). Table 4 also brings a composition of the foreign labour force by given types. It shows us how important role is played by Slovaks and how now (in 2007) like in 1995 employees dominate over business license holders.

Table 4 Foreign labour force, Czech Republic, 1995-2007

	1995	1997	1999	2001	2003	2005	2007
Work permits	52,536	61,044	40,312	40,097	47,704	55,210	85,351
Slovak citizens (registered as employed)	59,323	69,723	53,154	63,555	58,034	75,297	101,233
Registration of EU/EEA/EFTA citizens (excluding Slovaks)	-	-	-	-	-	18,570	43,518
Information on foreigners from the third countries (who do not need a work permit)	-	-	-	-	-	2,659	10,140
Trade licenses	36,996	63,529	58,386	64,000	62,293	67,246	68,785
Total foreign labour	148,855	156,209	164,987	167,652	168,031	218,982	309,027
Foreign labour force in the total labour (%)	2.9	3.8	2.9	3.2	3.2	4.0	5.6

Source: Horáková 2007 and 2008

Besides Slovaks that have traditionally been the most important labour migration source in relation to the Czech Republic, Ukrainians represent the most important group among foreign employees in the country (see table 5). Yet, the importance of the both leading groups (in line with the „total“) has recently significantly increased. One can see that since 2004 many other immigrant groups, especially Mongolians and Moldovans, have considerably grown as well.

Table 5 Foreign employees by citizenship (valid work permits, employed and registered Slovaks), selected important migrant groups, Czech Republic, 1993 - 2007

	1993	1995	1997	1999	2001	2003	2005	2007
Slovakia	23,367	59,323	69,723	53,154	63,555	58,034	75,297	101,233
Ukraine	7,745	26,748	25,166	16,646	17,473	22,489	38,926	56,351
Poland	10,559	12,071	13,665	6,880	6,661	7,403	-	-
Bulgaria	633	841	3,322	1,657	1,863	1,792	1,624	-
Mongolia	256	307	770	623	976	1,388	1,780	6,602
Moldova	0	180	1,959	1,438	1,377	1,509	2,646	5,164
Germany	660	1,462	1,536	1,466	1,218	1,412	-	-
USA	1,183	1,735	1,487	1,391	1,279	1,408	1,114	1,088
Russia	1,317	726	1,145	1,151	887	867	2,200	1,582
Belarus	0	279	2,469	1,305	1,028	967	906	852
Great Britain	855	1,224	1,252	1,129	989	1,018	-	-
China	160	130	112	141	335	267	891	973
Macedonia	0	473	1,130	507	435	406	-	-
Uzbekistan	0	7	24	13	13	26	76	906
Other	4,913	6,353	6,967	5,965	5,563	6,752	5,047	11,833
Total	51,648	111,859	130,727	93,466	103,652	105,738	130,507	186,584

Source: Horáková 1999 and 2008

Note: Countries with more than 800 foreign employees in the Czech Republic in 2007 included. Data for 2005 and 2007 does not include EU/EEA/EFTA nationals (with the exception of Slovaks).

Main fields of economic activity of foreign workers in the Czech Republic are construction, manufacturing, wholesale and retail trade as well as real estate, renting and business activities. All these activities have markedly increased from 2004 to 2006. One of the characteristic features of the Czech labour market is that individual ethnic immigrant groups have found specific economic niches (see also table 16). Let us mention Ukrainians who might be found especially as an auxiliary labour force in construction, however, they are spread throughout other sectors (e.g. agriculture and forestry, manufacturing, hotels and restaurants). Vietnamese are mostly holders of a trade licence for retail trade (with cheap goods – clothes, electronics, or food – see table 6). Chinese can be typically found as wholesale businessmen or running (working in) Chinese restaurants. Recently, Mongolians have specialized in leather industry. On the other hand, citizens of the EU-15 states and some other developed overseas countries often work in prestigious highly professional managerial posts, or as language teachers.

Rákoczyová *et al.* (2007) in their analysis that is based on a questionnaire survey of employers that legally employ foreigners in the Czech Republic (carried out in 2007, representative sample), characterize foreign employees as mostly working in manual, low quality positions in secondary or tertiary sectors which are unattractive for domestic labour force, first of all due to low wages. Foreigners are willing to take such jobs and, thus, they enable Czech employers to apply a market strategy based on financial and time flexibility. Among the most important reasons for recruiting foreign manual labour force belong just this anticipation and expectations that foreigners will be more willing to apply overtimes and to work during weekends. When recruiting foreigners, employers also make use of temporary work contracts and agreements that enable them to flexibly change a number of workers as it is needed. Despite a fact that mainly unqualified persons and apprentices come to the Czech Republic, a part of manual works is being done in the Czech Republic also by more qualified foreigners. Manual types of work are accepted by a significant share of university graduated migrants – 10% of males and 14% of females (Rákoczyová *et al.* 2007).

By the end of 2007, 69,000 foreign businessmen were registered as doing their business in the Czech Republic. In contrast to work permit holders, one can characterize the overall development of the number of trade license holders over time as a sort of stagnation. Two immigrant groups unambiguously prevail: Vietnamese and Ukrainians (see table 6).

Table 6 Trade license holders by citizenship (selected important migrant groups), Czech Republic, 1995-2007

	1995	1997	1999	2001	2003	2005	2007
Vietnam	7,693	24,744	18,938	20,403	20,964	22,620	24,437
Ukraine	809	8,696	19,521	21,590	18,752	21,135	21,927
Slovakia	2,949	7,571	6,649	7,051	8,123	8,719	8,684
Russia	247	873	1,550	1,890	1,622	1,482	1,228
Yugoslavia	628	1,575	1,164	1,500	1,349	1,124	831
Poland	329	909	1,033	1,051	1,126	1,294	1,289
Bulgaria	149	672	1,104	1,123	1,092	1,091	926
Germany	605	1,450	941	940	1,005	1,164	1261
USA	151	569	547	585	618	627	503
Moldova	3	62	292	416	399	604	930
Other	23,433	16,408	6,647	7,451	7,243	7,386	6,769
Total	36,996	63,529	58,386	64,000	62,293	67,246	68,785

Source: Horáková 1999 and 2008

Note: Countries with more than 800 foreign employees in Czech Republic in 2007 included. Data on Yugoslavia refers to Serbia and Montenegro.

I.1.3 Basic overview of irregular migration

Inflows of legal/documentated migrants go hand in hand with irregular migration. Leaving aside irregular transit migrants, irregular labour migrants come generally from economically less developed countries. They come for short and long-term stays (usually a several-month stay) and take mostly labour intensive, demanding, poorly paid jobs that are unattractive to most Czechs.

Irregular migrants came to the Czech Republic because of several main reasons (more on this see section I.2.2). One of the most crucial is the demand on the labour market when Czech employers have permanently been searching for cheap and flexible labour force which irregular migrants are typical of. Moreover, this inflow of irregular labour force has already been effectively organized by various mediators (brokers) who make it easier, on one hand, for irregular migrants to come and find work, on the other, for employers to hire foreigners with irregular status. The existence of brokers and foreigners' irregular work is to some extent caused by inefficient state policy in the field of legal recruitment and arrangement of foreign labour force. What is also worth stressing is that irregular labour relations take place in an environment which is highly tolerant to undeclared work as unregistered employment was a widespread phenomenon during the communist regime.

There are various estimations of numbers of irregular economic migrants in the country ranging from 15,000 to more than 300,000 (see more Part II). Moreover, there are two main

sources of data tied to irregular migration. Data of the Alien Police informs us about apprehended foreigners for illegal border crossing or illegal residence (see more table 8). Besides, labour force controls bring data on those who violated labour regulations (see table 9). Altogether, in 2006 there were 10,800 apprehended foreigners for illegal migration and 3,800 violated labour rules (see below). However, both data sources are rather problematic since they are not based on a “systematic” or representative sampling process and thus, one cannot draw any “far-reaching” conclusions.

Ukraine is by far the most important source country sending undocumented economic migrants to the Czech Republic². Other Eastern European and Far Eastern countries, namely Moldova, Russia, Belarus, Vietnam, and China, are thought to follow Ukraine as the most important countries of origin of irregular migration to the Czech Republic. It is assumed that irregular migrants may mostly head for Prague and surrounding Central Bohemia and for other highly urbanized areas. Besides work opportunities they find more anonymity there as compared to rural settlements. Undocumented economic migrants work in various sectors of the economy. These include construction (auxiliary works), home-cleaning and care, agriculture/forestry, hotels/restaurants, industrial branches like manufacturing, textiles or food industry (see Horáková 2006, Drbohlav 2008a).

To sum up, concerning the impacts of both legal and irregular economic migrants upon the Czech economy, it seems that foreign labour force does not compete with domestic labour force. Rather, foreign workers fulfil some gaps on the Czech labour market (foreigners are concentrated more in districts with low or lower unemployment rates – see e.g. Drbohlav 2004, Horáková 2006). Finally, the overall current Czech migratory trends have been shifting quickly toward those typical of the developed Western immigration World. These parallels concern: quantitative aspects (numbers of immigrants – stocks and flows), the conditions of migration and, consequently, the many mechanisms through which migration is materialized³ and also the nature and development of the whole set of migration policies and practices (e.g. Drbohlav 2004).

² Currently, Ukrainians make up about three quarters of those apprehended in the Czech territory and violating residence or work rules (see Zpráva 2007).

³ One can mention, for example, segmentation and specialization of foreigners on the labour market, exploitation of immigrants, lost of immigrants’ human capital, permanent pressure of irregular/illegal migration etc., immigrants’ spatial concentration to big cities and urban areas etc.

I.2 Irregular migration discourses and policies

I.2.1 Definitions

Irregular migration as such has no official definition as it is not used by any state institutions. Even its translation to Czech is problematic and not fixed. Within Czech administration and certain regulations we can only come across a close term of “illegal migration”. However, “illegal migration”, as well as illegal/irregular employment are not legal terms – they are not included in any Czech law.

