The Czech Republic will become part of the Schengen area. Checks will be abolished at land borders on 31st December 2007 and at the end of March 2008 also at the international airports on flights within the Schengen territory. It will be possible to cross the common (internal) borders with other Schengen states without any border checks. Nevertheless, the necessity to possess a valid travel document (see below) remains untouched.

By joining the Schengen area, the Czech Republic will apply joint rules concerning the movement of persons in the entire Schengen area, including the conditions for crossing external borders.

In the case of a serious threat to security or public policy, the Czech Republic may reintroduce border control at internal borders and may carry out border checks again. Nevertheless, such action will be performed only in exceptional cases and for a limited period.

The enlargement of the Schengen area will bring changes to citizens of the European Union and other persons enjoying the Community right of free movement¹ including their family members² and also to third-country nationals³.

Detailed information about the conditions for entry into and stay in the Czech Republic, respectfully in the Schengen area, may be provided by:
- Information Hotline of the Alien Police (Tel: 974 841 356/357, E-mail: infoscpp@mvcr.cz, www.mvcr.cz)
- Ministry of Foreign Affairs www.mzv.cz
- www.euroskop.cz/schengen
- Eurocentres

By the Ministry of the Interior, September 2007

CZECH REPUBLIC JOINS SCHENGEN

INFORMATION FOR FOREIGN NATIONALS

SCHENGEN AREA
FROM 31 DECEMBER 2007

Diplomatic missions of the Czech Republic will start issuing Schengen visas and the Czech Republic will, at the same time, start accepting the Schengen visas issued by another Schengen state for entry into and short-term stay (not exceeding 3 months) on its territory.

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By the Ministry of the Interior, September 2007

1) as of 31st December 2007: citizens of the EU, (Iceland, Norway, Switzerland and Liechtenstein)
2) spouse, partner (in the case of a registered partnership), direct descendants who are under the age of 21 or are dependents, dependent direct relatives in the ascending line (precise definition of the term is laid down in the Directive 2004/38/EC of the European Parliament and of the Council)
3) persons not enjoying the Community right of free movement

THE CZECH REPUBLIC IN THE SCHENGEN AREA FROM 31 DECEMBER 2007

Diplomatic missions of the Czech Republic will start issuing Schengen visas and the Czech Republic will, at the same time, start accepting the Schengen visas issued by another Schengen state for entry into and short-term stay (not exceeding 3 months) on its territory.

Diplomatic missions of the Czech Republic and the Police of the Czech Republic (Alien Police Service) will still be entitled to issue visas and residence permits. Conditions for granting residence permits and their prolongation will not change in the Czech Republic.

Short-stay as well as long-stay visas issued by the Czech Republic before 31st December 2007 will remain valid for the period indicated on the visa. They will, however, entitle their holders only to enter into and stay in the Czech Republic. If holders of such a visa leave the Czech Republic (solely by direct flight) and wish to return to the Czech Republic before the visa expires, they will be able to pass through the territory of other Schengen states for a period not exceeding 5 days provided they will be in possession of a long-stay visa. If they possess a short-stay visa, they will have to take a direct flight to return to the Czech Republic, as transit through the territory of other Schengen countries will not be possible.

A residence permit for the Czech Republic and a valid passport will entitle third-country nationals to travel within the Schengen area for a period which will not exceed 3 months in total.

Since 1st September 2007, the Czech Republic has had access to the Schengen Information System (SIS). An alert in the SIS for the purpose of refusing entry may be the ground for refusing entry and refusing application for a visa or residence permit or their prolongation. An alert in the SIS may also be the reason to terminate the validity of a visa or a residence permit issued by the Czech Republic prior to 1st September 2007.

Free movement of third-country nationals applies to persons who legally entered and stay on the Schengen territory. Please pay attention to conditions for entry and stay as their violation may, in some cases, lead to termination of stay.
Citizens of the EU, Iceland, Norway, Switzerland and Liechtenstein shall have the right to stay on the territory of the EU, to enter and to leave the territory of the EU and above mentioned countries for up to 3 months without any conditions or restrictions, however they have to be in possession of a valid identity card or a passport.

For stays exceeding 3 months, they may apply for a residence permit of which issuance is guided by the rules of the concerned country – in the case of the Czech Republic, this includes issuance of a temporary residence confirmation or a permanent residence permit.

