

Czechia: Information for stateless people and those at risk of statelessness fleeing Ukraine



European
Network on
Statelessness

ENS Focal Point: [Organization for Aid to Refugees \(OPU\)](#)

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This briefing provides country-specific information for stateless people and those at risk of statelessness fleeing Ukraine. It is intended as a source of information for refugee response actors and affected individuals. The focus is on stateless people and people at risk of statelessness, including those who are undocumented. Links to more general information for refugees from Ukraine are provided throughout. We will endeavour to keep this information updated. Please contact Ukraine.crisis@statelessness.eu if you have relevant updates. Unless otherwise shown, the source of information provided is the ENS Focal Point.

1. ENTRY REQUIREMENTS & REGISTRATION

Most stateless persons and persons at risk of statelessness entering Czechia from Ukraine are Romani people, undocumented children, unaccompanied minors, and former USSR citizens.

The Ministry of Interior advises people who do not hold a biometric passport to bring all other available documents proving their identity to enter Czechia. There are unofficial reports that women, children, and elderly persons without a passport should be able to enter the country but there are [no guarantees](#). The [European Commission](#) confirms that a lack of travel documents or medical documents (certificate of vaccination, COVID-19 test) should not be an obstacle to entering the EU throughout the Ukraine crisis. There are currently no reports of deportations from Czechia to Ukraine.

Regional Assistance Centres for Ukraine (KACPU) have been established to process and register people arriving in Czechia and to immediately grant temporary protection to those who qualify.

For more information on entry and stay in Czechia, see the [Ministry of the Interior of Czechia information page for Ukrainians, the official web portal for foreigners in Czechia – FRS, Nasi Ukrajinci](#) (including a list of the regional KACPU centres), [Association for Integration and Migration \(SIMI\)](#), and [UNHCR help page](#). Alternatively, you can reach out to the [Organization for Aid to Refugees \(OPU\)](#).

The information below applies to persons who are neither Ukrainian nor EU nationals, or who are unable to prove their Ukrainian or EU citizenship:

Documents required	<ul style="list-style-type: none">• No document is required to enter Czechia; Ministry of Interior advises people to bring any available documents to prove identity• <u>Stateless persons</u>: any available documents to prove identity, but lack of documents should not be an obstacle to enter• <u>Adults</u>: Biometric passport if possible, or other documents to prove identity; lack of documents should not be an obstacle to enter• <u>Children</u>: as above
Entry and registration	<ul style="list-style-type: none">• <u>Persons eligible for temporary protection</u>: can register and apply for temporary protection at the KACPU regional centres where they live or in KACPU Ostrava if they do not have their own accommodation. Applicant must provide evidence that they lived in Ukraine on 24 February 2022 or later and left Ukraine due to the Russian invasion, such as passport data (e.g. stamps) or any other documents proving their stay in Ukraine. Proof of accommodation in Czechia (e.g. lease contract or confirmation issued by the landlord - both must be provided with a certified signature), unless the person does not have accommodation and wants to be allocated State humanitarian accommodation (in that case, they need to apply in KACPU Ostrava).

	<p>If temporary protection is not granted immediately (e.g. due to lack of documents or other issues in the registration, often affecting Roma families), police grants confirmation of application for temporary protection and a decision is issued without undue delay, in particularly complex cases within 60 days</p> <ul style="list-style-type: none"> • Persons not eligible for temporary or international protection (including stateless and undocumented persons): may apply for a “tolerance visa” to stay in Czechia for more than 90 days (renewable) if unable to return home, valid for 1 year maximum. • Unaccompanied children: should go to KACPU regional centres to receive protection; must always be assisted by social workers (OSPOD office), except children aged 15 or more, or children accompanied by adults other than their parents; contact OPU to be connected to trained social workers
Documents issued	<ul style="list-style-type: none"> • Persons eligible for temporary protection: receive a temporary protection stamp in their travel document, or a separate temporary document if they do not hold travel documents • Applicants for international protection (asylum or subsidiary protection): receive temporary identity document while their application is pending (<i>průkaz žadatele o mezinárodní ochranu</i>) • Applicants for statelessness status: receive an identity document confirming their application is pending (<i>průkaz žadatele o přiznání postavení osoby bez státní příslušnosti</i>), allowing them to stay in the territory during their initial application.
Entry status	<ul style="list-style-type: none"> • Visitor under Schengen rules, beneficiary of temporary protection, tolerance visa holder, asylum-seeker, applicant for statelessness status

2. ROUTES TO PROTECTION

Persons fleeing Ukraine, including eligible stateless persons and persons at risk of statelessness, can apply for international protection or temporary protection, which is currently the fastest route to protection as it is typically granted immediately upon registration.

