

Simona Mészárosová, Soňa Oboňová

ANNUAL REPORT ON MIGRATION AND ASYLUM IN THE SLOVAK REPUBLIC IN 2017

Annual Report on Migration and Asylum in the Slovak Republic in 2017

Report of the National Contact Point
of the European Migration Network for the Slovak Republic

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EMN activities are focused on topics related to migration of third-country nationals. The activities are implemented through national contact points in all EU Member States and Norway in coordination with the European Commission (Directorate-General for Migration and Home Affairs).

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Reference documents and information from the following central state administration authorities have been used to compile the report: Ministry of Interior of the Slovak Republic, Ministry of Labour, Social Affairs and Family of the Slovak Republic, Ministry of Foreign and European Affairs of the Slovak Republic and the Statistical Office of the Slovak Republic.

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Compiled by (in alphabetical order): Simona Mészárosová, Soňa Oboňová.

National Contact Point of the European Migration Network for the Slovak Republic
International Organization for Migration (IOM) – Office in the Slovak Republic
Address: Grösslingová 35, 811 09 Bratislava, Slovakia
E-mail: ncpslovakia@iom.int
Tel.: +421 2 52 62 33 35
Web: www.emn.sk, www.ec.europa.eu/emn

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Preface

The report informs about the most significant changes, developments and activities in the field of migration and international protection in Slovakia in 2017. In the Slovak Republic, the report is a unique publication of its kind which annually maps all areas of migration of third-country nationals.

The report forms part of the EMN Synthesis Report with the same focus which is prepared at EU level, summarising the findings of national reports compiled by EU Member States and Norway on the basis of common specifications. Since 2015, the Synthesis Report fully replaced the European Commission's Annual Report on Immigration and Asylum. The report feeds also into EASO's Annual Report on the Situation of Asylum in the EU 2017 as well as EMN Country Factsheets 2017.

The Synthesis Report and the individual reports of EU Member States and Norway are available in English on the European Commission website www.ec.europa.eu/emn. The report of the Slovak Republic is published in Slovak and English. Both versions are available on the website of the Slovak EMN National Contact Point www.emn.sk.

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List of Abbreviations and References

AE – administrative expulsion
AMIF – Asylum, Migration and Integration Fund
APD(s) PF – Aliens Police Department(s) of the Police Force
AVR(s) – assisted voluntary return(s)
AVRR – Assisted Voluntary Return and Reintegration Programme
AU – African Union
BBAP PFP – Bureau of the Border and Aliens Police of the Police Force Presidium
BCD PF – Border Control Department of the Police Force
CEAS – Common European Asylum System
COI – country of origin information
Coll. – Collection of Laws of the Slovak Republic
COLSAF – Central Office of Labour, Social Affairs and Family
DBAP – Directorate of the Border and Aliens Police
DFEA MIO – Department of Foreign and European Affairs of the Minister of Interior Office
DM(s) – diplomatic mission(s)
EASO – European Asylum Support Office
EEA – European Economic Area
EC – European Commission / European Community
EMN – European Migration Network
EP – European Parliament
EU – European Union
EUROSTAT – Statistical office of the European Union
FAD EPS MoI SR – Foreign Aid Department of the European Programmes Section of the Ministry of Interior of the Slovak Republic
FRAN – Frontex Risk Analysis Network
FH – foster home
Frontex – European Border and Coast Agency
IOM – International Organization for Migration
IRMA – Integrated Return Management System
JHA – Justice and Home Affairs
JIT – joint investigation team
MEKOMIC – Inter-Ministerial Expert Committee for Labour Migration and Foreigners' Integration
MIC – IOM Migration Information Centre
Migration Policy – Migration Policy of the Slovak Republic: Perspective until 2020
MoE SR – Ministry of Economy of the Slovak Republic
MoESRS SR – Ministry of Education, Science, Research and Sport of the Slovak Republic
MoLSAF SR – Ministry of Labour, Social Affairs and Family of the Slovak Republic
MO MoI SR – Migration Office of the Ministry of Interior of the Slovak Republic
MoI SR – Ministry of Interior of the Slovak Republic
MoFEA SR – Ministry of Foreign and European Affairs of the Slovak Republic
MS – Member State(s)
NGO(s) – non-governmental organisation(s)
NUCIM BBAP PF – National Unit to Combat Irregular Migration of the Bureau of the Border and Aliens Police of the Police Force Presidium

