



Input by civil society organisations to the Asylum Report 2025

Dear Colleagues,

The production of the *Asylum Report 2025* is currently underway. The annual [Asylum Report](#) presents an overview of developments in the field of international protection in Europe.

The report includes information and perspectives from various stakeholders, including experts from EU+ countries, civil society organisations, researchers and UNHCR. To this end, we invite you, our partners from civil society, academia and research institutions, to share your reporting on developments in asylum law, policies or practices in 2024 by topic as presented in the online survey (**'Part A' of the form**).

We also invite you to share with us any publications your organisation has produced throughout 2024 on issues related to asylum in EU+ countries (**'Part B' of the form**).

These may be:

- reports;
- articles;
- recommendations to national authorities or EU institutions;
- open letters and analytical outputs.

Your input can cover information for a specific EU+ country or the EU as a whole. You can complete all or only some of the sections.

Please note that the Asylum Report does not seek to describe national systems in detail but rather to present key developments of the past year, including improvements and challenges which remain.

All submissions are publicly accessible. For transparency, contributions will be published on the EUAA webpage and contributing organisations will be listed under the Acknowledgements of the report.

All contributions should be appropriately referenced. You may include links to supporting material, such as:

- analytical studies;
- articles;
- reports;
- websites;
- press releases;
- position papers.

Some sources of information may be in a language other than English. In this case, please cite the original language and, if possible, provide one to two sentences describing the key messages in English.





The content of the Asylum Report is subject to terms of reference and volume limitations. Contributions from civil society organisations feed into EUAA's work in multiple ways and inform reports and analyses beyond the Asylum Report.

NB: This year's edition of the Asylum Report will be significantly revamped to achieve a leaner, more analytical report with streamlined thematic sections. The focus will be on key trends in the field of asylum rather than on individual developments. For this reason, information shared by respondents to this call may be incorporated in the Asylum Report in a format different than in the past years.

Your input matters to us and will be much appreciated!

*Please submit your contribution to the Asylum Report 2025 by **Friday, 10 January 2025**.*





Contact details

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☐ I accept the provisions of the EUAA [Legal and Privacy Statements](#)

General Observations

Before sharing information by thematic area, please provide your general observations on asylum developments as indicated in the following three fields:

1. What areas would you highlight where important developments took place in the country/countries you cover?

- Temporary protection for refugees fleeing Ukraine - in particular jurisprudential developments
- Alternatives to detention for families with children
- Administrative expulsion - change in practice following CJEU judgement in *CD v. Czech Ministry of the Interior*, C-257/22

2. What are the areas, where only few or no developments took place?

- Asylum procedure as a whole, deficiencies described in previous reports persisted

3. Would you have any observations to share specifically about the implementation of the Pact on Migration and Asylum in the national context of the country/ countries you cover?

We have a general observation on the question of legal counselling, legal assistance and representation under the new Pact. It appears that **the MOI is interpreting the new Asylum Procedures Regulation as newly allowing for group counselling**, despite the terms “group counselling” being absent in the Regulation. We were informed that the EUAA will develop a guide on the question of legal aid under the new Pact. We would like to encourage the EUAA to involve CSOs in this process.





PART A: Contributions by topic

Please share **your reporting on developments in asylum law, policies or practices in 2024 by topic**. Kindly make sure that you provide information on:

- ✓ New developments and improvements in 2024 and new or remaining challenges;
- ✓ Changes in legislation, policies or practices, or institutional changes during 2024.

1. **Access to territory and access to the asylum procedure** (including first arrival to territory and registration, arrival at the border, application of the *non-refoulement* principle, the right to first response (shelter, food, medical treatment) and issues regarding border guards)

Challenges described in previous reports remained.

The Foreign Police continued issuing decisions on denial of access to territory at the Prague airport transit zone, without a proper procedure, interpreters, processing a casefile, or access to legal aid.

The problematic policy of imposing an administrative expulsion to prospective asylum seekers continued, both at the Prague airport and in the Zastávka reception centre.

Following the CJEU decision in *CD v. Czech Ministry of the Interior*, C-257/22, the Foreign Police slightly amended its practice. As of now, the police formally opens the return procedure generally with all foreigners who have entered or are staying irregularly, including prospective asylum seekers who present themselves to the Foreign Police and should generally fall under the exemption criteria under art. 31 Geneva Convention. However, once the person applies for asylum, the return procedure is discontinued for the duration of the asylum procedure. Once the Mol issues a first-instance asylum decision which is negative, the Foreign Police proceeds with the return procedure and issues a return decision.

