

Labour Migration Management: „Dreams“ and Reality – The Example of the Czech Republic

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Political parties in the Czech political arena have so far paid rather limited attention to international migration and immigrants' integration. Accordingly, the Government and both Chambers of Parliament, except "following EU policies and practices where obligatory" in several exceptional activities, did the same. It does not mean, however, that international migration issues have not been dealt with in the Czech Republic (CR). Despite many problems, situation in the given field (managing the migration and integration) has so far been "one of the most developed" among all post-communist countries of Central/Eastern Europe (see also Drbohlav 2003, Drbohlav, Horáková, Janská 2005, Čaněk, Čižinský 2006). As a matter of fact, many problems that burden the CR are typical of many other developed immigration countries. This contribution concentrates upon economic, labour migration¹. After a brief sketching the current migratory parameters of the country, some basic ("obligatory") aspects of successful managing the labour migration are pinpointed (as subjectively seen by the author). Then, the current migratory reality is juxtaposed to this "dreamy framework". The review of the aspects that are dealt with is, of course, rather limited. Nevertheless, there is no ambition to put and discuss all possible intervening factors. The only one goal is to show what has been done and, on the other hand, has not been done in the CR as a starting point as to what might or should be done in order to have a migration policy (and subpolicies) and practice more fair, more effective and more "sustainable".

Introduction

Between 1948 and 1989, during the communist era the CR (at that time a part of Czechoslovakia) had no normal international migrants (see more e.g. in Drbohlav 2004). The communist regime applied very restrictive migration policy that heavily limited a free movement of the Czech population across international borders. Also, the migration inflow of

¹ This paper was produced thanks to the support of the following two projects: 1) Project of the Ministry of Work and Social Affairs of the Czech Republic No.: 1J 057/05-DP1 and 2) Investigative plan of MSM 0021620831 financed by the Ministry of Education, Youth and Physical Education of the Czech Republic.

long-term immigrants into the country was very specific and, to large extent, concerned only citizens of other socialist/communist countries. A new era came with the Revolution times. After deep transition and transformation processes that started in the very end of the 1980s and very beginning of the 1990s, the CR has quickly become immigration and transit country. While not having experience with managing migration flows and immigrants' integration processes the newly established democracy started applying very liberal migration policies and practices (until 1997). Besides that, also due to a fact that the standard of living of the Czech population was maintained and the economy attracted a foreign labour force, numbers of immigrants were increasing. At the same time, geographical position of the country in the middle of Central/Eastern Europe brought many transit (illegal) migrants that tried to get through the country further to the West. Neither economic problems in the end of the 1990s, nor changed policies that within harmonization with the European Union (EU) became in some aspects obligatorily more selective and restrictive, prevented more immigrants to enter the country. Currently, numbers of immigrants and economically active immigrants (highly probably also illegal/irregular ones) are in the CR much higher than in any other European post-communist country (see e.g. Drbohlav 2006). Under specific conditions the immigrants' presence brings about possible significant impacts upon various social structures like socioeconomic, sociocultural, political, psychological or geographical ones. Thus, a question as to how to manage/regulate the immigration inflows including immigrants' integration in the territory of the country become an important challenge for the state administration but also society as such.

Some basic migratory parametres

As already mentioned, the CR has been gaining migrants via its net migration (see table 1).

Table 1 International migration in the CR, 2000-2006 (flows)

	2000	2001	2002	2003	2004	2005	2006
Immigration	7,802	12,918	44,679	60,015	53,453	58,276	68,183
Emigration	1,263	21,469	32,389	34,236	34,818	21,796	33,463
Gross migration	9,065	34,387	77,068	94,251	88,271	80,072	101,646
Net migration	6,539	-8,551	12,290	25,779	18,635	36,480	34,720

Source: The Czech Statistical Office

Notes: the emigration figures are underestimated, since despite there is a mandatory deregistration of Czechs before leaving the country for a long time or permanently, only a limited people do it. Thus, also the net migration is, in fact, lower than it is shown in the table.