ODA – official development assistance of the Slovak Republic
OLSAF(s) – office(s) of labour, social affairs and family
PDCA(s) – Police Detention Centre(s) for Aliens
PF – Police Force
PFP – Police Force Presidium
SIS – Schengen Information System
SlovakAid – official development cooperation of the Slovak Republic
SO SR – Statistical Office of the Slovak Republic
SPCSG – socio-legal protection of children and social guardianship
SR – Slovak Republic
TCN(s) – third-country national(s)
UAM(s) – unaccompanied minor(s)
UN – United Nations
UNESCO – United Nations Educational, Scientific and Cultural Organization
UNHCR – United Nations High Commissioner for Refugees
UNRWA – United Nations Relief and Works Agency for Palestine Refugees
US(A) – United States (of America)
VIS – Visa Information System
V4 – Visegrad Group

Explanations of symbols (not applicable to Table 4 in the Annex):

(:) – Data unavailable.
 (-) – Event does not exist.

Methodology and Terms

Methodology and Elaboration

This report is compiled on the basis of common specifications which were prepared by EU Member States and the European Commission. Common specifications for all EU Member States and Norway enable comparability of national reports and their subsequent use for the European-wide EMN annual report and other outputs at EU level.

The report has Part 1, which is prepared for the European Commission and is not publicly available, and Part 2, which as a publication serves the Member States. The publication is based on Part 1 while the text is adjusted to national needs (e.g. in Slovakia, the text is extended by other national activities). The report includes also national statistics which are not collected at EU level (through Eurostat or Frontex).

In terms of methodology, the report uses secondary research and has a descriptive nature. The report for Slovakia is based on available expert publications, statistics, legislation, Slovakia's policy documents, internet sources and media monitoring¹. Significant sources of information were reference documents and information obtained from the following state administration bodies: MoI SR (namely BBAP PFP, MO MoI SR, Department of Foreign and European Affairs of the Office of the Minister of Interior, Information Centre for Combating Trafficking in Human Beings and Crime Prevention of the MoI SR, FAD EPS MoI SR and Information Systems Administration Department of the Police Force Presidium), MoLSAF SR, COLSAF (through MoLSAF SR), MoFEA SR, Ministry of Justice of the SR (through FAD EPS MoI SR), General Prosecutor's Office of the SR (through FAD EPS MoI SR), Statistical Office of the SR and IOM. Materials, publications, and websites of other state, European, international and non-governmental institutions also represent important sources of information. The report also refers to several EMN publications and activities.

Each chapter uses also media releases as sources of information. The text therefore contains links to media references to migration topics and activities carried out by public administration, nongovernmental sector and international organisations.

The report was compiled by the International Organization for Migration (IOM) Bratislava which is the coordinator of the EMN National Contact Point for the Slovak Republic (SR). The report was reviewed by the experts from the Ministry of Interior of the Slovak Republic, Ministry of Labour, Social Affairs and Family of the Slovak Republic, Ministry of Foreign and European Affairs of the Slovak Republic, and Statistical Office of the Slovak Republic. The report was approved by Department of Foreign and European Affairs of the Office of the Minister of Interior.

¹ IOM as the coordinator of the EMN National Contact Point for the Slovak Republic in cooperation with a news agency has been carrying out weekly media monitoring of migration and international protection issues since 2012. The media monitoring is used for preparing EMN publications.

Terms and Definitions

The expert terms used in this report largely correspond with the definitions in the *EMN Migration and Asylum Glossary*.² In case the definitions from this Glossary cannot be used for some terms, the terms are used pursuant to the national or EU legislation (regulations, directives).