“Illegal migration” is used only in official documents and statistics. As the Czech Ministry of the Interior puts it, illegal migration is understood as ascertained cases of illegal border crossing through Czech borders (of foreigners and Czech citizens), as well as of illegal stay of foreigners in the territory of the Czech Republic (Zpráva 2007). Indeed, these two categories can be distinguished within the statistics of illegal migration.

“Irregular/illegal employment” as such is again not included in any legislation but it has a close relation to a term “illegal work” that is defined in the Act on Employment (No. 435/2004 Coll.). Thus, illegal work means when a) an individual works for an individual or a corporate body without any labour relation or a contract, b) a foreigner works for an individual or a corporate body without any labour relation or a contract, or he/she works in conflict with his/her work permit or without any work permit (if it is a work that necessitates a work permit). Thus, irregular/illegal employment of foreigners can be understood as enabling illegal work to a foreigner. Irregular/illegal employment is currently not a criminal act, however, a proposal to criminalize it has been passed to the Czech Parliament recently (Drbohlav 2008b).

On the other hand, within the Trade Act (No. 455/1991 Coll.) a clear definition of “irregular business activities” can be found. Irregular business activities are such activities that are subject of a trade but are performed without a relevant trade licence. Irregular business activities can be considered as criminal act (Drbohlav 2008b).

Definition of “trafficking in human beings” within the Czech legislation follows the so called Palermo protocol and the Council framework decision on combating trafficking in human beings. It is considered to be a crime act with a penalty from two to ten (or fifteen) years (Pechová 2007).

Within the Czech legislation, “smuggling” is understood as a criminal act in two situations – 1) when organizing or enabling illegal border crossing, or 2) assisting illegal residence (Drbohlav 2008b).

I.2.2 Reasons for irregular migration in the Czech Republic

Based on our own experience and also on the Delphi study that tackled this issue⁴ (see Drbohlav, Lachmanová 2008a) we can pinpoint the most important reasons that explain why probably large numbers of irregular migrants head for the Czech Republic. Besides general aspects like the ongoing globalization processes, demographic problems (namely, low fertility and ageing process) that many other European developed countries suffer from too, strong “push factors” in countries of origin (i.e. poor economy, low living standard, political, ethnic and religious tensions, environmental disasters etc.) and a fact that irregular migrants are structural components of modern capitalism (e.g. Pallida 2005, Baldwin-Edwards 2008), there are other country-specific factors that make easier for irregular migrants to come and operate in the Czech Republic:

Firstly, let us pinpoint important factors springing from the situation on the Czech labour market and, indeed, in the whole society. These are the factors that, at least, may significantly stimulate inflows of foreigners to the Czech Republic:

- Inflexible Czech labour market policy towards handicapped groups (including the youngest and oldest ones) and their problematic incorporation into the labour market.
- Low motivation to work caused by inflexible labour contract possibilities/schemes, not enough good quality re-qualification courses, by generous social subsidies and by low minimum wage.
- The share of university graduated persons is small thereby respective gaps on the labour market exit.
- Educational system does not match labour market needs. There is a dissonance between the labour market demand on one side, and, the supply of apprenticeship and study disciplines and of training programs, on the other side. Low permeability of educational programs at all levels is omnipresent.

⁴ The Delphi study was carried out with Czech migratory experts (N=32 and N=23 in the two Delphi rounds, respectively) in 2005 and 2006 – for more see Part II.

- High taxes are put on labour, in general, and income, in particular.
- There is only a limited forecasting of the labour market demand and its fluctuations.
- The labour market is typical of a low level of knowledge and skills attained (including foreign languages abilities and entrepreneurial skills). For example, an important co-operation between educational institutions and potential “destination companies/firms” is more or less lacking.
- Practices of undeclared work became a widespread and integral part of the economic culture of former times. It still survives and flourishes, however! It has become a customary behavior, due to the pursuit of quick, high and untaxed profit, and as a result of insufficient controls.⁵
- There is a very limited occupational and geographical (spatial) mobility of Czech citizens.

Secondly, there are more specific reasons showing us why so many irregular migrants may currently operate in the country:

- There are serious gaps in the migratory legislation or in arranging the given management system (it concerns, for example, making use and misuse of the so called “Švarc system”⁶, making use and misuse of participating in public trading companies and limited liability companies⁷). Also, there is a long-term dissonance between too liberal rules for getting a trade license vis-à-vis quite restrictive regime for those who ask for a work permit. Moreover, legislation itself, in fact, leads asylum seekers to irregular employment (asylum seekers are forbidden to work in the first year after submitting their applications). Generally, state administration is burdened with huge bureaucracy. There is rather a limited room for migrants to legally enter the Czech labour market.
- There is a very low probability of being punished or fined when violating respective laws / rules that manage international migration issues (i.e. sanctions for employment of irregular migrants)

⁵ In this respect, the Czech Republic, thanks to its communist heritage, is similar to other countries of Central and Eastern Europe (Renooy et al. 2004). However, a parallel can also be observed in the situation in Southern Europe, as described by, amongst others, Baldwin-Edwards (2002).

⁶ It is a type of activity when a migrant possesses a residence permit as well as a trade license but, in fact, works for someone else as an employee and is thus not self-employed (i.e., “disguised employment”). The “Švarc System” has posed a long-term legislative problem as far as definition is concerned (complicated, ambiguous, and changing over time) and is difficult to identify in practice (see Drbohlav, Lachmanová 2008a).

⁷ It is an activity whereby migrants establish a Czech legal entity (co-op) with a number of foreign partners, who subsequently become employed as opposed to performing their own business activities. Controls are very difficult and rarely applied here.

- The state has not so far been able to effectively and systematically organize circular, temporary economic migration of foreign labour force. Instead, the current 1,800 permits for agencies to recruit foreign labour force for the Czech labour market allow thriving agencies/agents in a climate without proper controls and management. As a corollary, so called “client system”⁸ (for Post-Soviet economic immigrants) has become a norm.
- There is a high demand for irregular (cheap and flexible) foreign labor, especially for physically demanding work.

I.2.3 Forms of irregular employment of migrants in the Czech Republic

Migrants’ irregular employment has taken many forms in the Czech Republic. However, there are certain types that seem to be more important in terms of frequency of occurrence. Table 7 brings the probably most frequent forms of irregular economic activities carried out by migrants in the Czech Republic as they were formulated by Czech migratory experts within a Delphi survey (Drbohlav, Lachmanová 2008a). It is necessary to mention that the given results cannot be understood as “real facts” but rather as an indication of reality. There is no other data which describes the factual situation in the given area. The presented forms of irregular employment closely correspond to what has already been mentioned concerning the reasons for irregular migration.

Thus, migrants’ irregular economic activities can generally be characterized as being often organized by a client and “partially legalized” by having (in present or in the past) a visa or permit, although not fully appropriate for getting employed. Further, it can be said that the economic activities of migrants who can be considered as “truly irregular” (they never had any type of visa or residence permit, i.e., did not enter the Czech Republic legally), seem to be an infrequent type of irregular employment (Drbohlav, Lachmanová 2008a). The legal entry into the country by migrants who later become irregularly employed is basically a feature of the majority of developed destination countries (cf. Heckmann 2004, Baldwin-Edwards 2002).

⁸The “client system” – very often closely connected to “trafficking” in human beings, can briefly be characterized as a highly organized network of relationships, which, in addition to numerous auxiliary services (accommodation, transport, financial loans, etc.), ensures the most important thing for foreign workers (both illegal and legal) – i.e., work – in return for financial compensation and often also huge exploitation of a migrant. The work is usually performed through a sub-contract system for a Czech employer (see e.g. Černík 2006, Čermáková, Nekorjak 2009).

Table 7 Most frequent forms of irregular economic activities carried out by migrants (Delphi Survey), Czech Republic, 2006

Forms of migrants' irregular economic activities	Ranking
Claiming business activities (having a trade license) whereas being employed - "disguised employment" (so called "Švarc system")	1.- 2.
Any form of illegal or quasi-legal economic activity organized by a "client" (broker)	1.- 2.
Violating rules of an acquired visa/permit (this applies to visa for a period exceeding 90 days or long term visa), e. g., change of profession or region, etc.	3.- 4.
Illegal employment while holding only a tourist visa or after a tourist visa has expired	3.- 4.
Foreigners establish a legal entity with numerous partners who then act as employees	5.

Source: Drbohlav, Lachmanová 2008a

Note: Forms of migrants' irregular economic activities have been ranked according to frequencies of their indication by Czech migratory experts – Delphi panelists (Delphi second round, N=22).

I.2.4 Main pathways into irregularity and out of irregularity in the Czech Republic

There are several important pathways to and out of irregularity. Obviously, however, there are much fewer pathways out of irregularity than to it as there has never been any regularization process. As far as the pathway to irregularity is concerned, several "channels" have to be mentioned:

- visa overstaying (especially of touristic visa);
- violating conditions of work permits (it is stipulated that an employee cannot change his/her place of work, profession and employer);
- violating conditions of trade license (not performing independent work);
- working while waiting for (or being refused) asylum status;
- not respecting time deadlines for various administrative procedures tied to immigration process - too demanding administrative procedures (very restrictive conditions set especially by the Act on Residence of Foreigners No. 326/1999 Coll.).

As for the pathways out of irregularity, they are rather scarce, including:

- submitting an asylum application – it is quite often used, especially in a situation when an irregular migrant is apprehended by the Police – although such an application is usually not well-founded and is soon refused by the state authorities, it gives a migrant some time to “rest” before being given usually an administrative expulsion;
- victims of trafficking might be “legalized” under special circumstances when giving evidence against traffickers – this is, however, not an important way in terms of occurrence;
- marriage to a Czech citizen – this is possible only in a limited way since a foreigner has to submit a Police certificate (however not a valid permit or visa) justifying his/her residence in the Czech Republic.

Unfortunately, no data describing pathways out of irregularity is available.