A "jump" in 2002 was due to changing categories within the official Czech statistics – long-term stays started being newly included.

As of December 2006, a total number of 321,456 foreigners having a residence permit were registered in the country (see table 2). It represented 3.1 % of the total population.

Table 2: Foreign residents in the CR, 2000-2006 (stock)

Year	2000	2001	2002	2003	2004	2005	2006
Permanent ¹	66,891	69,816	75,249	80,844	99,467	110,598	139,185
Temporary ²	134,060	140,978	156,359	159,577	154,827	167,714	182,271
Total	200,951	210,794	231,608	240,421	254,294	278,312	321,456

Source: Ministry of the Interior: <http://www.mvcr.cz/statistiky/migrace.html>

Notes: ¹ Permanent residence permits (mostly based on a family reunion or a family formation).

² Visa for a period exceeding 90 days and/or long-term residence permit (mostly typical economic migration).

Employment and business activity were the dominant purposes of the stay in the category of temporary - long-term resident holders in the CR whereas the “family reunion” was the most frequent reason for granting permanent residence permit. One can see that the both migratory categories have been growing over time (table 2).

Ukrainians, Slovaks, Vietnamese, Poles and Russians dominate among officially registered foreigners in the CR (see table 3). Currently, citizens of the EU countries represent 32 % of the whole migratory stock.

Table 3. Foreign residents in the CR by citizenship, 2000-2006

Country	2000	2001	2002	2003	2004	2005	2006
Ukraine	50,212	51,825	59,145	62,282	78,263	87,789	102,594
Slovakia	44,265	53,294	61,102	64,879	47,352	49,455	58,384
Vietnam	23,556	23,924	27,143	29,046	34,179	36,832	40,779
Poland	17,050	16,489	15,996	15,766	16,265	17,810	18,894
Russia	12,964	12,423	12,813	12,605	14,743	16,269	18,562
Germany	4,968	4,937	5,183	5,188	5,772	7,187	10,109
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Total	200,951	210,794	231,608	240,421	254,294	278,312	321,456

Source: Ministry of the Interior, <http://www.mvcr.cz/statistiky/migrace.html>, Horáková 2007

Women represented 40.4 % of the total number of foreign residents in the CR by the end of 2005. 37 % of immigrants were in the age between 20-29 years, another 26 % came in the age group between 30-39 years.

Asylum seekers do not represent an important population segment in quantitative terms. Accordingly, they do not have any significant influence on the Czech labour market.

In 2006 the rate of economic activity of foreigners in the Czech labour market increased to 250,797 registered foreigners and, thus, the proportion of foreign labour force (i.e. workers and business license holders) in the total labor force in the CR reached 5 % (see table 4).

Table 4 also brings a composition of the foreign labour force where employees dominate over holders of a business license.

Table 4: Foreign labour force in the CR, 2000-2006

Year	2000	2001	2002	2003	2004	2005	2006
Work permits	40,080	40,097	44,621	47,704	34,397	55,210	61,452
Slovak citizens	63,567	63,555	56,558	58,034	59,817	75,297	91,355
Registration of EU/EEA/EFTA citizens (excluding Slovaks)					13,023	18,570	25,493
Information on foreigners from the third countries					747	2,659	6,777
Total workers	103,647	103,652	101,179	105,738	107,984	151,736	185,077
Business authorisations	61,340	64,000	60,532	62,293	65,219	67,246	65,722
Total foreign labour	164,987	167,652	161,711	168,031	173,203	218,982	250,799
Foreign labour force on the total labour (%)	3.2	3.2	3.2	3.2	3.4	4.0	5.0

Source: Ministry of Labour and Social Affairs, <http://www.vupsv.cz/>

Besides Slovaks that have been traditionally the most important labour migration source in relation to the CR, Ukrainians and Poles dominate among foreign employees in the country (see table 5). One can see that since 2004 many immigrant groups, including those from the West, grew significantly.