Persons who have applied or been granted temporary protection in another EU Member State are not eligible for temporary protection in Czechia. Their application is considered inadmissible, and they are usually referred to an application for a tolerated visa stay, which provides for only very limited rights. Once the application for temporary protection is considered inadmissible, the persons can try to pursue their rights by filing a lawsuit at the Regional Court; however, there is currently a [preliminary question submitted by the Supreme Administrative Court to the European Court of Justice](#), and therefore this route to protection may be lengthy and not suitable for every refugee. Therefore, another alternative may be an application for international protection.

The tolerance visa issued to people ineligible for temporary protection can be issued for a maximum of one year. The visa holders can then apply for long-term tolerated stay, which is (usually) valid for two years and can be extended.

The available routes to protection are summarised in the table below.

	International Protection	Temporary Protection
What is it?	<p>Asylum status: for people eligible under the 1951 Convention Relating to the Status of Refugees, and for people entitled to protection on humanitarian grounds</p> <p>Subsidiary protection: for people who do not meet the conditions for refugee status</p>	<p>Temporary protection for eligible persons fleeing the conflict in Ukraine (implemented in Czechia through “Lex Ukraine”)</p>

	but would be exposed to a real risk of serious harm if returned	
Can stateless and/or undocumented persons apply?	Yes, as long as they can prove their identity (including through a statement/statutory declaration)	<p><u>Stateless persons</u>: yes, if they meet eligibility criteria (i.e., beneficiaries of international protection or equivalent national protection in Ukraine, which includes statelessness status in Ukraine, or permanent residence in Ukraine and cannot return to country of origin, and their family members)</p> <p><u>Undocumented persons</u>: Lack of documents should not be an obstacle but the procedure is not immediate; may need to contact Ukrainian Embassy or the Ukrainian Consulate in Czechia to confirm identity</p> <p>Persons who have applied or been granted temporary protection in another EU Member State are not eligible for temporary protection in Czechia</p>
Where to apply?	At the border crossing point, at the reception centres for asylum seekers presently at Zastávka u Brna or Prague Airport, in detention centres, at the Foreign Police Department of the Regional Police Directorate (if voluntarily). In exceptional cases, such as an individual in prison or who otherwise has their liberty restricted, an application for international protection may be made in writing directly to the Ministry of Interior.	At Regional Assistance Centres for Ukraine (KACPU) within 3 days of arrival to Czechia or at the Ministry of the Interior, Department for Asylum and Migration Policy. Applicants who do not have their own accommodation must apply for temporary protection only at KACPU Ostrava . Applicants who have their own accommodation can apply at KACPU in the region where they currently live. Persons living in the Central Bohemian Region must apply for TP in Prague as the KACPU in Central Bohemian Region is no longer operating.
Procedure & rights	Applications made in detention centres must be submitted within 7 days of being informed of the right to apply for asylum; decision within 6 months (extendable up to 21 months); applicants receive ID; right to communicate in native language; translator; legal assistance; can contact UNHCR or relevant NGOs that are also present in the reception centres (OPU – Zastávka Reception Centre, SIMI – Prague Airport Reception Centre) where their lawyer is conducting regular visits.	Applicants are required to fill out an application (available here) and submit it together with a valid travel document, and preferably a photograph and confirmation of accommodation; temporary protection should be received immediately upon arrival; undocumented applicants may need to undergo additional screening; are registered as applicants for temporary protection and receive a decision without any undue delay, in particularly complex cases within 60 days ; an application for temporary protection suspends any pending asylum application
Rights upon recognition	Asylum status: 10 years renewable residence permit, 5 years for children under 15 years old; travel document upon	Right to stay in Czechia until 31 March 2025; right to access healthcare, financial aid, education, work, and accommodation;

