



GMS Flash Alert

Immigration Edition

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Czech Republic – Prohibition of Entry for Russian, Belarussian Nationals Extended

Since the start of the war in Ukraine, the Czech Republic has imposed a ban on Russian and Belarussian nationals prohibiting them to file visa and residence permit applications through Czech embassies. This policy has been updated several times, and the last update brought the extension of the ban through 31 March 2024.¹ It is, however, not the only adjustment made by the recent update – as the authorities have had to react to changing circumstances along the way.

The Czech Republic has introduced two government resolutions in addition to the Lex Ukraine legislation. One of these provides more detail on the current conditions applied to Russian and Belarussian nationals in relation to their options of filing visa and residence permit applications.²

WHY THIS MATTERS

Generally, all standard applications that would be submitted by Russian and Belarussian nationals through Czech embassies are not being accepted. This creates a significant barrier for such individuals as they often have no options for obtaining visas and traveling to the Czech Republic for both short-term and long-term trips. Moreover, employers in the Czech Republic must address the issues of hiring new personnel from abroad since specialists from the Russian Federation and Belarus had featured significantly in the Czech labour force in specific sectors.

Exceptions from the Ban

Since the very start of the resolution's validity, several exceptions have been introduced. It is possible for some individuals to file a visa application if they meet certain conditions.³ These include specific situations such as when the applicant wants to accompany an immediate family member already located in the Czech Republic with a valid residence permit, and Belarussian students or persons whose stay in the Czech Republic is in the interest of the country. Several other exceptions may also be applied in some rather specific cases.

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Dual Citizenship

Although the resolution was updated several times before, it did not specifically mention the case of dual-citizenship holders in its preceding versions. This created a “grey zone” as Russian and Belarussian individuals, under some circumstances, could apply as citizens of the other country that is not affected by the resolution and there was uncertainty as to whether their applications should have been accepted or not.

In light of discussions KPMG has undertaken with the Czech authorities, it was clear that there was not a single standard point of view on this matter. However, this situation in respect of dual-citizenship holders is now covered by the resolution. It is currently not possible for persons with dual citizenship (if one of them is Russian or Belarussian) to apply for a visa and a residence permit to the Czech Republic unless they qualify for one of the above exceptions that are specifically stated by the resolution.

KPMG INSIGHTS

The new update was introduced on 22 March 2023, and is meant to be valid until 31 March 2024. Considering the unfolding of new developments since its first publishing, it is likely that we will see further adjustments to the rules that will be reacting to the ever-changing situation in Ukraine.

It is worth noting that Russian and Belarussian individuals who already reside in the Czech Republic with a long-term visa or residence permit are not affected by the resolution, as it only covers applications submitted via Czech embassies, i.e., typically first applications for visa / residency permits. Therefore, it is possible for persons residing in the Czech Republic to file applications inside the country as per usual – including permit extensions, changes of employer, or changes of purpose of their stay.

In light of this, it is now more important than ever for such individuals to keep the timely and accurate completion and submission of permit extension applications in mind. Failing to meet the legal deadline could lead to the cancellation of the individual's permit and may give rise to a subsequent obligation to leave the Czech Republic with very limited chance of returning.

For more information or assistance, you are advised to consult with your qualified immigration counsel or a member of the Immigration services team with KPMG in the Czech Republic.

FOOTNOTES:

1 For the text of *Nařízení vlády č. 79/2023 Sb., Nařízení vlády, kterým se mění některá nařízení vlády v oblasti nepřijatelnosti žádostí o udělení oprávnění k pobytu na území České republiky podávaných na zastupitelských úřadech v souvislosti s ozbrojeným konfliktem na území Ukrajiny vyvolaným invazí vojsk Ruské federace*, see: <https://www.zakonyprolidi.cz/cs/2023-79> .

2 See (in Czech) "Vízové služby pro občany Ruska a Běloruska" at: https://www.mzv.cz/jnp/cz/informace_pro_cizince/aktuality/vizove_sluzby_pro_obcany_ruska_a.htm .

3 Ibid.

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Contact us

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The information contained in this newsletter was submitted by the KPMG International member firm in the Czech Republic.

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