Table 5: Foreign employees by citizenship in the CR, 2000 - 2006

	2000	2001	2002	2003	2004	2005	2006
Slovakia	63,567	63,555	56,558	58,034	59,817	75,297	91,355
Ukraine	15,753	17,473	19,958	22,489	22,399	38,926	45,155
Poland	7,679	6,661	7,338	7,403	8,882	12,635	17,149
Bulgaria	1,523	1,863	1,985	1,792	1,651	1,732	1,953
Mongolia	660	976	1,185	1,388	1,585	1,800	2,814
Moldavia	1,446	1,377	1,412	1,509	1,483	2,710	3,369
Germany	1,452	1,218	1,306	1,412	1,303	1,743	2,383
USA	1,356	1,279	1,435	1,408	1,160	1,195	1,224
Russia	1,016	887	930	867	1,078	2,447	2,380
Belorussia	1,139	1,028	1,191	967	815	968	1,035
Great Britain	1,112	989	1,005	1,018	741	1,119	1,584
...
Total	103,647	103,652	101,179	105,738	107,984	151,736	185,077

Source: Ministry of Labour and Social Affairs, <http://www.vupsv.cz/>, Horáková 2007

Main fields of the economic activity of foreign workers in the CR are construction, manufacturing, wholesale and retail trade as well as real estate, renting and business activities. All these activities are markedly increasing from 2004 to 2006.

By the end of 2006, 65,722 foreign businessmen were registered as doing their business in the Czech Republic. Two immigrants groups unambiguously prevail: Vietnamese and Ukrainians (see table 6).

Table 6: Business license holders by citizenship in the CR, 2000-2006

	2000	2001	2002	2003	2004	2005	2006
Vietnam	19,307	20,403	20,081	20,964	22,046	22,620	22,910
Ukraine	21,402	21,590	19,047	18,752	19,486	21,135	21,325
Slovakia	6,670	7,051	7,175	8,123	8,757	8,719	8,282
Russia	1,842	1,890	1,667	1,622	1,611	1,482	1,279
Yugoslavia	1,294	1,500	1,400	1,349	1,287	1,124	869
Poland	1,033	1,051	1,081	1,126	1,251	1,294	1,238
Bulgaria	1,174	1,123	1,004	1,092	1,113	1,091	906
Germany	837	940	949	1,005	1,103	1,164	1200
USA	551	585	585	618	644	629	474
...
Total	61,340	64,000	60,532	62,293	65,219	67,246	65,722

Source: Ministry of Industry and Trade (internal materials), Horáková 2007

As one can see, the CR has relatively quickly become an immigration and transit country² for which the management of its economic migrants is inevitable challenge.

Management of the economic migration

In order to successfully manage/regulate migration inflows and, indeed, immigrants, the state should among other tasks to try to fulfil, at least, the following goals³:

- 1) To have a vision and to establish systematic and far-reaching policies (including defining relevant goals, mechanisms, responsibilities/rights, financial means and institutional structures);
- 2) to get experience, (and inspiration from abroad) plus enrich it with own „added-value“;

² Many transit migrants are illegal in their character. Illegal migration is defined - as consisting of the illegal entry of persons across the state border, unauthorized departure from the country, and violations of residency laws. In 2006, 11,488 incidents of illegal migration were discovered on the territory of the CR. Of this number, 62% consisted of cases wherein residency laws had been violated (Zpráva 2007).

³ In fact, the goals are interwound.

3) to get to know own needs that might be met via immigration (e.g. it concerns detailed and sophisticated economic analyses of the own labour market ...);

4) to attract mainly those who are necessary/in demand and to make use of their potential;

5) to get rid of those who seriously violate respective laws, who do not deserve to stay in the country.

What is reality? Let us briefly and step by step analyze what the CR has done or has not done in the given areas.