Special attention in this report should be paid to the term *alien (foreigner)*, which under the Slovak legislation, namely Art. 2(2) of the Act on Residence of Aliens³, is considered anybody who is not a national of the Slovak Republic. According to the EMN Glossary, an alien (foreigner), in the EU context, is a person who is not a national of an EU Member State, and, in the global context, a person who is not a national of a given State. The Slovak legislation, however, defines an alien who is not a national of an EU Member State as *third-country national*⁴. In this report, the term alien (foreigner) is therefore mainly used in texts and statistics which are related to or are kept in compliance with the national legislation. In such case, the term alien (foreigner) corresponds with the definition under Art. 2(2) of the Act on Residence of Aliens, and not with the definition in the EMN Glossary.

The term *migrant* is also used in the report, which, unlike the definition in the EMN Glossary⁵, is used as a synonym of the words alien or third-country national.

Terms *irregular* and *illegal* are considered as synonyms in the report and their use depends on the specific context. The Slovak legislation uses the term *illegal*.

Terms *migration crisis*, *refugee crisis* and *migration situation* are used in the text as synonyms. They refer to the situation since 2015 which occurred in the EU as a result of significant increase of the number of asylum seekers from third countries.

² Asylum and Migration Glossary 3.0 – a Tool for Better Comparability (2014). European Migration Network. Available at: http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/glossary/index_a_en.htm (consulted on 2/5/2018).

³ Act No. 404/2011 Coll. on Residence of Aliens and on changes and amendments to some acts.

⁴ Under Art. 2 (4) of the Act on Residence of Aliens, a third-country national is anybody who is not a national of the Slovak Republic or an EU national. A third-country national is also a stateless person.

⁵ According to the EMN Asylum and Migration Glossary, migrant is defined as follows: "In the global context, a person who is outside the territory of the State of which they are nationals or citizens and who has resided in a foreign country for more than one year irrespective of the causes, voluntary or involuntary, and the means, regular or irregular, used to migrate. In: Asylum and Migration Glossary 3.0 – a Tool for Better Comparability (2014). European Migration Network, p. 187. Available at: http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/glossary/index_a_en.htm (consulted on 2/5/2018).

Executive Summary

The report informs about the most significant changes, developments and activities in the field of migration and international protection in Slovakia in 2017. In the Slovak Republic, the report is a unique publication of its kind which annually maps all areas of migration of third-country nationals in the context of EU policies and legislation. The report describes also overall political developments and discussions related to migration, legal migration and mobility, international protection including asylum, unaccompanied minors and other vulnerable groups, integration, irregular migration including smuggling, returns, combating trafficking in human beings as well as migration and development. In the annex, the report presents also selected statistics which are not collected at EU level.

In 2017, the topic of migration of third-country nationals was part of the political, public and media discussion in Slovakia. Attention was given specifically to the cooperation of V4 countries in the area of migration, relocations in the EU, and labour migration from third countries to Slovakia. The topic of migration occurred only sporadically during the November 2017 elections to self-governing regions.

Given the lack of qualified workforce in several sectors in the Slovak labour market, a simplification of conditions for employing TCNs was proposed in 2017. Given the increased proportion of Serbian nationals working in the SR, the SR and Serbia signed the *Protocol on mutual cooperation in work and employment* in November 2017. Mainly the European directives on seasonal workers and intra-corporate transfers within the EU were transposed into the Slovak legislation. The conditions of entry and employment were facilitated also for other TCN groups which are not related to the transposition of directives, i.e. for employees working in the Strategic Service Centres as well as for entrepreneurs planning an innovative project in the territory of the SR. Legislative changes also concerned students and researchers, persons granted long-term residence in the SR or family reunification. In 2017, the SR did not implement or plan any bilateral agreements with third countries which would concern economic migration, apart from one exception – the working holiday programmes. An increase in first-time residence permits and a decrease in the overall number of visas issued to TCNs were registered in 2017. A slight increase in the number of people entering Slovakia from Ukraine was registered in 2017. It was related to the introduction of a 90-day visa-free regime of the EU for Ukrainian citizens with a biometric passport.