I.2.5 Discussion of irregular migration in the Czech Republic

Discussion of the irregular/illegal migration issue is rather limited. Whereas representatives of state bodies do not want to comment upon this issue too much (first, they are well aware of a lack of reliable data and, second, they realize pretty well that high numbers of irregular migrants in the territory of the Czech Republic may signalize that their policies and practices fail), representatives of the NGO sector are more active in this regard. Recently, they have been discussing this issue in relation to a regularization program (under a common project of five Czech NGOs). Several meetings took place (including one in the Parliament) where this controversial topic has been opened. Their main goal was to apply the instrument of regularization towards irregular migrants in the Czech Republic, the idea that has permanently been strongly opposed by the Czech state administration.

As highly probably the numbers of irregular migrants have been increasing over time, also researchers and journalists reflect this fact more intensively (see e.g. Intermundia 2005, Nekorjak 2006, or Drbohlav 2008a). In contrast to the 1990s, the Czech mass media have improved its reflection of the international migration issues. Whereas in the past information on immigrants/immigration for the public mostly pinpointed rather only negative “stories and experiences”, in the course of time the information has become more balanced and objective.

Furthermore, there are some topics within the irregularity issue that raise public or scientific concerns. One can mention in this regard mainly immigrants’ irregular employment, the client system, trafficking in human beings and smuggling. Just the smuggling, possibly “full of dramatic situations”, attracts journalists. Since December 2007, however, when the country

has joined the “Schengen Agreement” and external borders have disappeared this topic will highly probably be much less on the agenda.

I.2.6 Policy responses

While combating irregular/illegal migration, the Czech state has applied various measures. First of all, such combating belongs to one of the explicitly declared policy goals of the state migration policy (see the Basic Policy Principles on International Immigration from 2003 - e. g. in Drbohlav, Horáková, Janská 2005). In 2000 new “Interdepartmental body for repressing the illegal employment of foreigners” was established in the Czech Republic under the umbrella of the Ministry of Labour and Social Affairs⁹. Recently, this commission has gone through a sort of restructuring process and has activated its work. The current legislative development is characteristic of adopting stricter sanctions against those who employ irregular immigrants. On the other hand, pro-active policy measures leading to liberalize entry of immigrants to the Czech labour market (e. g. the green card project that is being prepared) have also been proclaimed to be one of the tools that combat irregular/illegal immigration.

Already in 2001, it was forbidden for asylum seekers to start working unless one year elapsed after they have submitted their asylum application. Recently, a new stricter regime has been established for asylum seekers who stay in Czech detention and asylum centers. Also, foreigners who participate as co-partners in public trading companies and limited liability companies have to have a work permit. On the other hand, the “Švarc system” (which is also heavily misused by Czech citizens) was once defined as illegal, however, shortly after the law came into force, it was again amended so as the “Švarc system” was not incorporated anymore. Another repressive measure that has been applied is that the state increased fines for those who violate rules regarding legal employment of foreigners (especially employers).

⁹ See the Government Resolution of 23 October 2000, No. 1044. The fight against the “client system” was the main goal of this inter-ministerial body.

PART II Estimates, data and assessment of total size and composition of irregular migrant population

Estimating the size and structure of irregular migrant population is probably one of the most difficult tasks of migration research. The irregularity itself is a situation hardly statistically observable and hence sophisticated methods could be rarely used. In the beginning of the Part II of the Report will thus briefly present the possible sources of official data and their relevance in the Czech Republic. More specifically, we will look on the irregular/illegal migration and employment data of state institutions in order to set a basic reference framework for the estimates that are sometimes derived from this data.

■ The basic source of information on irregular/illegal migration (flows and stocks) is the database of the Alien Police called “Nelegální vstup a pobyt osob” (*“Illegal Entry and Stay of Persons”*). It contains information on all persons (foreigners and Czech citizens) apprehended for illegal migration or smuggling. Illegal migration is defined by the Ministry of the Interior as ascertained cases of illegal border crossing (of foreigners and Czech citizens) or illegal stay of foreigners on the territory of the Czech Republic. Thus, two distinct categories have been statistically observed – illegal border crossing (since 1993) and illegal stay (since 2000). However, the latter one also includes cases when illegal stay of foreigners is ascertained on the borders when leaving the country (e.g. on an expired permit/visa). Statistics on persons apprehended for illegal migration is available in the Annual Migration Report of the Ministry of the Interior and can be disaggregated by many variables – for example direction of the border crossing, region and place of apprehension, citizenship, type of illegal migration.

The development of illegal migration, or more precisely of the number of persons apprehended for illegal migration, in the period 2000 – 2007 is presented in the table 8.

Table 8 Persons apprehended for illegal migration, Czech Republic, 2000 - 2007

		2000	2001	2002	2003	2004	2005	2006	2007
Illegal border crossing	<i>Foreigners</i>	30,761	21,090	12,632	11,125	9,433	4,745	3,676	2,837
	<i>Czech citizens</i>	1,959	2,744	2,109	2,081	1,262	944	695	547
	<i>Total</i>	32,720	23,834	14,741	13,206	10,695	5,689	4,371	3,384
Illegal stay	<i>Foreigners</i>	22,355	18,309	19,573	21,350	16,696	9,800	7,117	4,712
Illegal migration of foreigners - total		53, 116	39,399	32,205	32,475	26,129	14,545	10,793	7,549

Source: Zpráva 2001, 2002, 2006, 2007, 2008

The amount of foreigners apprehended for illegal border crossing has decreased by 91% in the analyzed period (see table 8), however, there is no evidence whether it has been so due to a real overall decrease of illegal movements, or due to improved methods and strategies of irregular migrants that make their apprehension less probable (e.g. use of false documents, smugglers – see Jandl 2007). Last year, out of 2,837 apprehended foreigners for illegal border crossing 73% (2,080) were third country nationals – mostly Vietnamese (418), Ukrainians (336), Moldovans (179), Turkish (139) and Chinese (138). They were mostly apprehended when leaving the Czech Republic towards Germany and Austria.

Regarding the illegal stay of foreigners, the decrease of the size of apprehended population was also remarkable of 79% (see table 8). The structure of apprehended persons for illegal stay by nationality is different to the one of illegal border crossing reflecting different types of irregular migration. In 2007 the most numerous groups apprehended for illegal stay by nationality were by far Ukrainians (2,904), followed by Vietnamese (345), Chinese (176), Mongolians (174) and Russians (150).

However, no information is available on the number and quality of controls of the Alien Police, hence it is impossible to relate the aforementioned numbers directly to the real development of the phenomenon. Furthermore, no ratio of intercepted to total illegal entries (or stock) has been set. Since the Czech Republic joined the Schengen area in December 2007, the process of irregular/illegal migration (especially illegal border crossing) might

undergo several changes and hence producing estimates based on these figures could be even less feasible.

■ Estimates of irregular/illegal employment of foreigners might be based on data from labour controls (see table 9) performed mostly by local labour offices. However, local labour offices have no specifically set or unified method of how to perform the controls, thus, generalization of their results is highly problematic, if not impossible.

Table 9 Labour controls performed by labour offices, Czech Republic, 2001 – 2006

	2001	2002	2003	2004	2005	2006	2007
Number of all labour controls	11,238	11,078	10,597	9,845	9,933	10,424	10,559
Number of controlled foreigners *	-	11,188	9,833	9,889	9,534	12,094	21,897
Number of detected illegally employed foreigners	2,349	2,317	2,547	1,646 **	2,017**	3,788**	3,825**

Source: Čermáková, Lachmanová 2008, Zpráva 2008

Notes: * Number includes citizens of EU/EEA.

** Number includes illegally employed foreigners, as well as unregistered foreign employees – i.e. EEA nationals or foreigners with no work permit obligation whose employers did not inform labour office about their employment. Thus, data are not fully comparable with the pre-2004 period.

Comparing the number of controlled foreigners with the official statistics of legal foreign employees in the given years, the ratio of controlled foreigners has been steadily decreasing throughout the period. Approximately 23% of controlled foreigners were detected as being employed illegally (or unregistered). Concerning the structure of illegally employed foreigners by nationality in the period 2002 - 2006, Ukrainians and Slovaks highly dominate (5,600 detections, 4,266 respectively), followed by Vietnamese (420 persons), Romanians (279 persons), Moldovan (250) and Bulgarian (242) workers.

■ Similarly, data on irregular entrepreneurial activities of foreigners can be obtained from controls of local trade offices (as presented in table 10). However, the same problems and limitations concerning the generalizeability do appear.

Table 10 Controls performed by local trade offices, Czech Republic, 2001 – 2006

	2001	2002	2003	2004	2005	2006
Number of controls of foreign entrepreneurial subjects	21,327	11,473	9,835	10,933	10,825	9,645
Number of detected infringements of the Trade Act	-	-	2,962	4,736	4,747	3,396
Number of cancellations (suspensions) of trade license (of foreign entrepreneurial subjects)	9,025	2,066	638	1,219	838	406

Source: Čermáková, Lachmanová 2008

■ State reaction to irregular migration and other foreigners' activities that break the law can be seen on the data concerning expulsion of foreigners. There are two types of expulsion. Administrative expulsion can be ordered to foreigners who illegally entered or stayed, performed illegal economic activities or if they pose a threat to national security. After the issue of an administrative expulsion foreigners are usually obliged to leave the country within certain period of time (e.g. several days). Expulsion by court is a sentence that is ordered by a court in relation to one or more criminal offences that were committed by a foreigner. Data on persons who were expelled (by both types of expulsion) from the country is collected by the Alien Police (see table 11). However, only very limited number of those administratively expelled do really leave the country (e.g. not all are deported - see low numbers of implemented administrative expulsion). Furthermore, asylum channel is a further possibility how to avoid immediate expulsion.

Table 11 Expulsions, Czech Republic, 2000 - 2007

	2000	2001	2002	2003	2004	2005	2006	2007
Number of foreigners expelled by court	1,242	761	1,350	1,993	2,068	2,252	1,951	1,609
Number of foreigners administratively expelled	10,042	11,064	12,700	14,176	15,194	10,094	6,960	4,629
Implemented administrative expulsion	1,065	2,258	1,481	593	433	761	665	245

Source: Zpráva 2008

■ Unfortunately, census data cannot be used as a background data source for estimations as only legally staying foreigners were meant to be counted. Furthermore, no regularization has taken place in the Czech Republic so far and it is not even planned for the coming years.