A) As for the vision, there is no „big vision“ and far-reaching (and holistic and robust) policies (approaches). The Czech migration and integration policies have mostly been driven by mandatory harmonization with the EU legislation and practices. Only recently (since the beginning of the 2000s), several new, pro-active steps have appeared. One of them is the „Selection of Qualified Foreign Workers“. As a part of its few (and, for sure, praiseworthy) proactive migration-policy approaches, the Czech government introduced a pilot project to attract immigrants to settle: “The Selection of Qualified Foreign Workers”. This pilot project is a sort of a special recruitment program. This scheme (started on July 2003) recruits new immigrants (with at least a secondary education) who could help build national prosperity (while complementing the Czech domestic labour market which lacks some professions and also suffers from low fertility and overall ageing). The main goal of the project is to encourage foreign experts, specialists, highly-skilled workers, to settle along with their families in the country. The crucial point is that the program tries to attract permanent immigrants. A hypothesis is that foreign specialists will not compete with Czech citizens on the Czech labour market. Also that they will find jobs in regions and professions in which shortages are visible today and, furthermore, due to immigrants’ activities, new jobs should be created while economically enriching society. People who meet all these demands may ask for a permanent residence permit as early as after 2.5 years instead of the current five years. Selection is based on a point system in which applicants have to get 25 points out of 66 points as a minimum. Seven criteria are assessed: having a job, working experience, education, age, former experience with life in the CR, language abilities, and family members. The CR does not provide an applicant with a job, housing or finance his/her trip to the country. When losing a job during a waiting period (through no fault of his/her own) an applicant has a 30-day protection period, within which he/she does not lose their visa and their stay is not

interrupted, thereby giving them the chance to find another job. In the first round⁴ the system targeted immigrants from Kazakhstan, Croatia and Bulgaria. Then gradually, over time, other categories could join the Pilot: immigrants from Belarus and Moldova along with fresh graduate students from Czech universities regardless of country of origin (except those with scholarships from the Czech government), Canadians and citizens of Serbia and Montenegro, citizens of Bosnia and Herzegovina, Russia and Macedonia and, finally, since January 2006, Ukrainians could enter the project as well. 860 immigrants had so far successfully entered the system (as of November 30, 2007). Of course this is a very small number of people compared to the whole labour market and it was also less than quotas would have allowed.

The Ministry of Labour and Social Affairs of the CR responsible for the project and, consequently, the Government as a whole, decided to change the current model to make it more effective and attract more immigrants. When analyzing problems of the program – why it failed to attract more applicants – several reasons come up: First of all, the precondition to find a job and to gain a visa for more than 90 days for employment purposes before entering the program is a difficult task, almost impossible to fulfill for those who apply from abroad. Second, though it is known that demand is generally high, only a few potential Czech employers have so far taken part by reporting their demand for skilled foreign labour to the Ministry. Information campaigns targeting employers and job centres in the CR should be more numerous, intensive and effective. Also lacking is a “robust” in-depth economic analysis, not to mention a prognosis with which to develop a sophisticated system of specifically targeted “structural demand” for highly-skilled foreign labour (by education, professions, regions etc.). Third, other “supporting services”, namely affordable available housing, are hard for immigrants to find within an imperfectly-functioning residential market.

There is a basic non-answered question as to what is better for the country – whether to attract educated permanent migrants but not to direct them to particular “gaps” in the labour market, or, rather to attract temporary economic migrants to saturate in a highly flexible way targeted deficits in the labour market. Or, to design a sort of a “mixture”.

⁴ After five years (2008), the pilot program is expected to be open to citizens of most countries of the world.

There is a new project that is being prepared by the Government: It is obvious that the new model (called the “Green Card”) should dramatically liberalize conditions for third country immigrants to enter the Czech labour market (the exact rules/conditions have not been released yet). Newly prepared serious changes⁵, however, have yet to go through all the necessary administrative and legislative stages.