The number of asylum seekers in Slovakia remained low in 2017 and the Slovak asylum system therefore did not face any particular challenges in that year. Preparation of the amendment to the Act on Asylum started. The Act should come into effect on 20 July 2018 especially given the transposition of Art. 31 Par. 3 – 5 of the recast “procedural directive” which is related to the procedure of the assessment of an international protection application. In 2017, persons with granted asylum, subsidiary protection or temporary protection were affected also by the new *Act on Victims of Criminal Acts*. MO Mol SR issued an instruction which among other things regulates the issue of healthcare entitlement documents also for persons who have decided on assisted voluntary return. It has also finalized the *Guide for Asylum Applicants and Beneficiaries of International Protection: A New Start in the Slovak Republic*. In 2017, the SR continued relocations from Italy and Greece based on the “First Relocation Decision” within which it voluntarily undertook to relocate 100 persons – 40 from Greece and 60 from Italy. In 2017, the SR did not implement any

resettlement programme or any other humanitarian admission programme for refugees from third countries. However, the SR continued with the special humanitarian transfer of refugees through its territory which Slovakia has been carrying out in cooperation with UNHCR and IOM since 2009.

In 2017, no legislative changes were adopted concerning UAMs or any other groups of vulnerable migrants. Important legislative changes are planned for 2018. They are related to the amendment of the Act on Social and Legal Protection of Children and on Social Guardianship. The number of registered UAMs in the SR remained low in 2017. UAMs escaping/disappearing from care remain a persistent problem. In 2017, the MoLSAF SR was preparing a final research report on this topic. It was prepared in cooperation with the COLSAF and contains analysis of the problem of UAM escapes/disappearances and conclusions for the application practice.

In 2017, the *Integration Policy of the SR* adopted by the *Resolution of the Slovak Government No. 45/2014 of 2014* remained the main programme document on the integration of third-country migrants. Based on this document, the MoLSAF SR elaborated the third interdepartmental *Summary Report on the Fulfilment of Objectives and Measures of the Integration Policy of the SR for 2016*. MoLSAF is considering revising the Integration Policy. The SR postponed the deadline for the State Integration Programme for Beneficiaries of International Protection from 31 December 2017 to mid 2018.

In 2017, the SR recorded a slight increase in irregular migration cases. As compared to 2015 (and partially to 2016) when Slovakia was only marginally impacted by the migration crisis in the form of transit migration from Hungary (and sporadically from Austria) and in relation to Western Balkans route, the 2017 development of irregular migration in Slovakia was influenced mainly by the migration of nationals from the closest third countries, i.e. Ukraine and Serbia. Given the visa liberalization and current Slovak labour market conditions it is probable that it will continue to rise.

There was no significant change of return trends in 2017. The SR returned 353 persons within the scope of forced returns in 2017. Voluntary return was used by 1,387 persons (mainly Ukrainian nationals) while in 43 cases it was assisted voluntary return through IOM.

The number of identified human trafficking victims from abroad or third countries remained low in Slovakia. However, since the number of TCNs who might become victims of labour exploitation has been growing in the Slovak Republic, several interinstitutional discussions on the measures that could possibly be taken in this field have been organized in 2017. In 2017, MoL SR started the preparation of the amendment to the internal act relating to the implementation of the *Programme of Support and Protection of Victims of Trafficking in Human Beings*. There was a change of the provider of trafficking victims assisted voluntary returns facilitated under the Programme with the service now being provided by the non-governmental organization Slovak Catholic Charity. The new *Act on Victims of Criminal Acts* also concerned victims of human trafficking. Regarding the cooperation with third countries, in March 2017, SR and Vietnam concluded the *Agreement of Cooperation in the Field of Prevention and Fighting against Criminal Activity* such as human trafficking and migrant smuggling.