■ Data on emigrated persons from source countries could possibly serve as a valuable source of information. However, emigration statistics of most countries are thought to be rather unreliable and inaccurate, hence of limited use.

II.1 Most relevant studies

Estimating the size and composition of irregular migrant population has never been the main research topic of any survey conducted in the Czech Republic since 1990s. Most of published estimates were rather “guesstimates” not based on a reliable method, neither with a clear definition of the target group, nor with a fixed time frame. The range of estimates, thus, varied from about 17,000 to 300,000 irregular migrants living in the Czech Republic.

The lack of relevant literature on the size of the phenomenon is tied to an insufficient level of knowledge on the irregular migration in the Czech Republic in general. The topic has not been studied much in its full extent but rather selected aspects have been partially covered (for example the system of irregular employment among Ukrainian workers – Nekorjak 2006, Černík 2006, Čermáková 2008, Čermáková, Nekorjak 2009; irregular employment of foreigners vis-à-vis the experience of state institutions – Kroupa *et al.* 1997, Horáková *et al.* 2001; or trafficking and smuggling – Pechová 2007, Černík *et al.* 2005, Trávníčková *et al.* 2004). For recent results of a more complex irregular migration research see Drbohlav (2008a).

Concerning the estimate of irregular migrant population, there are only three studies that tackled the issue in more detail.

■ The article of **Drbohlav (2003)** was an overview of trends and characteristics on the field of labour migration in the Czech Republic based on his previous studies (e.g. Drbohlav 1997, Drbohlav *et al.* 1999) and interviews with representatives of the Ministry of Labour and Social Affairs and of the Research Institute of Labour and Social Affairs. Within this study he published an influential estimate of irregular migrant population in the Czech Republic, and further elaborated the situation in the capital city of Prague. Moreover, he came up with a clear, though simplified, description of basic characteristics of most important ethnic communities concerning their role in the Czech economy.

■ A Delphi study on irregular migration and migrants' irregular economic activities in the Czech Republic¹⁰ (**Drbohlav, Lachmanová 2008a**) was carried out within a multi-approach project “International Migration and Irregular Economic Activities of Migrants in the Czech Republic in a Broader European Context” (financed by the Czech Ministry of Labour and Social Affairs – see Drbohlav 2008a).

The Delphi method is an interactive qualitative research technique. The experts' opinions are collected through a series of questionnaires interspersed with controlled opinion feedback. The panel of experts (respondents) should reflect a broad range of experience and a variety of opinions on the topic under investigation (cf. the CLANDESTINO Methodological report).

The Delphi study itself comprised of two rounds of questionnaires. The panel comprised of 32 respondents in the first round (November 2005 – February 2006) and 23 in the second round

¹⁰ The survey was prepared in cooperation with the Austrian MIGIWE team (led by Michael Jandl) and a Hungarian team led by Judit Juhász.

(May – June 2006). Only Czech experts dealing with the topic of international migration were addressed. The structure of the first round panel was a diversified one – its composition was as follows: academic and research circles (N=13), governmental organizations (N=6), non-governmental organizations (N=8), international organizations (N=2), 1 politician, 1 businessman and 1 representative of trade unions.

Not only the size and structure of irregular migrant population were surveyed, but other topics were asked about as well (for example forms of and reasons for migrants' irregular economic activities, or desirable and feasible policy measures curbing irregular migration and migrants' irregular economic activities) (for more see Drbohlav, Lachmanová 2008a).

■ The third study to be mentioned is a pilot methodical draft rather than a study since no results have been reached yet. **Drbohlav and Lachmanová (2008b)** are currently (June 2008) conducting a survey on the number of irregularly residing immigrants in Prague¹¹. Thus, an estimation of the size of irregularly residing migrant population is the main issue of the survey.

Briefly, the survey is based on a field work in selected Prague localities aiming at finding out (via observation and interview method) the real number of inhabitants, and of foreigners specifically (regardless their legal status) living in the given locality. The observed numbers are then compared with official numbers for the given locality. A difference between the official and observed numbers of foreigners can be (with certain limitations however) thought of as the number of irregularly residing foreigners which can be further relate to the total population of the given area. Due to a typological selection of localities and the GIS methods, the shares of irregularly residing migrants can be generalized for the whole population living in the given type of locality in Prague. Hence, the total number of irregularly residing foreigners will be a sum of irregularly residing foreigners in the given types of localities. Despite being burdened by many methodological and practical problems, it might possibly serve as a research tool for, at least, a micro-level study on the size of irregularly residing migrant population. However, its feasibility is only currently being tested.

¹¹ It is referred to as the “window method” within the CLANDESTINO Methodological report.

II.2 Estimates, data and expert assessments on stocks

II.2.1 Total stocks

■ **Drbohlav (2003)** estimated that in the year 2000 there could possibly be from about 295,000 to 335,000 irregular immigrants in the Czech Republic (besides the stock, this estimate includes also estimates on migrants “on the move” who may also be understood as a flow type data – see below)¹². The estimate was composed of about 165,000 estimated undocumented foreign workers with 30,000 dependents. Their numbers were mainly based on author’s previous studies (e.g. Drbohlav 1997, Drbohlav *et al.* 1999) and his interviews with representatives of the Ministry of Labour and Social Affairs and of the Research Institute of Labour and Social Affairs. Furthermore, the number of transit migrants “on the move” through the Czech Republic (100,000 – 140,000 people) was taken over from the IOM publication (IOM 1994). His estimate can be further found in other publications (e.g. Drbohlav 2004 and 2005, Commission staff working paper 2007, Honusková *et al.* 2004).

He further elaborated the situation in the capital city of Prague and its surroundings claiming that there could be about 80,000 irregular immigrants staying in this most important destination region in terms of the Czech Republic.

Discussion

The weak point of this estimate is the lack of description of author’s composite estimation method within the article. However, lately in an interview the author explained that within his underlying surveys (Drbohlav 1997, Drbohlav *et al.* 1999) about 40% of respondents were repeatedly irregularly working migrants. Although the surveys were not representative, he came to the conclusion that the ratio between legal and irregular workers might be about 1:1. As there were 165,000 of legally economically active foreigners, he estimated that the number of irregularly working might be about the same.

As for Prague, the author respected an often applied direct relationship between spatial distribution patterns of legal and irregular migrants. Hence, the estimated figure (80,000) was based on a very strong concentration of certain (legal) immigrant groups to the capital.

On the other hand, it was one of the estimates, if not the only one, that elaborated on the total number of irregular migrants in more detail (e.g. subgroups by “type” of irregularity, or the

¹² This estimate is a further elaboration and re-assessment of estimations published in 1999 and 2001 (Drbohlav *et al.* 1999, Drbohlav 2001).

estimation for Prague). Furthermore, he defined the target groups of his estimate and fixed the estimate to the particular year (2000).

■ Within the Delphi study (**Drbohlav and Lachmanová 2008a**) the issue of the probable current size of illegally¹³ economically active migrant population in the Czech Republic was tackled. Experts were offered a list of options in the form of ranges, from which they could select the most likely option. The results (table 12) show that the experts differed in their estimates to quite a significant degree. While one-third estimated the count to be between 40,000 and 99,999 individuals, approximately one-fifth believed that the number exceeded 200,000 individuals. There was thus no consensus in the eyes of the experts when it came to this sensitive question. However, 89% of respondents thought the number to be higher than 40,000 individuals.

Table 12: Estimated number of illegally economically active migrants (Delphi First Round, N=27), Czech Republic, 2006

Estimated number of illegally economically active migrants in the Czech Republic (count)	Respondents' answers (in %)
Less than 39,999	11
40,000-99,999	33
100,000-149,999	19
150,000 – 199,999	19
More than 200,000	19

Source: Drbohlav, Lachmanová 2008a

Discussion

The method used was sufficiently described. However, no single number could be derived from these results. It rather showed how much the experts' opinions on the topic are varied.

■ **Horáková and Kux (2003)** in their study on informal economy in the Czech Republic argue that the extent of the informal sector (including Czechs as well as foreigners) is at least 5% of the total reported number of work force. They estimate the number of irregular foreign workforce (unlawfully employed) to reach 20,000 at a minimum, maybe even twice as much.

¹³ Migrants involved in illegal economic activities were defined as migrants who do not have the appropriate residence permit and work/business permit, or have a valid residence permit (e.g., tourist visa) but are working illegally (does not have a work permit or a trade licence) (Drbohlav, Lachmanová 2008a).

They based their estimate on the results of controls by labour offices and Alien and Border Police.

Discussion

Only the number is presented with no specification of the method of counting of the estimate.

■ **Horáková (2005)** alone published later a similar estimate of irregular foreign workers based on official statistics of labour offices controls. She claims that in 2004 out of 4,158 foreign workers (including EU citizens) who were controlled about 15 % were employed in breach of labour regulations. Then she applies this share on the overall number of employed foreigners (108,000 persons in 2004). Thus, the possible number of irregular foreign employees could reach 17,000 people.

Discussion

Horáková elaborated more on the method used (compared to the estimate Horáková, Kux 2003). However, it does not seem to be a fully appropriate method since the selection of units to be controlled by labour offices is not made on a representative basis. Hence generalization of the share of persons detected as illegally working is a highly problematic approach.

■ Within the same research project as the above mentioned Delphi study, migrants' irregular (illegal and quasi-legal) economic activities were studied from the viewpoint of local labour and trade offices (**Lachmanová 2008**). A brief enquiry was conducted in June – July 2007. The main aim was to get subjective, as well as experienced “local” information on foreigners' irregular work and irregular entrepreneurial activities. All directors of district labour offices (77 units) and of trade offices located in district centers (72 units) were addressed via a questionnaire. They were asked to fill in the questionnaire according to their subjective experience and knowledge of the local labour market. However, this seemed to be rather problematic as several respondents adhered to their official data (from labour and trade controls) and were unable to present their subjective view on the phenomenon.