	<p>application; right to work; access to housing; financial aid; healthcare; education.</p> <p>Subsidiary protection: residence permit for at least one year (renewable); foreigners' passport upon application; right to work; financial aid; healthcare; welfare benefits; education</p>	<p>right to travel to and stay in other EU countries for no longer than 90 days</p>
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For more information, see:

- [The official web portal for foreigners in Czechia – FRS](#)
- Ministry of Interior, [Naši Ukrajinci portal](#) for persons fleeing Ukraine including a list of KACPU Regional assistance centres for Ukrainians (in Czech, Ukrainian, English)/[Information on Temporary Protection](#)
- Pomahej Ukrajine, [Central portal for offering and accessing help related to the war in Ukraine](#), run jointly by members of the Consortium of NGOs working with migrants
- [Integration program](#)
- [Series of Laws “Lex Ukraine”](#), on temporary protection, employment, and education
- European Commission, [Information for people fleeing the war in Ukraine](#)
- European Commission, [Communication, Temporary protection for those fleeing Russia’s war of aggression against Ukraine one year on](#) (March 2023)
- European Union Agency for Fundamental Rights, [Fleeing Ukraine: Implementing temporary protection at local levels](#) (December 2023)
- European Union Agency for Fundamental Rights, [Report on Fleeing Ukraine - Fleeing Ukraine: Displaced people’s experiences in the EU](#)
- European Union Agency for Fundamental Rights, [Fundamental Rights Implications for the EU of the War in Ukraine](#)
- European Union Agency for Fundamental Rights, [The Russian aggression against Ukraine – Displaced children finding protection in the EU - Bulletin 3](#)
- European Union Agency for Asylum (EUAA), [Providing Temporary Protection to Displaced Persons from Ukraine: A Year in Review](#) (March 2023)
- European Union Agency for Asylum (EUAA) [Response to the Russian Invasion of Ukraine, in particular ‘Who is who – temporary protection for displaced persons from Ukraine’](#)
- European Council of Refugees and Exiles, [The EU’s Response to Displacement from Ukraine: ECRE’s Recommendations](#) (October 2023)
- European Council of Refugees and Exiles, [Information Sheet – Measures in response to the arrival of displaced people fleeing the war in Ukraine](#) (March 2023)
- European Migration Network (EMN), [Annual Report on Migration and Asylum 2022](#) (July 2023) (Chapter 2, Response to the influx of persons fleeing the war in Ukraine)
- [UNHCR Regional Refugee Response Plan](#) (January-December 2023)
- [Caritas Europa, Europe's welcome of refugees from Ukraine and lessons learnt](#)
- Anti-Discrimination Centre Memorial, [The situation of Ukrainian children in European countries after 24 February 2022](#)
- Right to Protection, [Who are stateless persons who fled Ukraine after the Russian invasion on 24 of February, 2022](#)
- KIND & Child Circle, [Note on unaccompanied children fleeing Ukraine](#)
- Reach out [the Organization for Aid to Refugees \(OPU\)](#)

3. STATELESSNESS DETERMINATION AND PROTECTION STATUS

For stateless people, it is important to determine both a claim for international protection and their statelessness. Each application should be assessed and both types of status should be explicitly recognised so that even if international protection ceases, the person remains entitled to protection as a stateless person. Statelessness determination should be conducted either in parallel with or following the refugee status determination, with due regard to the primacy of the asylum claim and the principle of confidentiality for refugees in statelessness determination procedures. For more information, see: [ENS briefing on statelessness determination & protection in Europe](#).

Czechia has established a procedure for determining statelessness under the authority of the Ministry of Interior, but it only leads to tolerated stay for the first year, and there is no comprehensive protection status for stateless people. The application has no fixed form and there is no lawful stay requirement. However, while the burden of proof is shared in principle, in practice greater cooperation is required from the applicant, who must demonstrate that no State recognises them as a national. Applicants have the right to remain on the territory and are issued an identity document, but the law does not guarantee access to accommodation in reception centres nor access to health insurance. Case law applying previous legislation decided that the procedure to determine statelessness and rights conferred to applicants should be analogous to the refugee determination procedure; however, it is not yet known how the Ministry of Interior will take that jurisprudence into account. Recognised stateless people are only granted a tolerated stay visa (although they may acquire a permanent residence permit after five years), and access to work, healthcare, and family reunification is limited.