In 2017, the SR did not implement any significant systemic measures to promote the development impact on migration. However, it has continued to include migration into the development cooperation and humanitarian aid while focusing on healthcare and education of refugee children in crisis. Amendments to the *Income Tax Act* and *Value Added Tax Act* brought about tax benefits for the commercial providers of material to be used as humanitarian assistance which the SR delivers abroad. In the ODA SR territorial priorities list, the SR continued to include South Sudan, Syria and neighbouring countries from Near and Middle East, as these are deemed to be the territories with exceptional humanitarian and development needs. The SR worked on improving the effectiveness of the system of Government scholarship provision to citizens from conflict-affected countries while it has provided 48 such scholarships from the end of 2016 to the end of 2017. In 2017, the SR took part in helping countries impacted by an increased number of applications for international protection as well as the countries of origin or transit through EU mechanisms and UN donor conferences. It has also taken part in the four-year V4 Kenya project which deals with improving the social and economic situation of small farmers and the creation of jobs in organic and fair trade production of cashew nuts and sesame. Regarding economic migration, the SR joined the mobility partnership of the EU and Jordan in 2017 and further developed the working holiday programmes.



Introduction

The *EMN Annual Report on Migration and Asylum* (also *EMN Annual Report on Migration*) informs about the most important changes, developments and activities in the field of migration and international protection in Slovakia in 2017, while focusing on third-country nationals.⁶ The report serves as a basis for Europeanwide EMN Annual Report⁷ which in 2015 fully replaced the *European Commission's Annual Report on Immigration and Asylum*⁸. The report will be also a source of information for the *EASO's Annual Report on the Situation of Asylum in the EU 2017*⁹ and *EMN Country Factsheets 2017*¹⁰.

The report describes changes, developments and activities at the legislative, institutional, political and practical levels from 01 January 2017 till 31 December 2017, and puts them into the context of EU policies and legislation. In nine thematic chapters, the report describes general political and policy developments and discussions related to migration, legal migration and mobility, international protection including asylum, unaccompanied minors and other vulnerable groups, integration, irregular migration including smuggling, returns, combating trafficking in

⁶ The general structure of the political and legal system in the field of migration and international protection in Slovakia can be found in the updated version of the EMN study on Organisation of Asylum and Migration Policies in the Slovak Republic from 2014. Available at: <https://emn.sk/sk/na-stiahnutie-emn/publikacie-emn/item/138-organizacia-azylovej-a-migracnej-politiky> (consulted on 2/5/2018).

⁷ The latest EMN Annual Report on Immigration and Asylum 2016 available at: https://ec.europa.eu/home-affairs/what-we-do/networks/european_migration_network/reports/nationalreports_en (consulted on 2/5/2018).

⁸ The last 5th Annual Report on Immigration and Asylum 2013 available at: https://ec.europa.eu/anti-trafficking/eu-policy/5th-annual-report-immigration-and-asylum-2013_en (consulted on 2/5/2018).

⁹ The latest Annual Report on the Situation of Asylum in the European Union 2016 available at: <https://www.easo.europa.eu/annual-report-html> (consulted on 2/5/2018).

¹⁰ EMN Country Factsheets 2016 available at: http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/reports/factsheets/index_en.htm (consulted on 2/5/2018).

human beings as well as migration and development. In the annex, the report presents also selected statistics which are not collected at EU level through Eurostat or Frontex, and contains also Bibliography.

The chapter *Context for asylum and migration policy developments* provides a general picture which shaped migration policies and legislation in Slovakia in 2017. This overview describes the relevant political, legislative and institutional developments, (inter-)institutional cooperation, discussions related to measure- and policy-making, media discussions, as well as wider social context that influenced different areas of migration and international protection.

