



RECEPTION OF CHILDREN ON THE MOVE IN THE CZECH REPUBLIC

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February 2017

This report was made possible through the contribution of Dentons.

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1. Application of international law in domestic law of the host/transit country

1.1 Status of international treaties in domestic law

As stipulated by the amendment no. 395/1991 Coll., to the Czech constitution, the Czech Republic fulfills its obligations set forth by the international law and its treaties. By said amendment, all published international treaties ratification of which have been approved by the Czech Parliament and which are binding to the Czech Republic, are a part of the Czech legal order. In case of discrepancies/conflicts between domestic law and an international treaty, the treaty will supersede.

1.2 Ratified international treaties

The Czech Republic has ratified the following treaties:

- Convention on the Rights of the Child
- International Covenant on Civil and Political Rights
- 1951 Geneva Convention relating to the status of refugees as amended by the 1967 New York Protocol
- European Convention on Human Rights (1950)
- European Convention on the Adoption of Children (1967)
- Council Resolution of June 26 1997 on unaccompanied minors who are nationals of third countries
- European Convention on the Exercise of Children's Rights (1996)
- Convention on Contacts with Children (2003)

In addition to the treaties mentioned above, the Czech Republic fulfills its obligations from the so-called "Dublin system" for asylum applicants.

1.3 Interpretation of "best interest of the child" in domestic law

The Czech national action plan for transformation and coordination of the system of care for threatened children approved by the Czech Government has defined the best interest of the child as "living standard and conditions necessary for the child's healthy physical, psychological, spiritual, moral and social development and good quality childhood, and personal potential of the child is best fully developed within a family. Other care and support is provided to the child only if necessary".

1.4 Separated and unaccompanied children

The definition of "separated child" and "unaccompanied child" complies with the definition provided by the Committee on the Rights of the Child.

2. Reception of children in the host/transit country

2.1 Initial evaluation

Each account of a migrant child is examined individually, whether accompanied, unaccompanied, or separated. However, children accompanied by an adult are not offered the possibility to make independent claims. The interviews collecting accounts of migrant children are carried out by specially trained employees of the Ministry of Internal Affairs, specifically within its department for asylum and migration politics. Interpreters are always present. In case of need, the presence of a psychologist may be requested. The interview is expected to be performed in a child-friendly place. If possible, the child should decide on the place himself/herself. The workers of the reception place should ensure a friendly and pleasant atmosphere. The length of the interview should reflect the child's age. To eliminate stress, there should be a several brief interviews rather than one long one. Furthermore, migrant children benefit from priority and accelerated processes, and the detention period should not exceed 90 days. Youth (18-25 year old individuals) cannot benefit from the child-sensitive measures established for children, as these benefits apply only to minors (i.e. children younger than 18 years of age.)

2.2 Establishment of identity /Age assessment

Age assessment is undertaken as a measure of last resort. A guardian is appointed prior to undertaking a child's age assessment, and he/she must agree to the age assessment procedure. The age assessment is not a part of a comprehensive multi-disciplinary holistic assessment. If there are any doubts about the age, the child has to undertake a medical examination (an RTG of wrist bones) to determine the exact age. Age assessment is conducted in line with applicable laws and ethical rules. Trained personnel of the centers or medical doctors carry out these age assessments, and the child is asked for his/her consent to undergo the assessment. In addition, the guardian must agree to the assessment, as well. Pursuant to Section 89 of Act No. 325/1999 Coll., On Asylum, as amended¹, in case of

¹ *Section 89 of Act No. 325/1999 Coll., On Asylum, as amended* ¹[...] (3) If an applicant for international protection is an unaccompanied minor and justified doubts exist with respect to his/her claimed age, a medical examination shall be carried out in order to determine his/her actual age. If such unaccompanied minor refuses the medical examination, the Ministry shall regard him/her as an adult applicant for international protection. If the medical examination for determination of age is inconclusive, the Ministry shall regard such applicant for international protection as an unaccompanied minor.