Stateless persons are strongly advised to seek expert legal advice on their rights in Czechia (e.g., from [OPU](#) – contact details below). For more information, see [ENS Statelessness Index Czechia](#).

4. REQUIREMENTS FOR ONWARD TRAVEL TO THIRD COUNTRIES

Applicants for international protection (asylum status or subsidiary protection) cannot leave Czechia until a decision is made on their application. Beneficiaries of temporary protection may travel to other EU Member States for 90 days within a 180-day period and may travel to non-EU countries based on the requirements of third countries.

5. OTHER RELEVANT INFORMATION

There are reports of discrimination against Romani people from Ukraine in accessing housing or obtaining temporary protection, as well as discrimination against non-Ukrainian nationals who lived in Ukraine, such as students from West Africa. In particular, Romani families have reported discrimination at the KACPU centre in Prague: some families were refused entry to the centre and returned to [Prague Railway Station](#) or travelled on to other countries. Some were initially allowed to enter the KACPU centre, but they had to undergo additional screening even when they had travel documents, and the authorities tried to prevent them from proceeding with their temporary protection registration, claiming either that they were Hungarian nationals or that they needed to provide proof of housing in Czechia. In some cases, Romani people have been granted three-day exit visas.

Persons arriving in Czechia for the first time after 1 July 2023 who have obtained temporary protection are [entitled](#) to free accommodation in State-run hotels, which will be provided for the first 150 days after the granting of temporary protection. Vulnerable persons (children, seniors, persons with disabilities, etc.) granted temporary protection who are eligible for humanitarian aid are also entitled to free accommodation without the 150-day limit. As eligibility for humanitarian assistance is assessed for the entire household, this approach may be problematic in some cases and has led to certain working refugees being deemed ineligible for humanitarian assistance on the basis of presumed adequate income, despite potential financial challenges.

6. ORGANISATIONS ASSISTING STATELESS PEOPLE

<p>Organization for Aid to Refugees (OPU) Free legal and social aid to refugees and all persons fleeing Ukraine, including stateless persons https://www.opu.cz/en/ +420 730 158 779, +420 739 413 983 opu@opu.cz , pravni@opu.cz Contact information for various offices across Czechia can be found HERE.</p>	<p>UNHCR Czechia https://help.unhcr.org/czech/ +420 776 437 775 czepr@unhcr.org</p>
<p>Association for Integration and Migration (SIMI) Free legal and social aid to persons fleeing Ukraine including stateless persons http://www.migrace.com/ +420 224 224 379 poradna@migrace.com</p>	<p>Forum for Human Rights https://forumhr.eu/ forum@forumhr.eu</p>
<p>Ministry of the Interior of Czechia https://www.mvcr.cz/mvcren/ +420 974 811 111 posta@mvcr.cz Information for persons fleeing Ukraine: https://www.nasiukrajinci.cz/cs/</p> <p>Information regarding temporary protection: + 420 974 801 802 ukrajina@mvcr.cz</p> <p>Information regarding other residence permits: + 420 974 801 801 pobyty@mvcr.cz</p>	<p>FRS – Official web portal for foreigners in Czechia Contains information on temporary protection, including application and registration for renewal. Also includes list of Regional Assistance Centres (KACPU) and information on State Humanitarian Accommodation. https://frs.gov.cz/docasna-ochrana/</p>
<p>Czech Bar Association List of Czech attorneys who offer pro bono legal assistance and services to people fleeing Ukraine https://www.cak.cz/scripts/detail.php?id=25507</p>	<p>List of integration centres Free social aid to migrants https://www.integracnicentra.cz/</p>
<p>Ministry of Labour and Social Affairs of Czechia Info line on social rights and assistance: +420 800 601 020 (available in CZ, UA, RU, HU, and Romani) Information website for Ukrainian refugees on humanitarian aid, labour rights, health insurance, and vulnerability assessment. https://www.mpsv.cz/web/cz/pomoc-ukrajine</p>	<p>A central place to offer / ask for help List of offers of material assistance or services (interpretation, health and social care, etc.) Essential information related to accommodation support https://www.pomahejukrajine.cz/</p>