The chapter *Legal migration and mobility* describes the policy, legislation, measures and activities concerning the admission and residence of different groups of migrants, satisfying labour market needs or prevention of social dumping. The chapter is also devoted to migration and mobility management, visa policies, and to provision of information to migrants from third countries on routes to and conditions of legal migration.

The chapter *International protection including asylum* contains information on the implementation of the Common European Asylum System (CEAS), institutional and legislative changes, national and European jurisprudence, intra-EU relocations and resettlement, and other activities.

The chapter *Unaccompanied minors and other vulnerable groups* addresses mainly the policies, legislation, measures and activities related to admission of and care for unaccompanied minor migrants from third countries.

The chapter *Integration* focuses on socio-economic integration measures for third-country nationals as well as for persons with granted international protection. It contains also measures related to non-discrimination, integration at local level and awareness-raising actions on migration and integration through civil society and community engagement.

The chapter *Irregular migration* includes information on external border management, misuse of legal migration channels, policies and measures against facilitation of irregular migration (smuggling), cooperation with third countries in prevention of irregular migration as well as on the monitoring and identification of migration routes.

The chapter *Returns* follows up on the chapter on irregular migration, and contains information about forced returns and readmissions, voluntary returns and reintegrations, as well as the activities at national level in this area.

The chapter *Countering trafficking in human beings* deals with the policies, legislation, international monitoring, national projects, campaigns and other activities, as well as cooperation at bilateral and multilateral levels in this field.

The chapter *Migration and development* provides an overview of the activities and measures for mainstreaming migration into development and sectoral policies, as well as of bilateral co-operation with and assistance in third countries.

The Annex *National statistics* summarises selected statistics for Slovakia on migration and international protection in 2017 which are not collected at EU level through Eurostat¹¹ or Frontex agency¹². The Annex shows the figures on first residence permits issued, administrative fees for residence permit applications, visas, smuggled persons, reflection periods and residence permits granted to smuggled persons, numbers of smugglers, returns and reintegrations, relocations and resettlements, figures on unaccompanied minors and victims of human trafficking from third countries, reflection periods and residence permits granted to victims of human trafficking, and on the numbers of traffickers.

¹¹ Available at: https://ec.europa.eu/eurostat/statistics-explained/index.php/Migration_and_migrant_population_statistics (consulted on 2/5/2018).

¹² Available at: <http://frontex.europa.eu/publications/> (consulted on 2/5/2018).



Context of the development of migration and asylum policies

In 2017, the topic of migration of third-country nationals was part of the political, public and media discussion in Slovakia. Attention was given specifically to the cooperation of V4 countries in the area of migration, relocations in the EU, and labour migration from third countries to Slovakia. The topic of migration occurred only sporadically during the November 2017 elections to self-governing regions.

2.1 Political development and (inter)ministerial cooperation

In 2017, the Parliament, the Government of the Slovak Republic including the Security Council of the SR and the President of the SR again addressed the topic of third-country nationals' migration and the granting of international protection. Attention was also given to extremism in Slovakia.^{13 14} Given the Europe-wide changes related to migration in recent years (increase in the number of asylum seekers coming to the EU, changes in the labour market, increase of regular labour migration into the Slovak labour market, increase in illegal employment, changes in the attitude of citizens including increase of populism), the Ministry of Labour, Social Affairs and Family of the Slovak Republic sees that the topic of foreigners and labour migration has been coming to the forefront and that it will very probably become one of the topics which will inform

¹³ Source: <https://rokovania.gov.sk/RPO/Negotiation> (consulted on 24/4/2018).