(4) The Ministry shall inform an unaccompanied minor of the option of determining his/her age by medical examination pursuant to [subsection 3](#) in its summons to provide information in support of his/her made application for international protection in his/her mother tongue or a language in which he/she is able to communicate, no later than 15 days from the date of provision

of information in support of his/her made application for international protection. In the information, the Ministry shall also specify the manner in which the examination is conducted and shall inform the unaccompanied minor of the potential consequences of suffering the examination and also on the consequences of refusal to suffer a medical examination for assessment of his/her application for international protection.

refusal of the age assessment, the Ministry of Internal Affairs views the child as an adult applicant for international protection. In case there are any uncertainties about the results of the assessment, the child is granted the benefit of the doubt. All efforts are made to deliver an identity document to unaccompanied and separated children in a speedy manner. The pertinent municipal offices should make all efforts to contact the child's family and obtain an identity document. The municipal offices should closely cooperate with the Office for

International Legal Protection of Children based in Brno, Czech Republic (the "Office"). As set forth by Section 35 of Act No. 359/1999 Coll., on Social and Legal Protection of Children, as amended, the Office, among other things, acquires documents from the child's country of origin, cooperates with state bodies or other organizations entrusted with the legal protection of children in the given country, assists in locating the child's parents and/or other relatives, and assists with translation of documents necessary for legal protection of children under international treaties, etc.

2.3 Migrant children victims of trafficking

There exist established safeguards to protect migrant children victims of trafficking. Immediately upon arrival, the child is granted a guardian, who should give him/her all relevant information and guide him/her through the process. Migrant children receive adequate information about potential risks and how/where to report and seek protection. Upon immediately being granted a guardian, the guardian should give the child all relevant information about potential danger and ways to report and seek protection. There is automatic verification that adults accompanying a migrant child have parental responsibility over the child or are the legal guardians of the child. The verification process of accompanying adult(s) includes: (i) verification of their initials, including date of birth, nationality, permanent residency address in the country of origin, actual residency address in the country of origin, residency status in the Czech Republic; (ii) information whether the adults have not been stripped of the parental responsibilities, if their parental duties have not been suspended; (iii) information on a body that has issued a decision on the placement of the child into the person's care (name of the institution, address, file number and the statement – i.e. the scope of responsibilities of the person over the child). DNA tests are not performed, and in regard to reintegration programs, psychological assistance, counseling and medical treatment are provided when needed.

2.4 Application for international protection

An unaccompanied child may apply for international protection in the Czech Republic, even if the country of origin is considered a so-called "safe-country".

There are no particular social groups for children of refugee status (e.g.: street children, children affected by HIV/AIDS, target for recruitment in armed forces...)? In a child asylum claim, when the agent of persecution is not the state the child is originating from, the capacity/willingness of the given state to protect the victim is taken into consideration. Under the Czech asylum law, the protection may also be granted for humanitarian causes in special cases (Section 14 of Act No. 325/1999 Coll., on Asylum, as amended). A decision on granting the asylum for humanitarian causes is an administrative act made by the Ministry of Internal Affairs. The "special cases" are each assessed individually,

however the most frequent reasons for granting the asylum are cases of serious illness or handicap of the applicant, who would face severe or even life-threatening difficulties if repatriated. The deprivation of economic, social and cultural rights is not considered relevant for the assessment process on an equal footing with the deprivation of civil and political rights.

2.5 Migrant children's access to justice

Based upon the Act No. 359/1999 Coll., on Social-Legal Protection of Children, as amended, migrant children have the right to be provided with free legal assistance and legal protection. Migrant children, independently of their status (ie. asylum seekers, illegal migrants) are provided with a legal counsel and a guardian as soon as the authorities detect them. The children are informed about their rights and provided with a legal counsel, who informs them about the migration and asylum policies of the Czech Republic. He/she also provides information on the possibilities of staying in the Czech Republic, reconnections with their family, etc. In most cases, appointed lawyers have specialized knowledge in trafficking or in working with migrant children victims. According to the relevant applicable legislation, migrant children and/or their guardians have access to legal remedies against decisions affecting them. Migrant children have access to specialized victims' services, such as psychological counseling and medical treatment. They are provided with adequate information on their legal rights and available remedies in a language that is accessible to them. Fittingly, interpreters are present, so that the child understands all information provided to her/him.