What hinders any reasonable steps also in the economic migration/integration policy field is a fragmented institutional structure. The Ministries - mainly the Ministry of Labour and Social Affairs, the Ministry of the Interior, the Ministry of Foreign Affairs and the Ministry of Industry and Trade have not been efficiently cooperating for a long time.

B) As for getting experience, inspiration from abroad plus adding own „added-value“, the CR primarily got valuable migratory and integration experience (and inspiration) via its GOs and NGOs representatives as early as the beginning of the 1990s. It continued over time and the country learned especially from experience of the Council of Europe, the Netherlands, France, Germany, Austria and Canada. Just these subjects/countries influenced, to large extent, features of newly establishing migration and integration policies of the Czech Republic. Recently, the mandatory harmonization with the EU legislation has started dominating while having the most important impacts upon shaping and reshaping the relevant policies and practices. Just above presented projects of the „Selection of Qualified Foreign Workers“, and of the „Green Cards“ represent a very good „added-value“ and pro-active steps that, however, are rather exceptional.

C) As for getting to know own needs that might be met via immigration, there is no robust in-depth economic analysis, not to mention a prognosis that would enable to develop a complex, sophisticated system of specifically targeted “structural demand” both for highly skilled/educated and unskilled foreign labour force (in terms of education, professions, regions etc.). Obviously, the ageing process will create very specific and demanding conditions for the further development of Czech society. Moreover, for example, the existing mismatch between the demand and the supply of apprenticeships and training programs, very low internal migration mobility of Czechs, low spatial flexibility of the Czech labour force, very small proportion of university graduates as compared to the EU average, an opaque

⁵ Like, for example, shortening the whole process of getting the Card for less than one month, holding the Card for three years, when losing a job having two more months for finding a new one etc.

system of social subsidies, high taxes on labour in general, and income in particular, a small difference between the minimum wage and social subsidies when unemployed ..., all call for immigrants as one of the alternatives⁶ as to how to solve in the future even more serious socioeconomic problems.

Unfortunately, as already mentioned, so far there has been no sophisticated and functional “program” that would combine domestic demand with foreign supply (to do it via advertising on a web side is surely not enough).

D) Regarding attracting mainly those who are necessary/in demand and to make use of their potential, the state is not able to effectively and reasonably organize inflows of economic migrants (short and long-term ones). Besides specific cases as stipulated in the law, economic migrants primarily come to the country via two basic entrance channels: 1) bilateral agreements and 2) under a visa for more than 90 days and a long-term residence status. After 1990, the Government of the CR signed a series of international treaties several of which limited the number of migrants. Some of the bilateral agreements, signed for example with Germany and Switzerland, deal with a mutual exchange of trainees regardless of the situation in the labour market. Nevertheless, their impact is marginal since very small numbers of immigrants are involved. On the other hand, very important agreement between the CR and Ukraine concerning the mutual employment of their citizens expired in 2002 after five years in force. It was to regulate really a massive inflow of would-be migrants from Ukraine to the CR. Under this agreement, however, the system has never worked well. All was slow, time-consuming, demanding, not flexible, burdened with bureaucratic processes and even bribing on Ukrainian side. As a corollary, many Ukrainian employees that had made use of annual quotas set by the Czech Agreement have moved to a category of individual businessmen – simply pragmatically switched to a quasi-legal category of “hidden employment” (within which small businessmen⁷ work like classical employees – see also Horáková 2004). Other immigrants started with irregular economic activities. Generally, a niche opened up for intermediaries who help organize a regular, irregular or semi-legal stay and work in the CR mainly under visa for more than 90 days and long-term residence permits (see e.g. Čaněk,

⁶ There is no doubt, however, that immigration in the CR context is not able to prevent or even cure population of demographic ageing. All that migration of realistic dimensions can do is to offset expected population decline caused by the insufficient natural reproduction and slightly reduce the most radical effects of the demographic ageing process. Any higher expectations are unrealistic (Burcin, Drbohlav, Kučera 2005).