2. **Access to information and legal assistance** (including counselling and representation)

Access to legal assistance provided by CSOs improved, following several several years of challenges relating to funding and access to some of the facilities, as described in previous reports.

Since 2024, CSOs generally have access to all of the asylum, reception and detention facilities. In some of these facilities, assistance is provided by both the attorney at law and CSOs.

In some facilities, CSO workers faced challenges in finding agreement on a concrete timetable for regular visits. This created the impression there might be a preference by the facilities management, or perhaps the Mol, for the attorney at law to visit the facility first, before a scheduled CSO visit takes place. As a result, CSOs faced limitations on identifying well-founded cases early on in the procedure.





Some challenges also remained in accessing the Prague airport facility. A limited number of permits to visit the facility is issued per person each year. This results in the need for the CSOs to decide to either visit the facility irregularly or change staff working in the facility during the year.

3. Provision of interpretation services (e.g. introduction of innovative methods for interpretation, increase/decrease in the number of languages available, change in qualifications required for interpreters)

Challenges described in previous reports remained.

The quality of interpreting services remained in some cases questionable, especially in cases of rare languages, special dialects etc. In some cases, interpreters tended to summarize the testimonies instead of providing actual word by word interpretation. In other cases, the asylum seekers and our own employees have experienced the interpreters as adversary to them. In some cases, there were concerns interpreters may lack sufficient sensitivity for the asylum seekers' testimonies, or may be biased due to their own political beliefs or religious or ethnic background.

Case study: Interpretation resulting in different quality of testimony

In 2024, OPU was assisting an asylum seeker from Iran. This person had their first interview in English, where they provided clear and detailed answers. The next interview was held in farsi. Suddenly, the answers were very concise, with sentences sometimes not having a clear start and or, or not making a lot of sense altogether. We raised this issue with the Mol and requested for a different interpreter for a subsequent interview. However, the Mol again organized the same interpreter.

4. Dublin procedures (including the organisational framework, practical developments, suspension of transfers to selected countries, detention in the framework of Dublin procedures)

Challenges described in previous reports remained.

In several cases, the courts have annulled transfers altogether or afforded the lawsuits challenging them suspensive effect.

In one case, the court annulled a Dublin transfer to Lithuania due to concerns over hygienic conditions in the refugee reception facilities (Prague Regional Court no. 48 Az 8/2024-33, 26. 7. 2024).

In at least three cases, courts afforded suspensive effect to appeals against transfers of two families to Croatia, with view to the reports about push-backs at the border (Prague Regional Court, no. 45 Az 19/2024 - 36, 20. 12. 2024, no. 48 Az 19/2024 20. 12. 2024).





In at least one case, court afforded suspensive effect to an appeal against an applicant's transfer to Bulgaria.

5. Special procedures (including border procedures, procedures in transit zones, accelerated procedures, admissibility procedures, prioritised procedures or any special procedure for selected caseloads)

The issue of insufficient procedural guarantees in the border procedure remains. As has been the case for more than 10 years now, there is no control over the denials to enter the territory at the Prague airport transit zone. The denials to enter the territory are happening in a legal vacuum, without any internal or external supervision. The denials are formally a non-procedure, without translators, without lawyers, without written decision or case file, and without a possibility to appeal. There is no identification of whether some of the persons might be asylum seekers, and asylum requests are often ignored, unheard and allegedly "not understood". Monthly, typically 15-20 individuals are denied entry to the territory.

The only legal aid that exists at the airport transit zone comes only one step later: it is provided for those who do manage to express their asylum intent in the transit zone. Monthly, there are typically cca 0-2 individuals who manage this. These individuals are placed in a special airport detention-like reception center, with limited procedural guarantees, including the impossibility to appeal to the Supreme Administrative Court which is otherwise a common appeal mechanism for asylum seekers. This is particularly problematic as the airport is the only external border for Czechia, and often the applications filed there are well-founded while the quality of the first instance decisions is very low.

6. Reception of applicants for international protection (including information on reception capacities – increase/decrease/stable, material reception conditions – housing, food, clothing and financial support, contingency planning in reception, access to the labour market and vocational training, medical care, schooling and education, residence and freedom of movement)

Challenges described in previous reports remained.

With all of the refugee reception facilities located in isolated areas, asylum seekers continued to receive insufficient support and often ended up living in poverty, with limited access to services. Challenges in access to housing of asylum seekers in the final stage of their asylum process continued. In the Kostelec nad Orlicí reception center, asylum seekers who had their case pending before the Supreme Administrative Court were routinely required to leave the facility, with little regard to their vulnerability and despite the fact that the reception center had plenty of free beds available.