¹⁴ Source: <https://www.prezident.sk/article/prezident-kiska-vystupil-v-narodnej-rade-so-spravou-o-stave-republiky/> (consulted on 24/4/2018).

the SR policies in the upcoming period.¹⁵

In 2017, attention at political level was given specifically to the cooperation of V4 countries in the area of migration, relocation in the EU, and labour migration from third countries to Slovakia.¹⁶ In November 2017, elections of chairmen and members of Regional Parliaments of 8 self-governing regions (Higher Territorial Units) were held. As in the past, foreigners were entitled to vote as well.^{17 18} The topic of migration was not a part of pre-election programmes of the strongest candidates and occurred only sporadically in the pre-election campaign.¹⁹

Out of 138 countries in which the rate of migrant acceptance by the public was surveyed in 2016 (the Migrant Acceptance Index), the Slovak Republic ranked fifth from bottom.^{20 21}

(Inter)ministerial cooperation and coordination

In 2017, the inter-ministerial cooperation in and coordination of migration related areas continued in Slovakia in the following official fora apart from the MEKOMIC Committee^{22 23}:

- Committee for Migration and Integration of Foreigners which devoted their three meetings (21 January 2017, 16 June 2017 and 22 November 2017) to the evaluation of the first Slovak Presidency of the Council of the EU, discussion on current developments in the area of migration and asylum in the SR and the EU, the ongoing reform of the EU asylum system and migration policy as well as to related legislative changes in the SR. The Committee has also been discussing the current topic of preparing the *Global Compacts* for migration and refugees as well as the activities of the Working Group for Asylum focusing on the integration of beneficiaries of international protection which was created by the Committee at the end of 2015²⁴.
- National Contact Point of the European Migration Network²⁵ (EMN) for the Slovak Republic²⁶ which has conducted various activities in 2017 to support the policymaking at both the level

¹⁵ Information provided by MoLSAF SR.

¹⁶ Source: <https://www.minv.sk/?tlacove-spravy-6&sprava=trestat-krajiny-v4-za-nenaplnenie-kvot-je-nespravne>; <http://www.teraz.sk/slovensko/postoj-vlady-k-otazke-migrantov-a-kvot/278933-clanok.html>; <https://spravy.pravda.sk/svet/clanok/443942-ministri-vnutra-v4-podpisali-deklaraci-u-ktorej-odmietaju-prerozdelovanie-migrantov/>; <https://www.minv.sk/?tlacove-spravy-6&sprava=krajiny-v4-hladaju-spolocene-riesenia-pre-migraci-u>; <https://www.aktuality.sk/clanok/520101/na-slovensko-mozu-prist-tisicky-migrantov-tvrdi-richard-sulik>; <https://euractiv.sk/section/zahranicie-a-bezpecnost/news/migracne-kvoty-komisija-zacne-pravne-konanie-proti-v3-slovensko-vynechala/>; <https://www.webnoviny.sk/slovensko-prislubilo-ze-prijme-dalsich-60-utecencov-dosial-sme-ich-prijali-16/>; <https://dennikn.sk/blog/951671/ke-d-inspektori-prace-zazvoniu-v-seredi-na-brane-srbi-utekaju-z-fabriky-zadnym-vchodom/>; <https://europkenoviny.sk/2017/11/18/srbi-pracu-juci-na-slovensku-dostanu-viac-informacii-o-svojich-pravach/>; <https://www.etrend.sk/trend-archiv/rok-2018/cislo-5/slovensko-a-svet-2064.html> (consulted on 24/4/2018).

¹⁷ Source: <https://www.minv.sk/?volby-vuc> (consulted on 26/4/2018).

¹⁸ Source: <https://volby.sme.sk/volby-vuc/2017/vysledky> (consulted on 26/4/2018).

¹⁹ Source: <https://dennikn.sk/820573/kotlebovci-vtahuju-do-zupnych-volieb-migrantov-z-klusa-vyrobili-hovorcu-islam/> (consulted on 26/4/2018).

²⁰ Source: <https://euractiv.sk/section/spravodlivost-a-vnutro/news/slovensko-je-v-akceptacii-migrantov-na-chvoste-svetoveho-rebricka/> (consulted on 25/4/2018).

²¹ Source: http://news.gallup.com/poll/216377/new-index-shows-least-accepting-countries-migrants.aspx?g_source=mn2-globalanalytics (consulted on 25/4/2018).