Finally, 68 respondents from labour offices (each from a different district) took part. The high response rate might have been due to a strong support by the Ministry of Labour and Social Affairs (a support letter was attached to the questionnaire). On the other hand, only 51 trade offices representatives responded out of which 15 did not participate in the enquiry stating that they did not have enough experience with the given phenomenon. Thus, due to the low response rate only results from the enquiry of the labour offices will be further presented.

The questionnaire was designed in order to get the basic information on several aspects of irregular¹⁴ work of third country nationals. Concerning the estimates, each respondent was asked to estimate the number of third country nationals (TCN) working illegally and the share of quasi-legally working TCN within his/her administrative unit. However, the interpretation of the results is limited due to lower response rate and the fact that certain respondents did not indicate their estimate but rather presented the official numbers of illegally working foreigners who were detected during the labour controls. Besides, respondents from districts around large cities (Prague, Brno, and Ostrava) where a higher incidence of irregular work is assumed did not answer the question.

The estimates (N=54) of illegally working TCN in Czech districts varied from 10 to 1,000 foreigners. The largest estimates, in terms of a few hundred, were made for Central Bohemian districts (around Prague) and several districts in western and northern parts of the Czech Republic. Altogether, the sum of estimates for 54 districts, however omitting the largest cities, reached about 8,300 illegally working TCN.

The estimates were further related to the number of legally working foreigners in the given districts and the Pearson correlation coefficient was calculated. It reached 0.427 (significant at the 0.01 level). Thus, a certain, however limited, relation between territorial distribution of legal and irregular workers in the Czech Republic has been proved.

Concerning the size of the pool of quasi-legal workers, their share on the number of legally working foreigners in the district was estimated (N=55). The variability of the estimates was high from less than 1% up to 60%. According to respondents from district labour offices, on average about 17% of officially registered foreign workers breaches the law, thus performing a quasi-legal work. No straight regional pattern was found. Perhaps, it seemed that in Central Bohemian districts the share of quasi-legal workers might be higher than the average.

Discussion

The method used was sufficiently described. However, it was burdened by the fact that several respondents (it was not possible to distinguish precisely how many) were unable to fill in the questionnaire according to their subjective experience and knowledge, thus, only

¹⁴ The definition of irregular work that was attached to every questionnaire followed the same logic as in the Delphi survey. Hence, irregular work was of two types. Migrants performing illegal work were defined as migrants who do not have the appropriate work permit – they could or could not have a residence permit. On the other hand, quasi-legal work is carried out by migrants who have a valid residence permit and a work permit but breaches laws (Labour Act, etc.) in a severe manner, e.g., works in a different region, branch, profession or for a different employer than permitted.

presented their official data from controls. This was particularly visible when it came to estimate the number of irregularly working foreigners. As one of the respondents admitted, if he/she indicated to have a large number of irregular workers within his/her administrative unit, it would suggest that he/she is not working properly. Hence the interpretation of the results is limited.

■ An overview of estimations of the number of irregular foreign workers that were made during 1990s can be found in Fassmann's publication about shadow economy and black labour (**Fassmann 2007, p. 253**). The author states that in 1996 a highly influential estimate of 100,000 illegally working foreigners with a tendency to grow was made by Horálek (Horálek 1996 in Fassmann 2007). This estimate was then further quoted many times, although Horálek himself has never specified his estimate.¹⁵

Fassmann further claims that other estimates of 130,000 – 150,000 (Korbel 1997 in Fassmann 2007) and of 250,000 (Vavroň 1998 in Fassmann 2007) illegally working foreigners were made, again with no information on the creation of the estimate. In spite of presenting many important aspects of the informal economy in the Czech Republic, Fassmann himself does not make any conclusions concerning specifically the informal economy of foreign workers.

Discussion

All three estimates mentioned in Fassmann's book can be viewed as unreliable as they did not specify how the number had been constructed. Especially in Horálek's case, it seems striking that although it was not clear how the author got the number, his estimate has been later taken over many times.

■ **The Ministry of Labour and Social Affairs (1998)** in cooperation with the Research Institute of Labour and Social Affairs and the Department of Demography and Geodemography (Charles University in Prague), and with the contribution of several ministries prepared "Report on the State of Population and Development of the Czech Republic" as a material for the 21st Special Session of the UN General Assembly in New York, 1999. The issue of irregular migration was briefly touched there as an estimation of 100,000 irregular labour migrants was included (Ministry of Labour and Social Affairs 1998). Further in the report, it was claimed that irregular/illegal migration as well as transit migration were on the increase.

¹⁵ In his later study, Horálek claims that there are 80,000 to 100,000 illegally economically active foreigners. But no source or method is presented.

Discussion

The estimation is highly unreliable as no source and method used are mentioned. However, it can be only guessed that the source of the estimate might be Horálek's estimate (mentioned above) as the Research Institute of Labour and Social Affairs (the institution where Horálek worked) cooperated on the preparation of the Report.

■ The Ministry of Labour and Social Affairs has no recent official estimations concerning irregular foreign workers, however, its former **Minister Mr. Nečas** (2007) admitted at a demographic conference in May 2007¹⁶ that the size of the population of irregular migrant workers might be comparable to the size of legal foreign workers in the Czech Republic.

Discussion

To quantify his estimate, there were 240,000 employed foreigners or 309,000 legally economically active foreigners (Czech Statistical Office b) at the end of 2007, thus the size of irregularly/illegally employed or irregularly/illegally economically active foreigners (depending to which category he related his estimate, which is not clear) could have been at about the same level. However, no information is available concerning the reason why the multiplier 1 in relation to the legal workforce should be adequate.

■ In the study “Mobilita pracovní síly před a po vstupu ČR do EU” (*Mobility of Labour Force before and after the Accession of the Czech Republic to the EU*) **Vavrejšnová (2004, p. 202)** states that it is estimated that about 100,000 irregular foreign workers are active on the Czech labour market.

Discussion

Neither information on the method, nor the direct source of the estimate are presented. We asked the author for a specification of her source. The number had been taken from a migration analysis that had been posted on the website of the Ministry of the Interior. However, its name is unknown and it is not posted there any more according to Mrs. Vavrejšnová. It could be assumed, though, that it might be a replication of Horálek's estimate.

■ In the Introduction chapter, **Wallace and Stola (2001, p. 33)** talk about 200,000 illegal foreign workers in the Czech Republic, which they presented as an official estimate. Authors

¹⁶ Official speech of the Minister of Labour and Social Affairs Mr. Nečas at the conference “Demografický vývoj v Evropské unii a v České republice: Hrozba? Výzva? Příležitost?” (*Demographic Development in the European Union and the Czech Republic: A Threat? A Challenge? An Opportunity?*) that took place at the Senate of the Parliament of the Czech Republic, May 9, 2007 (Nečas 2007).

further claim that this is “as many as work permit and business authorization holders combined” (*ibidem*).

Discussion

It is not clear how the authors got the number as the total legal foreign employment in 2000 was about 165,000 person, and even in 2001 only 168,000 persons (Czech Statistical Office b). However, no source is quoted.

■ In a short article, **Pospíchalová (2005)** claims that there are certain estimates that put the number of irregular migrants in the Czech Republic at about 250,000 people. She further infers that most of them are Ukrainian workers. The same number appeared in Pospíchalová’s interview with the director of the Prague IOM office Mrs. Sládková (Pospíchalová 2006), however, with a rather different connotation. Mrs. Sládková claimed that this was an estimate of Czech academics who believed the number of irregular migrants to be the same as the number of legally staying migrants, thus, at that time (2005) of about 250,000 people. Nevertheless, Mrs. Sládková added that she thought the number to be highly exaggerated and according to her personal estimation (based on experience of other states and other IOM missions) the number did not exceed 100,000 people.

Discussion

For the number 250,000 no source is quoted. Based on Mrs. Sládková’s suggestion, we assume that she was talking about Drbohlav’s estimate (2003). However, the original estimate was fixed to the year 2000. The estimation of Mrs. Sládková is rather a subjective opinion, however of a top expert in migration issues.

■ A recent study on factual population of Prague (**Burcin et al. 2008, p. 14**) devoted one of its chapters to foreigners not included in regular population statistics, mostly irregular migrants. Obviously, stock estimates were not made to the whole Czech Republic, but as Prague is the capital we think it is an estimation worth mentioning. The authors based their estimate of irregularly economic active foreigners working in Prague on a hypothesis mentioned by Drbohlav (2003) that the numbers of legally and irregularly working foreigners are alike. At the end of 2006 there were 80,000 economically active foreigners at the Prague labour market. Hence the authors estimated that there might have been from 40,000 to 90,000 irregularly economically active migrants working in Prague. Out of them one-fourth to one-third might live outside the administrative borders of Prague as there are located many dormitories for foreign workers.

Discussion

The method of the stock estimate is briefly sketched, however, it is unclear how the estimation for “commuters” was calculated. On the other hand, the estimates are fixed to the year 2006.

II.2.2 Gender composition

No estimate tackled the issue of gender composition of irregular migrants in the Czech Republic. The ratio of men and women is thus unknown, although there are some signs that both sexes do participate in irregular migration.

Certain background information could be gathered from the Alien Police data, however, information on sex of apprehended persons for illegal migration is not publicly available.

Furthermore, in 2006 within the labour controls of labour offices there were 4,069 foreign women controlled (out of 12,094 controlled foreigners) and 543 women out of 1,701 foreigners were found to be illegally employed. That means that illegally employed¹⁷ women represented 32% of all illegally employed foreigners (Kontrolní 2006). Nevertheless, the problem is that no labour controls take place in private households (due to problematic legislative measures) that for sure keeps the share of women lower.

The hypothesis that women’s involvement in irregular migration (employment) is not negligible can be further supported by the structure of respondent population of a survey, though not a representative one, of 159 irregular economically active foreigners (Dzúrová, Čermák 2008). The share of women within the sample was 49%. However, it is only background information – no conclusion about the gender composition can be based on it.

II.2.3 Age composition

There are no estimates for the age composition of irregular migrants. Only within the estimate of Drbohlav (2003), we can find that to about 165,000 undocumented foreign workers there are further 30,000 of their undocumented dependents. Thus, it can be assumed that most of these undocumented dependents could be children.