Likewise, the situation of temporary protection permit holders continued to deteriorate, as the government continued to decrease its support for this group of refugees.





7. Detention of applicants for international protection (including detention capacity – increase/decrease/stable, practices regarding detention, grounds for detention, alternatives to detention, time limit for detention)

Overall, challenges described in previous reports remained. Immigration detention continued to be used as a routine tool of migrant control. However, while in the previous year the police focused more strongly on irregularly transiting foreigners, the focus at present appears to be on those irregularly staying and working in the country.

There is also a **new development** relating to the detention of families with children. In 2024, upon a motion of the Committee on the Rights of Foreigners and later the Government Council on Human Rights requesting the Mol to end immigration detention of children by the 1st of January 2026,¹ a working group on alternatives to detention for families with children was set up. This working group met several times throughout 2024. By the end of 2024, it came up with two proposals on making alternatives to detention for families with children a reality. The CSO proposal was suggesting to implement alternatives to detention in the form of placement in social housing in cities with access to other services in proximity. The Mol proposed to implement alternatives to detention in the form of accommodation in a reception center for asylum seekers. In both cases, a strong case-management component would be included. In the CSO proposal, the case-management would be run by a CSO. In the Mol proposal, the case management would be conducted by Mol workers. Upon discussion with the CSOs, the Mol decided to go forward with its own proposal, citing budgetary constraints as the main reason why the CSO proposal could not be implemented. However, it did not outrule the possibility of implementing the CSO proposal, should new financial means be found, either by the Mol or the CSOs. The Mol proposal should be put into practice in the first months of 2025, with UNHCR providing initial training to the future case managers. Families with children who lack their own accommodation and who would otherwise be subject to detention should hence in the future be accommodated in the Bělá-Jezová reception center. CSOs objected for Bělá-Jezová to be chosen as the place for alternatives to detention due to its relatively isolated location in the woods, making it difficult for people to access services, as well as the fact that it directly faces the immigration detention center located in the same place. Nonetheless, the working groups and its outcomes can be regarded as the first positive steps towards making alternatives to detention a reality.

8. Procedures at first instance (including relevant changes in: the authority in charge, organisation of the process, interviews, evidence assessment, determination of international protection status, decision-making, timeframes, case management – including backlog management)

Challenges described in previous reports remained.

First instance procedures remained of low quality and were perceived as unfair and adversary by the asylum seekers.

¹ Vláda ČR, Rady vlády pro lidská práva, Usnesení k zajišťování nezletilých dětí-cizinců, 25. 10. 2023, available at: <https://www.vlada.cz/cz/ppov/rfp/cinnost-rady/zasedani-rady/jednani-rady-dne-25--rijna-2023-209448/>.





In some cases, the Mol used a **new template for asylum decisions** developed with the support of the Ombursperson in an effort to increase quality and readability of asylum decisions. However, in the new template a transcript of the asylum seekers testimony was completely omitted, making it difficult for lawyers to file appeals. It remains unclear whether the template continues to be used or is further under development. Majority of the asylum seekers appear to have received decisions under the old template.

9. Procedures at second instance (including organisation of the process, hearings, written procedures, timeframes, case management – including backlog management)

Challenges described in previous reports remained.

The second instance (judicial review) procedure continued to be of variable quality, with some courts developing clear expertise and looking into great levels of detail at each case and others less so. The absence of a specialized asylum tribunal remained a challenge.

10. Issues of statelessness in the context of asylum (including identification and registration)

As described in the 2024 report, the risk of persecution for stateless asylum-seekers is assessed on the basis of their last place of residence or ties. However, the Mol often overlooks the causes of statelessness when issuing asylum decisions.

Unsuccessful stateless asylum seekers are not referred to the statelessness determination procedure (SDP) by the Mol, putting them at risk of detention or removal. The authorities do not inform stateless persons and persons at risk of statelessness about the SDP, and information about the procedure is not available on the government's Information Portal for Foreigners or similar platforms.

There is a need for improved access to the SDP and better dissemination of information to ensure protection.

11. Children and applicants with special needs (special reception facilities, identification mechanisms/referrals, procedural standards, provision of information, age assessment, legal guardianship and foster care for unaccompanied and separated children)

Challenges described in previous reports remained.

There continued to be no vulnerability screening tool or methodological guidance for identification of vulnerable asylum seekers. Where vulnerability was recognized, it remained unclear what adjustments were taken in practice.

12. Content of protection (including access to social security, social assistance, health care, housing and other basic services; integration into the labour market; measures to



enhance language skills; measures to improve attainment in schooling and/or the education system and/or vocational training)

Challenges described in previous reports remained.