Third-country nationals – family members of citizens of the EU, Iceland, Norway, Switzerland and Liechtenstein, who are applying for a temporary residence permit for up to 3 months, may enter and stay in the territory of the EU and above mentioned countries for up to 3 months without any conditions or restrictions, however they have to be in possession of a valid identity card or a passport.

For stays exceeding 3 months, they may apply for a residence permit of which issuance is guided by the rules of the concerned country – in the case of the Czech Republic, this includes issuance of a temporary residence confirmation or a permanent residence permit.

Third-country nationals with a visa obligation shall undergo a minimum check when crossing the external borders in order to establish their identity, to verify the validity of the travel documents and to check whether the person concerns an individual threat to the public policy and internal security of any of the Schengen states. The existence of a permanent residence permit is not a criterion for staying on the territory of the Schengen states for up to 3 months.

Third-country nationals subject to the visa obligation may enter and stay in the Schengen area only on the basis of a uniform Schengen visa (Category B + C) which allows the holder to stay on the territory for the period stipulated on the visa, which does not exceed the period of 3 months starting from the date of entry into the Schengen area.

For stays exceeding 3 months, they need a long-term visa or a residence permit issued in accordance with the national legislation of the concerned country.

Third-country nationals subject to the visa obligation may enter and stay in the Schengen territory in order to establish their identities on the basis of verification of the validity of their travel documents (identity card or passport).

Travel documents of third-country nationals shall be stamped on exiting and entering the Schengen area.

Third-country nationals – family members of citizens of the EU, Iceland, Norway, Switzerland or Liechtenstein, shall undergo a minimum check when crossing the external borders in order to establish their identities on the basis of presentation of a passport and documents proving the family tie with a citizen of the EU and above mentioned countries.

Data collected in the Schengen Information System (SIS) for the purpose of refusing entry, they are not considered to be a threat to public policy, internal security, public health or the international relations of any of the Schengen states.

The travel documents of third-country nationals shall be stamped on entering and exiting the Schengen area.

Third-country nationals are subject to the visa obligation if they do not hold a valid travel document or documents valid for crossing the border of the Schengen area.

Travel documents of third-country nationals shall be stamped when crossing the external Schengen borders, except when they present a residence permit authorizing them to stay on the territory of the EU and above mentioned countries.

These rules are applicable under the condition that family members accompanying or joining the EU citizens or citizens from the above mentioned countries.

If this is not the case, the rules for third-country nationals apply.

The entry of the Czech Republic into the Schengen area does not affect rules and conditions for granting international protection. A foreign national who has been granted a temporary protection or asylum in the Czech Republic may move within the Schengen area for a period of up to 3 months.

Visas issued by the Schengen states which entitle their holders to temporarily enter and stay in the Schengen area for a short-term period on the territory of the Schengen states.

There are several types of uniform Schengen visas:

– short-stay visa (Category B) crossing through the transit areas of the airport during a stop-over or transfer, does not entitle the holder to request the entry into the territory of the Schengen states;

– Transit visa (Category B: transit through the Schengen territory for a period not exceeding 5 days) – for stays up to 3 months (Category C: short-stay visa).

Diplomatic missions of the Czech Republic will issue a Schengen visa valid for the entire Schengen territory provided all conditions for granting the requested type of visa have been met, including i.a.:

– applicant is not a person for whom an alert has been issued in the SIS for the purpose of refusing entry;

– there is no reasonable danger that the applicant may, when staying on the territory of other contracting countries, be a threat to its security or public policy or international relations.

– the Czech Republic is the main destination or, in the case of passing through territories of several countries, the first Schengen state which shall be entered by the applicant of this type of visa;

– applicant is a holder to which a visa shall be affiliated entitles the holder to enter the territory of all Schengen states.

A short-stay visa entitles a third-country national to enter the territory of Schengen states, Switzerland and Liechtenstein to pay a continuous visit or several visits, the duration of which does not exceed 90 days within a six-month period from the date of entry into the territory of these states. The visa may be issued for one, two or several entries.

A long-stay visa (Category D) does not belong to the group of uniform Schengen visas – this type of visa represents a national visa which enables the holder to enter and stay for a period of up to 3 months (Category D + C) which joins the advantages of both types of visas.

In specific cases, the Schengen visas may be issued at the border crossing points.