

7. ILLEGAL MIGRATION ACROSS THE STATE BORDER OF THE CZECH REPUBLIC

The concept "Illegal migration across the state border of the Czech Republic" includes cases of illegal crossings of the state border by both foreigners and Czech citizens. Covered are revealed illegal entries/exits of foreigners to/from the CR, including attempted ones. Recorded are, for example, cases when a foreigner uses irregular travel documents, crossings of the state border with participation of individuals involved in trafficking, or cases of persons found in a hiding place in the means of transport. Parts of statistics are also attempts of foreigners to get in the country, despite a court of law's sentence of banishment or a legal and conclusive decision on administrative banishment imposed on him/her is still in force.

The category "Illegal migration – violation of the residence regime" includes revealed illegal stays of foreigners in the Czech Republic either inland or at the state border crossings while leaving the Czech Republic.

In relation to the accession of the CZ to the Schengen territory it was necessary to basically change the concept of definitions of illegal migration in the Czech Republic. Owing to this change it will not be possible to compare statistics of illegal migration in 2008 with the previous years. The year 2008 can be seen as "zero" year for illegal migration.

From 2008 two basic categories of illegal migration in the Czech Republic has been observed:

- 1. Illegal crossing of the external Schengen border of the Czech Republic – this category includes persons crossing illegally or attempting to cross illegally the external Schengen border (airport) of the Czech Republic. Persons in this context are understood foreigners and the Czech nationals.*
- 2. Illegal stay – in this category registered are foreigners revealed in the Czech Republic including transit areas at the airports, who violate the conditions required by law regulating the stay of foreigners. Persons in this category are foreigners.*

Ad 1 – from 2008 the border control has been made only at the external Schengen borders (air borders, i.e. at the international airports). The state border with the neighbouring states have become an internal Schengen border and this is the reason why the data referring to illegal migration across the state border cannot be compared.

Ad 2 – from 2008 the category of illegal stay includes persons coming to the Czech Republic from the neighbouring states (i.e. across the internal Schengen border) without requisites necessary for the stay in the Czech Republic but in the previous years just these persons were included into the category of illegal migration across the Czech state border – illegal entry. Owing to this fact, the data referring to Illegal stay cannot be strictly compared with the data from previous years.