While the State Integration Programme (SIP) continued to be relatively well organized, it had limited added value to the individuals due to the average length of asylum procedure. The state-funded integration apartments continued to be located in a segregated locality in Ústí nad Labem.

13. Return of former applicants for international protection

14. Resettlement and humanitarian admission programmes (including EU Joint Resettlement Programme, national resettlement programme (UNHCR), National Humanitarian Admission Programme, private sponsorship programmes/schemes and ad hoc special programmes)

15. National jurisprudence on international protection in 2024 (please include a link to the relevant case law and/or submit cases to the [EUAA Case Law Database](#))

Temporary protection: Supreme Administrative Court, no. 10 Azs 151/2024-28, 31. 10. 2024.

The case concerns the continued unlawful practice of the Mol, which routinely claims the inadmissibility of the application for temporary protection if the applicant has previously applied for or was granted temporary protection in another member state (§ 5 (a) lit. c, d) Law on certain measures in connection with the armed conflict on the territory of Ukraine caused by the invasion of the troops of the Russian Federation). The court states the inadmissibility specifically cannot be applied to cases where temporary protection in another EU member state has already expired/been revoked. It states that “the purpose of these provisions is not to “once and for all” prevent foreigners who have even just submitted an application in another Member State in the past from applying for the granting of temporary protection in the Czech Republic after the application procedure is no longer ongoing elsewhere”. (same conclusion also in: no. 3 Azs 167/2023-35, 29. 11. 2024; no. 9 Azs 223/2024-21, 17. 12. 2024).

Asylum applications filed in hospitals: Prague Municipal Court no. 15 A 118/2023-30, 30. 10. 2024.

The case follows a previous law amendment of the Mol, which cancelled the possibility for asylum seekers to file applications while hospitalized and unable to present themselves to the authorities in person. The court, basing its decision on the Asylum Procedures Directive criteria for lodging and registering an application, states that denying the lodging of an asylum application via a letter sent by the asylum seekers to the authorities either directly or through a legal representative while in a hospital is an unlawful action. The application has to be accepted by the Mol as lodged from the moment they receive it.

Czech MFA reports on Belarus insufficient: Prague Municipal Court, 21 Az 8/2024-66, 11. 11. 2024.

In a case concerning two asylum seekers from Belarus, the court considered the MFA



reports on the situation of former IP applicants after their return to Belarus were lacking sufficient detail. The MoI should obtain information on which returnees are summoned by the security forces, how often, and how thorough and coercive the interviews are.

16. Other important developments in 2024

Legislative developments:

The MoI submitted following legal amendments at the end of 2024, expected to enter in force in January 2025. Both of them were submitted in a controversial way, by having an individual MP file a last minute “amendment”, hence hampering the usual legislative debate.

1. Asylum applications filed by Ukrainian nationals who, presently or in the past, applied for temporary protection in Czechia or in another EU member state, will be automatically suspended, while the applicants will lose their asylum seeker status (including housing, health insurance). This is a very harsh measure, given the fact that Czechia already excludes a wide scope of Ukrainian applicants from temporary protection, especially those who applied for TP in another member state. These Ukrainian nationals will have no status available.
2. Czech citizenship applications filed by Russian nationals will be automatically suspended, as a measure of sanctioning Russian nationals. If providing proof of renouncing Russian citizenship, the application can continue. However many Russian nationals would be in grave danger if attempting to denounce their Russian citizenship, especially those involved in helping Ukrainian refugees in Czechia.

Part B: Publications

1. If available online, please provide links to relevant publications produced by your organisation in 2024:

- <https://www.opu.cz/wp-content/uploads/2024/03/Toolkit-to-identify-and-address-statelessness-in-Czechia.pdf>
- <https://www.coe.int/en/web/anti-human-trafficking/-/greta-publishes-its-second-report-on-czechia> (not our publication but one to which we contributed)
- <https://denikn.cz/1599627/vlada-odmitla-penize-osn-na-uprchliky-cesko-uz-je-pry-nepotrebuje-lide-prijdou-o-pomoc-varuje-sef-neziskovky/>
- <https://svetneziskovek.cz/komunikace/chcete-napravit-nespravedlnosti-zazalujte-cesko-strategicke-litigace-resi-problem-jednotlivce-i-celeho-systemu>
- <https://www.voxpot.cz/nejsme-matrkosky-cesko-novym-zakonom-potreba-hlavne-liberalni-rusy/>

2. If not available online, please share your publications with us at:

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3. For publications that due to copyright issues cannot be easily shared, please provide references using the table below.

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