3. Child protection system

3.1 Guardianship system

There is a guardianship system in place in the host/transit country. A guardian is a person, who takes over the responsibilities for the child in case of absence of biological parents or other legal representatives.

(i) Guardian for children seeking international protection:

The guardian ensures that the asylum or other proceedings are in the best interest of the child. The guardian for international protection proceedings is appointed by the decision of the Ministry of Internal Affairs, the department of asylum and migration politics for a temporary period (until a residency guardian is appointed, see below). The role of the guardian includes, among other things, going through the relevant protocols and making sure the child understands all questions correctly; making sure the child communicates through the interpreter and is fine with it; obtaining information from the child's country of origin; observing deadlines for legal/non-legal proceedings; organizing legal assistance, etc. His/her role ends by the court's decision on the appointment of the so-called residency guardian.

An applicant for international protection is given a so-called "residency guardian"

(Section 89 of Act No. 325/1999 Coll., On Asylum, as amended²). He/she is appointed by a pertinent court base upon a preliminary injunction filed by the Ministry of Internal Affairs, the department of asylum and migration politics, and is usually a worker from an institution for social and legal protection of a child (in Czech “OSPOD”). The guardian ensures the protection of laws and interests of the child during the international protection proceedings; he/she takes parts in all legal actions, including filing for remedies, etc.

(ii) Guardian for children not seeking international protection

In case the child does not apply for international protection, OSPOD, after taking the necessary measures, files for a preliminary injunction to have a guardian appointed by a court. (Section 42 et. seq. of Act No. 359/1999 Coll., On Social and Legal Protection of Children, as amended). The pertinent municipal office with extended competence (part of which is OSPOD) files for preliminary injunction.

A guardian can be an individual who meets the personal criteria (i.e. full legal capacity and a clean criminal record) and agrees to be appointed a guardian. In most cases, it is a person close to the child (such as a relative) present in the Czech Republic. If there is no such a person, the pertinent court appoints a relevant institution, which is in most cases the institution for social and legal protection of children (OSPOD). There is no independent/external monitoring system of guardianship. In case of the social worker appointed by OSPOD, a complaint may be filed with his/her supervising worker. In case of a court-appointed guardian, a complaint may be filed with the pertinent court.

3.2 Appointment of guardians for migrant children

There is no procedure for recruitment, placement and supervision of guardians. The person accompanying a separated child, however, is appointed as his/her guardian unless it is not in the best interest of the child. Such a person would be a first choice for the authorities to be appointed the child’s guardian.

3.3 Other categories of persons/organs that may carry out guardianship functions

In regard to whether there is a separate guardianship system that applies and is best adapted to migrant children (e.g. administrateur ad hoc in France or guardian ad litem in some US states), please see 3.1. There is no disassociation of duties between the legal representative and this type of guardian.

² (Section 89 of Act No. 325/1999 Coll., On Asylum, (1) If an applicant for international protection is an unaccompanied minor, a guardian shall be appointed by the court to protect his/her rights and legally protected interests relating to his/her stay in the Territory in accordance with special legislation. 13)

(2) The role of guardian shall be performed by an adult relative of an unaccompanied minor staying in the Territory; if no such person exists or if such person cannot be entrusted with the role of guardian, the role of guardian shall be performed by another suitable natural person or legal entity or by the municipal authority with extended powers according to the unaccompanied minor’s registered address.

3.4 Responsibilities and duties of guardians for migrant children

The right and duties of guardians are set forth in Act No. 325/1999 Coll., on Asylum, as amended. He/she is appointed to protect the child's rights and interests in connection with his/her stay in the territory of the Czech Republic.

The appointed guardian should work closely with the child's lawyer, organize meetings with the lawyer, and provide assistance to the child in order to ensure the best protection of the child's interests. The guardian is not responsible for selecting the lawyer. In case the guardian deems the legal assistance inadequate he/she may ask for a different lawyer in order to ensure the best protection of the child's rights. These responsibilities are compliant with art. 104 of the UN Guidelines for the Alternative Care of Children (2010).