Within the officially published statistics on apprehended persons for illegal migration, the age composition is not included. However, as Lukášová (2007) mentioned (using official database

¹⁷ Undocumented employment of EEA nationals were not counted.

of the Alien Police) the share of economically active foreigners among those apprehended for illegal migration was about 93% in 2006, 5% represented migrants under 15 years of age, whereas seniors (older than 60 years) represented 3%. This data only reflects the situation among foreigners apprehended for illegal migration while not being representative in statistical terms.

II.2.4 Nationality composition

Regarding the nationality of irregular migrants, Ukrainian citizens are the most numerous groups according to most estimations, as well as official data (see Introduction of Part II). However, there are only three estimates that elaborated more on the composition of the pool of irregular migrants by nationality (Drbohlav, Lachmanová 2008a, Drbohlav 2003 and Lachmanová 2008). Other estimates were targeted only on a single nationality, mostly Ukrainians.

■ One task of the Delphi study (**Drbohlav, Lachmanová 2008a**) was to specify the structure of migrants that are involved in illegal economic activities¹⁸ in the Czech Republic. In the first round, experts were asked to list the proposed countries in order of their importance as countries of origin of illegally working migrants in the Czech Republic. In the second round, the experts were provided with the summarized results from the first round. They had the opportunity to review their own positions with regard to the opinions of others concerning the importance of listed source countries. They could change the order of importance of all of the given source countries, or could re-assess their opinion only on three countries (Russia, Moldova, and Bulgaria) which were evaluated variably in the first round – their standard deviation reached the highest values. Twelve respondents took advantage of the opportunity to re-evaluate their opinions on the sequence of the countries. Results of both rounds are presented in table 13.

¹⁸ For definition see footnote no.13.

Table 13 Country of origin of migrants (according to their citizenship) performing illegal economic activities (Delphi First Round; N=24; Delphi Second Round; N=12), Czech Republic, 2006

Country of origin	Sequence (Delphi First Round)	Standard deviation (Delphi First Round)	New sequence (Delphi First Round and Second Round)	New standard deviation (Delphi Second Round)
Ukraine	1	0.20	1	
Vietnam	2	2.16	3	
Moldova	3	3.08	4	2.43
Russia	4	3.31	2	1.18
Belarus	5	2.84	5	
<i>Slovakia</i>	6-7	4.89	6-7	
Other countries of the former USSR	6-7	2.81	6-7	
Romania	8-9	2.49	9	
Bulgaria	8-9	3.26	8	2.63
China	10	2.77	10	
Countries of the former Yugoslavia	11	2.77	11	
<i>Poland</i>	12	3.34	12	
Albania	13	2.51	13	
USA	14	2.95	14	
Canada	15	1.50	15	

Source: Drbohlav, Lachmanová 2008a

Note: Slovakia and Poland were both on the original list of evaluated countries. However, as these countries have been members of the EU since 2004, they have a special status (governed by different directives, rules, and practices in relation to immigration) and were excluded from further evaluation. It is also important to keep in mind that, at the time the research was performed neither Bulgaria, nor Romania were members of the EU.

According to the experts, Ukraine was undoubtedly the most important source country of illegally employed migrants in the Czech Republic. The panellists also reached a fairly high consensus in their opinions regarding that Vietnam and some of the countries of the former Soviet Union (specifically, Moldova, Russia, and Belarus) were amongst the most important source countries. On the other hand, Canada, the United States, and Albania were not at all important. Bulgaria and Romania were somewhere in the middle between these two polarized groups. It is worth mentioning that the re-evaluation of the sequence of the countries that took place during the second round of the Delphi research more or less confirmed the original results from the first round (in an even more coherent pattern), whereby Russia strengthened its position as a source country – it moved from fourth place to second.

Discussion

The method used was sufficiently described. However, the structure of illegally working migrants by nationality, or rather by country of origin was only sketched. We can only derived out of it which are the most important source countries, but no detailed information on the numbers or shares of irregular immigrants coming from these countries is available.

■ In terms of the whole Czech Republic, **Drbohlav (2003)** expressed only an estimate on the number of Ukrainian irregular workers, no other nationality was mentioned. He presumed that irregularly working Ukrainians might equal the number of their legally working countrymen in the Czech Republic in 2000.¹⁹ However, he further elaborated on the situation in the capital city of Prague and its surroundings claiming that there could be about 80,000 irregular immigrants staying in this most important destination region in terms of the Czech Republic (see p. 27). According to his estimation, derived from the character of the spatial and functional setting/organization of ethnic groups, the most numerous groups of undocumented non-transit migrants within the Prague area were North Americans (10,000 – 20,000), Ukrainians (20,000), Chinese (10,000 – 20,000) and Western Europeans (10,000). Further 10,000 transit migrants (without nationality specification) could stay in or around Prague. The Prague area represented a region of high concentration of undocumented migrants of above mentioned ethnic communities with the exception of Ukrainians and transit migrants who were supposed to operate throughout the entire country (Drbohlav 2003).

Discussion

The weak point of this estimate is a vague description of the estimation method. Again, no overview of the structure by nationality is presented on the national level, only sub-estimates for certain nationalities operating in Prague and its surroundings were made.

■ In the enquiry of labour offices (**Lachmanová 2008**), a question on nationalities of TCN which are most frequently involved in irregular work within the district was asked. Respondents were to list three nationalities for illegal work and the same number for quasi-legal work. Ukrainian nationality was mentioned in 67 districts out of 68 districts/respondents for the particular question in relation to illegal work and in 65 districts out of 65 in terms of quasi-legal work. Then, Moldovan and Vietnamese nationality followed (both were mentioned by 40% of respondents in relation to both types of irregular work). Other nationalities involved in irregular work were mentioned to be Belarusians, Chinese and

¹⁹ There were 50,000 legally registered Ukrainians staying in the Czech Republic as of December 31, 2000 (Czech Statistical Office b).

Mongolians. The study concludes that there seems to be a great similarity between the ethnic structure of illegal and quasi-legal TCN workers within the Czech districts.

Discussion

The same critical remark as on the Delphi survey pertains to the above mentioned estimates. Thus, we cannot tell how the overall structure of irregularly working migrants by nationality look like as no information on the size or share of each nationality is presented. We can only assume which are the most important nationalities of irregularly working migrants.

Ukrainians

■ One of the estimates of the number of illegally working Ukrainians in the Czech Republic is an expert evaluation of the Ukrainian Ministry of Foreign Affairs (based on estimation of the Ukrainian embassy in the Czech Republic). It puts the number of Ukrainian illegally working migrants in the Czech Republic to 100,000 people (**Karpachova 2003**).

Discussion

It is said to be an expert estimate, however, no detailed information on the method or the time frame are available to us.

■ Within the report “Research on Trafficking in Human Beings in particular for the Purpose of Forced Labour” (**Intermundia 2005, p. 6**) it is claimed that according to a study that was written by the Centre of Strategic Studies there might be about 300,000 Ukrainians living in the Czech Republic.

Discussion

It is not an estimate as such but rather an unquoted citation. The method of the original estimate, as well as the time frame are unclear as we were not able to find the original study.²⁰

■ An IOM publication “Migration Perspectives – Eastern Europe and Central Asia” (**Rios 2006**) presents the Czech Republic as one of the top five destination countries for Ukrainian migrants with approximately 150,000 Ukrainian migrants living there. GCIM 2005 is quoted

²⁰ Firstly, there was not a proper reference to this study, hence the exact name is not known. Secondly, the Center of Strategic Studies has been closed down, thus no information from their site could have been given. And finally, the person responsible for writing the Intermundia study (who took over the estimate from the original study) was not able to find the original study.

as a source of this estimate (Rios 2006, p. 119), however it is not included in the references, hence we do not know the exact source.²¹

Furthermore, there is a quotation of Agence France Press²² (Rios 2006, p. 121) that more than 100,000 Ukrainians worked, including some illegally, in the Czech Republic.

Discussion

Concerning both estimates, the method is not known and in both cases the original source of the estimate could not have been found. However, if we compare the number cited by Agence France Press (100,000) with the real number of Ukrainians in legal employment in the Czech Republic in the year of publication of the estimate (2005) which was 61,000 people (Czech Statistical Office a) it would imply that there were further 40,000 Ukrainians working illegally.

■ When analyzing Ukrainians and their community life in the Czech Republic, **Leontiyeva (2006, p. 41)** found on the website of a Ukrainian civic association called “Forum Ukrajincu ČR” (Forum of the Ukrainians Czech Republic - <http://ukraine.cz/>) that according to their knowledge there were more than 200,000 Ukrainians living in the Czech Republic.²³

Discussion

No detailed information to the original “estimate” is available.

Vietnamese

■ According to **Haišman (2001, p. 2)**, the representatives of the Vietnamese-Czech Association estimated that at the end of the 20th century more than 70,000 Vietnamese were residing in the Czech Republic.

Discussion

Comparing the estimate with official figures for the year 1999 there were only 25,000 Vietnamese with registered residence (Czech Statistical Office b), hence 45,000 Vietnamese could have resided illegally in the Czech Republic. However, no detailed information about the creation of the “estimate” is available.

²¹ Earlier in the book, there is a reference to the report of the Global Commission on International Migration “Migration in an Interconnected World: New Directions for Action” (2005), thus we assumed that this report did serve as a source of the estimate. However, when looked deeply in the GCIM report, no traces of such an estimate have been found.

²² Agence France Presse (2005): Czech Government Considers Foreign Office to Curb Illegal Immigration, December 13, 2005.

²³ The quoted internet link of the estimate is not active anymore, hence no detailed information is available

■ **Kocourek (2006, p. 51)** claims that according to some Vietnamese residents in the Czech Republic there are 60,000 to 70,000 Vietnamese living in the country.

Discussion

In 2005, there were already 37,000 legally residing Vietnamese (Czech Statistical Office b), which would imply that the number of illegally residing Vietnamese might have decreased to about 23,000-33,000 individuals. As was the case above, no detailed information on the estimate is available.