⁷ It is much easier to get a business license as compared to a work permit.

Čižinský 2006, and Černík 2006). Just now there are about 1,100 official private labour exchange agencies operating in the CR. Also due to this highly fragmented structure⁸, a so-called “Client System” started functioning for labour immigrants from Ukraine, Moldova and other countries of the former Soviet Union to the CR and has quickly become widespread throughout the whole country. The Client System is a specific model of controlling the migrant by a „Client“ who organizes the work and mostly also other necessary services (employment, housing, possibly a residence permit, etc.) for the migrant in the target country. However, at the same time he/she gets the migrant into bondage, in which he/she exploits him/her in all possible ways. The model is closely connected to the underworld and criminal subcultures and their hierarchy and it has its traditions in the former Soviet Union. The somewhat illogical name of the “Client” who actually is the mediator, comes from the fact that “he is a real client in the context of organised crime” (Černík 2006).

To summarize this issue, the state as such is, despite “giving approval”, not too much able to really manage and influence who is arriving, where a migrant operates and in what economic sectors he/she is involved. Moreover, many of a numerous group of quasi-legal and illegal economic migrants do not do what they had studied or for what they have particular skills. Thus, their human capital is, to large extent, lost. While having also university degrees, migrants are often involved in easy, manual type of work.

D) Various estimates tell us that perhaps between 40,000 and 300,000 illegal/irregular migrants (except transit ones) may operate in the CR. Concerning an issue of getting rid of those migrants who seriously violate respective laws, situation is far from perfect. The state is very often not able to identify those who have been breaking the respective rules/laws (regarding the stay and/or work). The main reason is that there are only limited numbers of controls/inspections of employers organized by the Czech relevant bodies⁹. Moreover, controls/inspections themselves have to follow rules that decrease their effectiveness. Due also to sometimes „multiple subcontracting“ it is not easy to orientate within the complicated network of foreign workers. Administrative expulsion is a formal end of the foreigner’s stay –

⁸ It is clear that such a big number of agencies cannot be effectively monitored and their recruitment activities controlled by the authorities.

⁹ For example, in 2006 1,474 checks targeted employers who employ foreign workers (altogether 12,094 persons were checked). Besides Slovaks and their breaches of the law - they fall into a special EU regime, 1,701 irregular economic migrants were found (out of them 1,280 were Ukrainians).

it is not as severe as expulsion by court of law and is not issued for criminal offences¹⁰. When experiencing administrative expulsion, a migrant is usually forbidden to re-enter the Czech Republic for a certain period of time. There are several problems related to expulsions. First, only a very limited number of those who are sentenced to administrative expulsion are really expelled from the country („out of the state“). Many migrants are only labelled as such on their documents and, instead of leaving the country, they continue to operate in the country or they try to reach other (usually richer) EU countries. Second, once detained, many foreigners avoid expulsion by asking for asylum. Despite the fact that their application is usually not well-founded, it must go through the whole procedure of investigating an asylum case. Through this procedure, the foreigner buys time and often disappears from the asylum centre after which he/she continues to illegally work in the country or head for Germany or Austria. (Also, it is a well known fact that many asylum seekers perform irregular economic activities although working is allowed only one year after the asylum application has been submitted).

Of course, it is very difficult to eliminate those who misuse legislation, in other words, make use of some gaps in the legislation (e.g. via registering in various public trading companies and limited liability companies, or, via getting a trade license) while, in the end, not sticking to rules that are stipulated.

In sum, effectiveness of the expulsion procedure is, in practice, rather small, be it a matter of not enough will (decisive bodies), not well designed legislation, or, not enough means (capacities) for practice to effectively function.

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¹⁰ Expulsion by court of law is more severe and is usually executed in connection with a criminal offence.

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