3.5 Profile of guardians

The guardians are usually social workers of the institution for social and legal protection of children (OSPOD) with various level of experience. However, there are also volunteers, representatives of NGOs and workers of centers where migrant children are places who can also be appointed guardians. The guardian must be a person with a full legal capacity and clean criminal record. Moreover, the absence of conflict of interest is one of the criteria taken into consideration regarding the appointment of a guardian.

There are educational seminars and courses organized by various companies and institutions appointing guardians; however these practices cannot be viewed as systematic pre-qualification training. The guardians or persons interested in guardianship may attend these seminars and courses on a voluntary basis, but there are no systematic training courses focusing on work with migrant children.

Usually these trainings consists of one day or half a day seminars on current legal topics, i.e. changes in laws affecting the role of a guardian, etc. In case of minors, the court has to decide within one day from filing the motion on appointment of a guardian.

3.6 Child bride

The legal age for marriage in the Czech Republic is 18 years. In certain cases, if it is in line with the social purpose of marriage, the court may allow marriage for a person 16 years or older. A child who arrives in the country accompanied by her adult spouse is treated as an accompanied child if the marriage is recognized by the Czech authorities, but the authorities do not perform any independent investigation of the validity of the marriage. Section 13 of Act No. 325/1999 Coll., on Asylum, as amended, on granting asylum for the purpose of family reunification only talks about a spouse or a partner, without further specification or age limit. If the child is considered the ward of the adult spouse in the jurisdiction where the marriage took place, this status recognized in the transit/host country.

4. Family reunification

4.1 Family tracing

The tracing of parents and family members of unaccompanied children is a priority and is pursued during the entire process of assessment or asylum application. The appointed guardian should actively seek any information on parents or family members of the child in close cooperation with the Office for International Legal Protection of Children based in Brno Czech Republic. The office must by law (Section 37 of Act No. 359/1999 Coll., on Social and Legal Protection of Children, as amended), actively assist in locating parents/relatives of migrant children seeking protection in the Czech Republic.

4.2. Reunification in host country or resettlement

When reunification is not possible in the country of origin, the possibility of reunification in the host country or a resettlement of the family in a third country is considered.

4.3. Reunification with other relatives

Family reunification of unaccompanied minors is facilitated with adult relatives who are not legal guardians, unless it is not in the best interest of the child (i.e.: child bride...)

4.4. Grounds for refusal

There are legal grounds for refusal of family reunification. The family needs to prove that there are no obstacles to the reunification, e.g. no threat of sexual abuse of the child, no threat of child trafficking, or other kind of abuse, sufficient safety of the child, etc. Economic factors are also taken into consideration.

5. Placement of migrant children

5.1. Temporary shelter/1st reception centers

Children asylum seekers are provided with accommodation in asylum centers. At first, this is in the reception centers and later in the accommodation centers, while their claim is pending. Children in asylum centers have a right to a free accommodation, a meal 5 times a day, basic toiletries, pocket money, a bed, and a locker to store personal items. Children in the centers stay with their families. Unaccompanied children are, after the initial proceedings, appointed a guardian and placed in school facilities for institutional care (children's home).

Accommodation rules of the asylum centers contain a wide range of cultural, sports and other activities for different age categories of children and also the rules for filing complaints.

Buildings which serve as facilities for institutional care (children's home) should be fully accessible to disabled children (by way of horizontal communications, elevators, barrier free ramps or lifting platforms). The temporary shelters are open for all persons that seek asylum, however the asylum seekers cannot leave the temporary shelter at their own will before fulfilling necessary formal procedures pursuant to Section 46 of Act No. 325/1999 Coll., on

Asylum, as amended. This does not apply to leaving the center for the purposes of presence on necessary meetings concerning the international protection, health care etc., in these cases the seekers need to be escorted. The asylum seekers must respect the accommodation rules of the respective facility.