Moldovans

■ According to Moldovan professor Valerij Mosnjaga (**Mosnjaga, Lupták 2008**) there might be about 6,000 to 10,000 Moldovan workers currently working in the Czech Republic (in 2007). His estimation is based on surveys of Moldovan research agencies that were conducted in the period 2003 – 2005. Their results showed that about 1% of Moldovan workforce works on a long-term basis in the Czech Republic (Mosnjaga, Teoca 2006). He further claims that the actual number of Moldovan labour force in the Czech Republic might be even higher as not only long-term workers are in the Czech Republic, but there are “transit workers” as well who work in the Czech Republic only temporarily as their final destination are countries of the EU-15.

Discussion

Unfortunately, Mosnjaga’s estimation does not specify at all the status of the given migrants. Comparing the aforementioned number of Moldovan workers on the Czech labour market with official employment statistics (there were 6,433 Moldovans working or running a business at the end of 2007 – Czech Statistical Office b), we get about 4,000 undocumented Moldovan workers working on a long-term basis in the Czech Republic. However, the number might be higher due to short-term workers.

The estimation of the overall number of Moldovan workers in the Czech Republic is based on an appropriate method (surveys of labour migrants in Moldova). It is, however, very problematic to transfer the estimation in time to 2007 (if it was made in 2003 – 2005) without any comments and re-assessments.

II.2.5 Economic sector composition

■ Within the Delphi survey (Drbohlav, Lachmanová 2008a), the respondents also estimated the possible overall sectoral structure of illegal economic activities carried out by migrants (table 14).

Table 14 Sectoral structure of illegal economic activities carried out by migrants (Delphi Round Two, N=20), Czech Republic, 2006

Economic Sector	Sectoral structure of migrants involved in illegal economic activities (mean values in %)
Construction	41
Hospitality and accommodation services	13
Domestic services (cleaning, care provision, etc.)	12
Agriculture	11
Wholesale/Retail	11
Textile industry	9
Food processing industry	8

Source: Drbohlav, Lachmanová 2008a

Note: 100% should represent the total number of all illegally economically active migrants in the Czech Republic. However, the values for individual shares are the mean values for the sector in question and thus the total does not add up to 100 %.

Construction was indicated as the most important area in which the foreign workforce is illegally employed. The next most important sectors, amongst which there is not as much of a difference in the frequency of occurrence, are: hospitality and accommodation services (hotels and restaurants); domestic services (cleaning, care provision, etc.); agriculture; and wholesale/retail. These are followed by the less emphasized textile and food processing industries. All these sectors have common characteristics, i.e., low wages, high demands on worker flexibility and a low level of attractiveness for the domestic workforce, and are traditional employers of irregular migrants in other countries that attract migration (e.g. de Tapia 2003, Castles, Miller 2003).

Moreover, the respondents of the Delphi survey were asked to identify the main sectors or areas of the economy in which illegally economically active migrants of particular citizenship are active most often. The results specify a fairly wide range of diverse sectors and areas of the economy (refer to the table 15).

Table 15 Migrants involved in illegal economic activities and the sectors/areas of the Czech economy in which they are active (Delphi First Round, N=24), Czech Republic, 2006

Migrants involved in illegal economic activities by citizenship	Economic sectors/areas
Ukraine	construction, auxiliary work, cleaning, agriculture and forestry, hospitality and accommodation services, industry
Vietnam	retail, hospitality industry, services
Moldova	construction, agriculture and forestry
Russia	construction, services, sales, hospitality industry, information technology
Belarus	construction, agriculture, services, healthcare
Romania	construction, hospitality and accommodation services, forestry
Bulgaria	construction, industry, agriculture, sales
China	wholesale, hospitality industry
Countries of the former Yugoslavia	construction, hospitality industry, agriculture and forestry, sales and services
Albania	hospitality and accommodation services, construction, goldsmith

Source: Drbohlav, Lachmanová 2008a

Note: The sequence of sectors (areas of the economy) does not indicate the significance of the specified activities.

In contrast to the manual types of labour that are performed by the above-specified groups of migrants (with Russia being the only exception), according to the experts Americans and Canadians are, in addition to services (hospitality industry), also illegally involved in more intellectually demanding activities, primarily translating and English teaching (Drbohlav, Lachmanová 2008a).

Discussion

The method used was sufficiently described. Overall structure by economic sectors was presented, as well as specification of activities for each most important nationality of migrants involved in illegal economic activities.

■ An indirect estimation of most relevant sectors employing irregular migrants, can be found in **Drbohlav (2003, p. 214-215)**. The most important groups of labour migrants (documented and undocumented altogether) were characterized in terms of type of work, social and demographic structure, and regional patterns, based on author's experience, expert interviews and literature (see table 16).

Table 16 Individual important segments of immigrant labour force in Czechia (documented and undocumented), at the end of the 1990s (simplified version of the Table 8 in Drbohlav 2003, p. 214-215)

Ethnic group/Region of origin	Form of stay, type of work	Social and demographic structure, social relations	Range/Regional pattern
Slovaks	Permanent jobs mostly, commuting within the border zone – mostly construction, within the interior – light and heavy industry, agriculture and forestry, construction, services	Workers, wide mosaic of patterns and strategies	Whole zone bordering on Slovakia, Prague and Central Bohemia, but other districts too
Ukrainians	Work permits, trade licenses, illegal workers, manual auxiliary work mainly in construction, also in industry and agriculture	Workers, young males, frequent trips to their home country	Throughout the whole country, especially large cities
Vietnamese	Trade licenses, illegal workers, small entrepreneurs/sellers, buying and selling of clothes and electronics	Quasi-middle class	Throughout the whole country, especially western border zone and large cities
Poles	Work permits, manual work in industry, construction, agriculture and forestry	workers	Zone bordering on Poland, central Bohemia
Chinese	Representatives of firms in China, small-businessman, illegally, wholesale and retail trade of apparel, shoes and light industrial goods	Strong kinship ties and social networks	Prague
North Americans	Work permits – managers, advisers, multinational companies' employees, illegally or trade licenses – English language teachers, small-scale businessman	Mixture of structures depending on the form of stay	Prague
Western Europeans	Work permits – managers, advisers, multinational companies' employees, illegally or trade licenses – Western languages teachers, small-scale businessman	Mixture of structures depending on the form of stay	Prague, zone bordering on Germany, Austria

Source: Drbohlav 2003

Discussion

The estimate was not made solely for irregular migrant workers, hence it is not clear which of the above mentioned sectors are the most important employers of irregular migrant workforce.

The description can be taken only as basic background information. Furthermore, no overall structure by economic sectors was presented.

■ A few pieces of information on the sectoral structure of irregular migrant workers can be derived from the enquiry of labour offices (**Lachmanová 2008**). A list of economic sectors was included in the questionnaire. Representatives of labour offices (N=68) were asked to choose three sectors with the highest incidence of irregular work of foreigners within their administrative unit. The most chosen sector was construction (chosen in 66 districts), followed by agriculture and forestry (chosen 28 times), production industry - except food and textile industry (chosen in 27 districts), hotels and restaurants (chosen 26 times) and trade (especially retail trade – chosen 23 times). On the other hand, quite a low incidence of irregular labour was indicated for the service sector, especially for domestic services. This might be caused by the fact that no labour controls control private households, hence the respondents' knowledge of this sector might be low.

Discussion

The information gained is only of limited value since we cannot tell how the overall sectoral structure of irregularly working migrants by economic sectors look like at the national level. However, the importance of construction sector seems to be convincingly confirmed. Furthermore, other most often mentioned sectors seem to be of great importance in terms of employing irregular foreign workers.

■ No exact estimates are included in the ILO Working paper of **Horáková (2000)**. In her view, however, petty trading, small businesses, construction, textile industry and agriculture/forestry are the sectors with large proportion of illegal foreign employment. The highest rate of illegal employment of foreign workers is in her opinion in Prague, followed by border regions close to Germany, Poland and Slovakia.

Discussion

It is not clear on what data or method she based her statements. Furthermore, it is not possible to tell which of the above mentioned sectors are of the most importance.

II.2.6 Former asylum seekers and refugee related groups

There are no estimates on the number of former asylum seekers who remain in the country after their application was rejected, or on refugee related groups. When asylum procedure is terminated, the unsuccessful applicant usually gets an administrative expulsion and is obliged

to leave the country within several days. If it is in reality done, it rests unknown. As a simple (and limited) indication of how many unsuccessful applicants there were in the Czech Republic we can use official data on asylum applicants and granted asylum in the given years (see table 17).

Table 17 Number of asylum applicants and granted asylum in the given years, Czech Republic, 2000 – 2007

	2000	2001	2002	2003	2004	2005	2006	2007
Number of asylum applicants	8,788	18,094	8,484	11,400	5,459	4,021	3,016	1,878
Number of granted asylum	133	83	103	208	142	251	268	191

Source: Zpráva 2001, 2002, 2006, 2007, 2008

Furthermore, within the Annual Migration Report the Alien Police stress the connection between asylum procedure and illegal migration (especially illegal border crossing) (Zpráva 2006). However, the number of asylum seekers apprehended for illegal border crossing has been on the constant decrease (table 18). It can be assumed that one of the main aspects of the decrease could be that the Czech Republic joined the EU (May 2004) and hence the asylum seekers in the Czech Republic could not apply for asylum in any other member state (due to Dublin Convention).

Table 18 Apprehended foreigners and asylum seekers for illegal border crossing, Czech Republic, 2000 - 2007

	2000	2001	2002	2003	2004	2005	2006	2007
Foreigners apprehended for illegal border crossing	30,761	21,090	12,632	11,126	9,433	4,745	3,676	2,837
<i>out of which asylum seekers</i>	2,805	5,056	2,067	3,489	2,129	234	205	96

Source: Zpráva 2001, 2002, 2006, 2007, 2008

Concerning the involvement of asylum seekers in irregular employment in the Czech Republic, it is thought that there are especially two legal conditions tight to the asylum procedure that increase their probability of participation in irregular employment. Firstly, it is forbidden by the law to work during the first year of the asylum procedure. Secondly, asylum seekers are given the possibility to leave asylum centre and to live in private flats. But in this case they might be financially supported by the state only for three months and only in a

limited way (1.6 times of the subsistence minimum per person). Therefore if one lives outside the asylum centre, he/she does not have any legal means to support himself/herself for the rest 9 months (Rozumková, Rozumek 2008). However, the extent of irregular work of asylum seekers is not known. According to the results of the Delphi survey (Drbohlav, Lachmanová 2008a), it is not a frequent form in terms of migrants' irregular economic activities.

