

# **NATIONAL STRATEGY TO COMBAT TRAFFICKING IN HUMAN BEINGS (2008 – 2011)**

(...)

## **Annex 2**

### **Basic Principles of the Functioning of the Programme to Support and Protect Victims of Trafficking in Human Beings**

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#### **Regulation of Residence for Foreign Nationals in the Czech Republic**

- In the case of a victim – either female or male foreign national residing illegally in the Czech Republic - entry into the Programme is followed by an application for an exit order up to 60 days which corresponds to the period of crisis intervention during which a victim must make a decision whether he/she wants to cooperate with law enforcement authorities;
- during the last ten days of the residence permitted on the basis of the exit permit, steps towards leaving the country are taken in the event the victim decides not to cooperate with law enforcement authorities;
- foreign national victims who decides not to cooperate is offered voluntary return to their respective country of origin; if the victim rejects voluntary return, after his/her exit order expires they are deported; voluntary return is possible at any time under a relevant application;
- if a victim shows interest in cooperating with law enforcement bodies then an application for a visa for over 90 days for the purpose of tolerated residence in the Czech Republic is filed – under Sec. 33 (1b) of Act No. 326/1999 Coll. on the Residence of Aliens in the Czech Republic;
- provided that the victim suffers from serious health problems, being for example mentally retarded or suffering from psychological problems, such a person may join the Programme and be part of it without cooperating with law enforcement authorities – in such cases an application for a visa of over 90 days for the purpose of tolerated state in the Czech Republic is lodged under Sec. 33 (1a) of the Act on the Residence of Aliens;
- a victim who was initially contacted by an NGO and who decides to cooperate with law enforcement authorities or who at least agrees on contact with them is issued with a permit for long-term residence for the purpose of the protection in the Czech Republic (under Sec. 42 (e) of the Act on the Residence of Aliens);
- in the case that a victim is initially contacted by the police, the procedure to be used is similar and the victim is instructed under 42 (e) of the Act on the Residence of Aliens;
- after criminal proceedings are ended the foreign national victim is offered voluntary return to the country of origin;
- in cases of special consideration and at the request of the victim the Alien Police may grant the foreign national victim a permanent residence permit for humanitarian reasons – pursuant to Sec. 66 (a) of the Act on the Residence of Aliens.

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