As far as governmental institutions are concerned, the Public Defender of Rights (PDR) forms so called national preventive mechanism under Optional Protocol to the Convention against Torture. He is entitled to make inspections in places where persons may be restricted in their freedom including asylum centers and detentions centers. After the inspection, the PDR issues a report containing recommendations and remedial measures. If the operator does not cooperate the PDR may inform superior authority of the operator or the Czech government.

As far as monitoring by NGOs is concerned, NGOs in Czech Republic such as Amnesty international ČR, Consortium of Migrants Assisting Organizations in the Czech Republic or Association for Integration and Migration contributes to control by issuing public reports concerning migrations and provides documents to media. The NGOs are also actively involved in monitoring the migration situation and cooperate with the Ministry of Internal Affairs by participating in the international protection application process, members of NGOs acting as guardians, etc.

5.2. Placement of migrant children

The protection of children in Czech Republic (Act No. 359/1999 Coll., On the Social and Legal Protection of Children, as amended) applies to all children without proper care (not only to children who apply for protection), which secures that all children will be given social and legal help they need. In regard to measures taken to prevent homelessness, according to Section 10 and Section 37 of the Act, when authorities (municipality office in particular) discover the presence of an unaccompanied child without care within their territory, they have a legal obligation to take immediate action in order to provide the child with necessary help (i.e., taking measures to secure their health, safety, accommodation etc.). The aforementioned takes place right after discovering the child, i.e., before any age assessment procedures (in case they are needed) are performed. With regard to whether the child's view taken into consideration when a placement is offered to him/her, according to Section 867 of Act No. 89/2012 Coll., Civil Code, as amended, before making a decision that affects the interests of a child, a court shall provide the child with the necessary information in order for him/her to form his own opinion and communicate it. A child older than 12 years of age is presumed to be able to receive the information, make his/her own opinion and communicate it. A younger child communicates through an appointed guardian. The court always takes into consideration the opinion of the child. Children may be placed to foster care in a form of guardianship (in this case OSPOD is appointed, but does not have full custody of the child), foster parents or adoption. If such placement is not possible children are placed in facilities for institutional care (diagnostics institutions, children's home, children's home with a school, an educational institutions).

It is suggested (within the bounds of possibility), that siblings stay together when considering the type of placement into alternative care. According to the information

provided by the Ministry and the Office for International Legal Protection of Children, the Czech Republic is, in most cases, a transit country and there are very few cases of placement of siblings. Nevertheless, the authorities consider each individual case carefully and act in line with the best interest of the child (children) as set forth by Act No. 359/1999 Coll., on Social and Legal Protection of Children, as amended.

After a person reaches the age of 18, they should file an application for permanent residency for humanitarian reasons or other reason requiring special consideration (Section 65 of Act No. 326/1999 Coll., On Stay of Foreigners in the Czech Republic, as amended) within 60 days after reaching the age of 18 (their right for permanent residency based on the placement in alternative care does not expire until the court decision in this matter).

There are no informal care systems in the country. The placement into any form of alternative care (guardianship, institutional care, adoption etc.) is always based on a decision by the respective authority (mostly, the competent court).

5.3. Detention/Retention

Unaccompanied children, of less than 15 years of age, are not placed in the detentions centers. They are in accordance with the court's decision and with cooperation with the Authority for Social and Legal Protection of Children placed in specialized organizations for unaccompanied children. Unaccompanied children between 15 and 17 are placed in a detention center only for few days, for two weeks maximum. During this stay they go through medical examination, and social and psychological care is offered. Children with family are usually placed in a detention center with their families that were placed in the centers. Nevertheless children under 15 years of age cannot be under detention and they can leave a center accompanied with adult person. Total duration of a stay may be 90 days maximum. After this period the child must be placed in a Center for children-foreigners. When children are placed in centers, they are with their families in designated areas for families. Children with no family are separated from the adult migrants.

When children are placed in detention centers, they are divided into two groups. Children under 6-years-old attend a children center in the detention centers where they are provided with a governess. Education there is focused on the development of cognitive skills and supporting art, creative and sport activities. Children between 6 and 15 years who have compulsory schooling are firstly provided with supplementary classes and, after their adaptation, they attend elementary schools in the town where the detention center is placed. After the school, children may attend the children center in the detention center where they can spend their time with free-time activities and they are looked after by the governess and by the teachers. If needed, they are provided with a psychologist.