II.2.7 Other groups raising specific concern

Two specific groups are raising specific concern in the Czech Republic. First of them are Ukrainian migrants involved in the so called “client system”. However, no proper estimates on the extent of such a form of irregular employment that might be even considered as a form of trafficking in human beings are available. According to survey results (Nekorjak 2006, Čermáková 2008) between 40 – 50% of Ukrainian migrants have ever experienced the client system. The second group represents victims of trafficking, especially working in prostitution. Nonetheless, no estimates were made on this group.

II.3 Estimates, data and expert assessments on flows

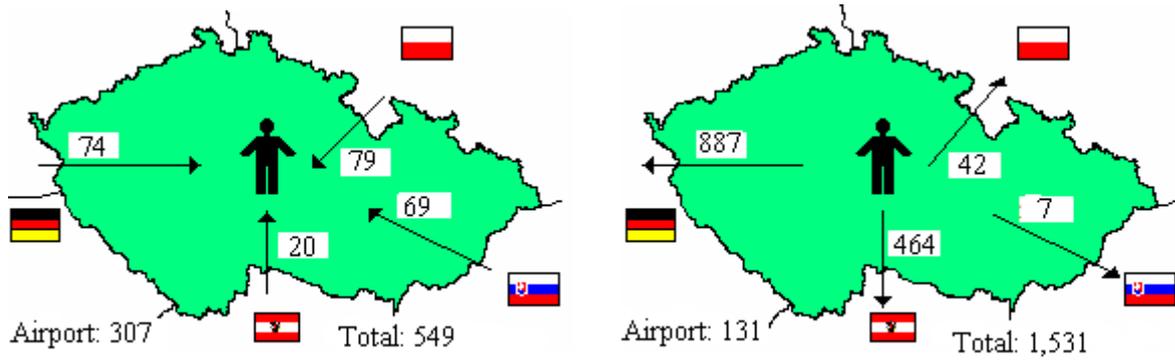
II.3.1 Demographic flows (birth and death in illegality)

There are no estimates or data available for describing demographic flows of irregular migrants. However, it is assumed that most irregular migrants do not have any health insurance valid in the Czech Republic (Jelínková 2007). Hence, to give birth in the Czech Republic “legally” means either to pay it in cash, or applied for asylum and get public health insurance paid by the state. The other option is to travel back to the country of origin and give birth there. It is possible that some woman migrants in irregular situation might give birth “irregularly” in the Czech Republic, but the incidence of such cases is unknown and probably might be very low.

II.3.2 Border related flows

There are no estimates concerning the inflows or outflows of irregular migrants for the Czech Republic. The only indicative data for this topic is the official statistics on persons apprehended for illegal border crossing (see table 8 or for more detailed information see Zpráva 2008). Illegal border crossings of third country nationals to and out of the Czech Republic in 2007 are presented in figure 1.

Figure 1: Illegal border crossing of third country nationals, Czech Republic, 2007



Source: Zpráva 2008

II.3.3 Status related flows

There are no estimates regarding the status related flows. Moreover, no indicative data have been found. One of the reasons is that there have been no regularization processes applied so far.

PART III Discussion and policy implications

Estimates of irregular migrant population in the Czech Republic are rarely produced and their character can often be considered as rather speculative. Therefore their role within the public debate and policy-making is very limited. It is impossible, thus, to deeply analyze their impact on both aforementioned spheres.

III. 1 Role of estimates of irregular migration in the Czech migration research

Before discussing the role of the estimates in policy-making, it is necessary to comment on the quality of estimates of irregular migration in the Czech Republic. We came across several problematic aspects of the estimations.

Firstly, if any estimate is made, its background is only rarely explained. Most estimates are only a small “by-product” of a study or paper. Authors usually do not describe their methods, arguments or indicative data they have used. This might imply that the methods/arguments are rather inappropriate, weak or otherwise would not resist a serious scientific debate.

Secondly, estimates are rarely fixed to a particular population (the target population of the estimate is not properly defined) or a time horizon. This is, however, a serious point to be criticized as migration in general is a volatile and dynamic process with many factors influencing its direction, scope or character.

Thirdly, we came across that many estimates were taken over by other authors, however, with no reference to the original source. They were usually presented as “official estimates” with no clue as to who produced the estimate, or how the estimate was created. Furthermore, numbers that were once fixed to a certain year were sometimes used for other years without any warning.

Finally, we can conclude that the estimates related to the topic of irregular migration in the Czech Republic are scarce, and even if we have found some, their quality and information value is rather low. One of the possible reasons is, as one of the interviewed experts aptly described, that there are still a lot of problems tied to measurement of legal migration flows and stocks. Hence the attention is in the first place, if at all, paid to solving these imperfections in statistics of legal migration (e.g. the differences of a few thousand foreigners

within two most important databases²⁴, or serious problems in complying with the EC regulation on community statistics on asylum and migration²⁵). Estimates on irregular migration, partly due to its hardly measurable character, thus lag seriously behind in the Czech Republic. Another more specific reason could be that many methods for estimates of the phenomenon in question (as described in the CLANDESTINO Methodological Report) cannot be used under the conditions of the Czech Republic due to a short migration history, unsettled patterns of migration, or non-existence of certain statistical or administrative registers. Moreover, quite surprisingly, methods based on economic calculations are hardly to be used within the Czech Republic, as there are no economists seriously studying irregular, or even legal migration issues.

Furthermore, it became clear that there are certain institutions within which several estimates were formulated. These are the Faculty of Science of the Charles University in Prague (team around Dušan Drbohlav) and the Research Institute of Labour and Social Affairs (namely Milada Horáková). Both above mentioned institutions are known for systematic and long-term involvement in the migration and immigrants' integration research as such.

An important aspect of the estimates on irregular migration was found in relation to the author. Estimates made by rather well-known persons are more quoted (or used) than others, regardless of their real reliability or transparency of the method. Thus, certain estimates are repeatedly quoted, although they can be characterized as low quality estimates.

III. 2 Role of estimates in public debates and policy-making

There is no serious public debate on irregular/illegal migration in the Czech Republic. Even legal migration issues have appeared in the public debate quite recently and still have not been debated in the extent as is usual in countries of Western Europe.

Irregular migration as such is a term that is not used in public debate or within state institutions. The term illegal migration is used instead, and in the public debate usually with no specification of what it contains. In general, if any irregular/illegal migration topics were

²⁴ Data on all foreigners residing in the Czech Republic on a visa or permit are stored in an Alien Police database called CIS (Alien Information System). Moreover, basic data on most foreigners (except foreigners with a short-term residence visa) are handed over from CIS to Information System of Registration of Inhabitants (ISEO) that contains information on all inhabitants of the Czech Republic. At the end of 2007 there were about 4,500 foreigners not included in ISEO due to their "not standard" residence address that was not compatible with the system of addresses used by ISEO.

²⁵ One of the biggest obstacles to fulfil the regulation is that the concept of "usual residence" is neither used, nor planned to be used by any of the administrative sources (CIS or ISEO) that provide the Czech Statistical Office with migration data (Holá 2007).

tackled within the public debate, than these were irregular/illegal employment of foreigners and illegal border crossings. These topics were mostly mentioned with reference to controls of state institutions (mainly Alien Police) or successfully solved criminal cases tackling the involvement of organized crime in irregular migration (Člověk v tísní 2008). Last year, more attention was paid to illegal migration across Czech borders (in both directions) in relation to the fact that the Czech Republic was going to join the Schengen area in December 2007 and hence its (inner EU) borders would become less controlled than before. Quite recently (October 2008), more attention has been paid to irregular employment of migrants from Mongolia and Vietnam and their harsh working conditions in manufacturing factories.

However, a slight increase of occurrence of irregular migration topics within the public debate has not raised the role of estimates. Their role rests rather negligible. Estimates are not used in public debate as an argument on either side. This can be seen as a positive fact since their quality is questionable and they might lead to serious misinterpretations of the situation in the field of irregular migration.

The same, indeed, can be said on the role of estimates in the policy-making process. The estimates have not so far been largely misused by any political party to attack the effectiveness of the Police or the Government. Due to a lack of estimates and their questionable validity, the estimates do not play a significant role in policy-making. On the other hand, official data on illegal migration (apprehended individuals) which shows a sharp drop in a long-term perspective and thus might be seen as “positive” signs of the Police work, are quite modestly reported about. The fight with irregular migration is even more pronounced in time and more enforcement measures have been taken to curb it, although the data showed a sharp decrease of illegal migration. That would imply that the data are not taken as a real indicator of the situation. Because why to strengthen the fight with irregular/illegal migration if the irregular/illegal migration has so rapidly been reduced?

Furthermore, it seems that in last years more policy interest has been focused on irregular migration (especially from certain Czech ministries) not only because it is one of the EU priorities, but perhaps also due to a fact that simply irregular migrants themselves have become “more visible” in the Czech Republic. State institutions became more interested in getting “objective” information on the phenomenon. Especially the mechanisms of irregular migration and irregular employment of foreigners have been asked about. Naturally, the size of the processes is a key question yet to be answered. Consequently, qualitative as well as

quantitative research targeted at irregular migration has been “activated” by the increasing support of the state.

III. 3 Concluding remark

On one hand there is a lack of high quality estimates of irregular/illegal migration in the Czech Republic. On the other, a growing interest of state bodies in the irregular migration phenomenon has been observed. Hence, to produce a more sophisticated estimation with a transparent and more robust and well-founded methodology remains a great challenge for scientific and research circles. Thus, it seems that irregular migration estimates are a suitable field for a strong cooperation between state institutions providing support, and researchers who are willing and perhaps also able to conduct a high quality research in return.

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