If the unaccompanied children want to contact their family, the retention/detention center is obliged to arrange a contact between the children and their family (in case the family is known). The Authority for Social and Legal Protection of Children is obliged to, in cooperation with the Authority for International Legal Protection of Children, try to find child's parents or other person responsible for the child. If there are parents or other persons responsible for the child who want to and are able to take care of the child, contact between them should be arranged.

With regard to the safeguarding measures ensuring that accompanied children in detention are not separated from their siblings/relatives/guardians, the operator of the detention centers according to Section 141 of Act No. 326/1999 Coll., on Stay of Foreigner in the Czech Republic, as amended, has to take into consideration their family relationships. Children are thus staying in the detention centers with their family. Children under 18 years of age have to be placed in the detention center with close contact person. Migrant children placed in detention/retention centers have access to a legal counsel. Within the legal counseling, the children are presented with their rights and duties, which are mostly focused on migration and asylum policy. The organization providing such legal counseling is primarily the Organization for Aid to Refugees, which comes to the retention center once a week.

Appeal, retrial or review proceedings are not permitted in proceedings for detention but a legal representative of the child is entitled to file a police request for release from the detention. In the case of an unaccompanied child, police shall appoint a guardian immediately. The police are obliged to inform the legal representative or guardian about authorization to file such a request. After the request is filed, the police examine whether the reasons for detention persist. In case that the request is rejected, the legal representative or guardian is authorized to bring an action against the administrative decision on rejection of request for release from detention. The police are obliged to inform the legal representative or guardian about authorization to bring such an action.

The migrants in detention centers are divided by age (to children and adults), and by gender. The child is entitled to complain about the conditions of detention by simply submitting the complaint to any employee of the center or to the Ministry of Interior. Furthermore, a child with a disability that prevents him/her from allocation in the detention center cannot be placed there.

6. Access to fundamental rights

6.1 Education

Migrant children, whatever their status (i.e.: refugee, asylum seekers, irregular migrant...) have access to education on an equal footing with local children. While residing in the Czech Republic, they have access to education and school services under the same conditions as local children and have equal access to primary and secondary education. Furthermore, while residing in the country, they have access to the same education opportunities as local children. Migrant children can also pursue higher education under the same condition as local children. Social and educational consultancy is provided by organizations which work with migrants. The residency status from the age of 18 onwards for students is not conditioned on them having chosen a particular type of education.

Minors entering the country at an age when education is no longer compulsory also have access to secondary education. On request, they do not have to take an exam in the Czech language while taking entrance exams. The necessary level of knowledge of the Czech

language is examined only on the basis of interview.

Migrant children with special needs, based on the above stated principle, can benefit from a free provision of support measures from school such as the use of teaching assistant, individual educational plan, modification of conditions of admission to education and completion of education, etc. Children have access to education outside the reception/detention/retention centers, and transportation is provided by the Ministry of Internal Affairs.

6.2 Health care

Free provision of medical care is based on participation on public health insurance. Asylum seekers, children of asylum seekers already born in Czech Republic, persons who have permanent residence permit or work for the Czech employer are subject to public health insurance. Other foreigners, including children of foreigners who work for Czech employers without permanent residency permit, have to pay for contractual health insurance. The operator of the center determines whether a child has special needs and determines the character of such needs, which also can concern health. The operator must take into account such conditions and provide appropriately trained persons. Ministry of Internal Affairs secures psychological, social and other necessary services with regard to individual needs of the asylum seeker. The Ministry of Internal affairs provides transportation to the medical center.

7. Expulsion

7.1 Exclusion clauses

When applying exclusion clauses to asylum claim, the mental state (*mens rea*) enabling the child to understand his/her act, or the exclusion of his/her individual responsibility (duress, coercion...) is taken into consideration. Whether there are consequences of exclusion proportional to the seriousness of the act committed by migrant children depends on each case individually. Exclusion clauses (as in art. 1F, 1951 convention) apply in the case of young children before having reached the age of criminal responsibility at the time the act was committed.

7.2 Internal relocation/expulsion to country of origin

The best interest of the child is taken into consideration when deciding the internal relocation of a child back to his country of origin and adequate arrangement for the child's reception taken into consideration, as well. The Ministry of Internal Affairs, specifically its department for asylum and migration politics, closely cooperates with the relocation/expulsion country's embassy and the Office for International Legal Protection of Children. It aims to obtain maximum information on whether coming back to the country of origin is safe for the child. The Ministry, together with the Office, collect all information on the child's family, relatives or a guardian in order to ensure a safe return of the child. As part of the process, the Ministry and the Office seek to obtain all available information prior to making the decision on relocation of the child.

7.3 Resettlement to a third country

Resettlement to a third country as a response to a child's asylum claim is guided by the best interest principle. The country accepts refugees/asylum seekers under resettlement schemes, based upon resettlement quotas agreed upon by the members of EU.

8. Data Collection

8.1 Data regarding migrant children on the move collected by the public authorities

The Directory of Foreign Police collects data concerning the number of unaccompanied children detained within the state territory. The Ministry of the Interior of the Czech Republic monitors the number of unaccompanied children that have filed application for asylum. The ministry also prepares an annual report on the situation in the area of migration and integration in the Czech Republic. In the area of social and legal protection, the regional offices and the Office for International Legal Protection of Children collect personal information concerning children for the purpose of placing them into alternative care.

8.2 Data protection/ Is confidentiality of data regarding children secured

The data collected regarding unaccompanied children are data in the meaning of Section 3 of Act No. 101/2000 Coll., On the Protection of Personal Data as amended. It states how this data shall be protected, who can access them etc. The data protection is controlled by the Office for Personal data protection.

9. International relations

9.1 Foreign aid that addresses root causes of migration of minors (in particular of unaccompanied minors) in countries of origin and transit countries

There are several NGOs raising awareness about migration in the Czech Republic, namely NGO People in need o.p.s. www.clovekvtisni.cz. There are also numerous educational programs for migrants listed on www.migrationonline.cz. The Ministry of Education also has posted a so-called Green book on migration and education www.msmt.cz. Diasporas in the host country are associated in awareness-raising in their country of origin. The host country has entered bi-lateral agreements with countries of origin addressing family tracing, return and reintegration of unaccompanied minors. The Czech Republic (or former Czechoslovakia) has signed bilateral treaties on legal assistance in civil, family and criminal matters with the following countries: Afghanistan, Albania, Algeria, Belarus, Bosnia and Herzegovina, Bulgaria, Monte Negro, Georgia, Croatia, North Korea, Kyrgyzstan, Kosovo, Cuba, Macedonia, Moldova, Romania, Russia, Slovakia, Serbia, Ukraine, Uzbekistan and Vietnam. Many of the NGOs and the Ministry of Education and the Ministry of Internal

³ These questions are based on recommendations issued in the *Communication from the European Parliament and the Council – Action Plan on Unaccompanied Minors (2010-2014)*

Affairs actively propose changes to the legislation and increase of administrative capacity to improve and accelerate the asylum seeking process.

9.2 Cooperation with civil society

Many NGOs (e.g. Association for Integration and Migration www.migrace.com) cooperate with international human rights organizations, mainly for exchange of information and practical aspects of migration (education and care of migrant minors, etc.)

9.3 Visa policies

The Czech Republic has not developed a system of humanitarian visa/parole.

10. Additional Remarks

The following link contains the English version of the Migration Manifesto published by the Consortium of Migrants Assisting Organizations in the Czech Republic:

www.migracnimanifest.cz/en

Useful websites:

Ministry of Internal Affairs of the Czech Republic www.mvcr.cz Organization for aid to refugees www.opu.cz

La Strada Czech Republic www.lastrada.cz

Center for integration of foreigners www.cicpraha.org International Organization for Migration www.iom.cz Association for Integration and Migration www.migrace.com

Integration Center in Prague <http://www.icpraha.com/en/>

Czech legislation: <https://portal.gov.cz/app/zakony/?path=/portal/obcan/>

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