²² The Inter-Ministerial Expert Committee for Labour Migration and Foreigners' Integration (MEKOMIC) is a coordination body of the MoLSAF SR for migration and integration policy and an advisory body for the Minister of Labour, Social Affairs and Family of the SR. MEKOMIC committee members include experts of central state administration bodies who implement the integration policy goals and measures. If needed, inter-governmental and non-governmental organizations are invited to MEKOMIC meetings.

²³ Information provided by MoLSAF SR.

²⁴ Information provided by the MO Mol SR.

²⁵ The European Migration Network (EMN) provides current, objective, reliable and comparable information on migration and international protection to support the EU and its MS policies creation. It works through National Contact Points in individual MS and in Norway in coordination with the European Commission: the Directorate-General for Migration and Home Affairs. EMN activities focus on the migration of third-country nationals.

²⁶ EMN National Contact Point in the SR includes the Mol SR, MoLSAF SR, SO SR and the IOM which acts as coordinator.

of the EU and of its MS, such as preparation of publications²⁷, submitting ad-hoc queries²⁸, responding to ad hoc queries of other national contact points, organizing conferences (including the last conference on the Role of Municipalities in the Integration of Refugees²⁹), seminars (for example the 5th EMN Educational Seminar on Migration³⁰) and other expert meetings³¹. These events every year focus on various topics within the migration of third-country nationals and are intended especially for policy makers, representatives of public administration, research institutions, academia and non-governmental sector.^{32 33}

In 2017, the activity of the MoFEA SR's Task Force for Migration³⁴ continued and met on an ad hoc basis. Members of the Task Force coordinated themselves also with the Permanent Representation of the SR to the EU in Brussels, namely with the Internal Affairs Section and the Political and Security Committee or other sections.³⁵

As the ambassador-at-large for migration³⁶ at MoFEA SR, who is covering mainly the external dimension of migration, was appointed Jaroslav Chlebo on 1 September 2017.³⁷

2.2 Migration in the media

Even though the number of media references was lower as compared to 2015 and 2016, Slovak media still paid quite significant attention to the migration of third-country nationals in 2017.³⁸ Apart from mixed and irregular migration into the EU and related measures⁴⁰, the Slovak media in 2017 reported also on relocations to the SR, formation of joint positions of the V4 countries on migration related questions⁴¹, and on *Global Compacts* for migration and refugees, especially in connection with the successful running of Miroslav Lajčák (Minister of Foreign and European Affairs of the SR) for President of the 72nd Session of the UN General Assembly from September 2017 to September 2018.⁴²

Labour migration to Slovakia from third countries, which concerned mainly Serbian nationals and their working conditions⁴³, resonated in Slovak media as well⁴⁴. It covered also the situation at the Aliens Police Department of the Police Force⁴⁵ and the case of smugglers detained with a larger group of migrants⁴⁶. Some media references focused on debunking myths, disinformation and hoaxes concerning various migration related topics.⁴⁷

27 Source: <http://emn.sk/sk/na-stiahnutie-emn/publikacie-emn.html> (consulted on 25/4/2018).

28 Source: <http://emn.sk/sk/aktivita-emn/ad-hoc-otazky.html> (consulted on 25/4/2018).

29 Source: <https://emn.sk/sk/aktivita-emn/stretnutia-a-konferencie/279-emn-organizovala-konferenciu-o-ulohe-samosprav-v-integracii-utecen-cov> (consulted on 25/4/2018).

30 Source: <https://emn.sk/sk/aktivita-emn/stretnutia-a-konferencie/283-5-rocnik-vzdelavacieho-seminara-emn-o-migracii-naplnanie-potrieb-nutenych-migrantov-v-21-storoci-bratislava-3-5-jula-2017> (consulted on 25/4/2018).

31 Source: <http://emn.sk/sk/aktivita-emn/stretnutia-a-konferencie.html> (consulted on 25/4/2018).

32 Information provided by the IOM Office in the SR.

33 Source: www.emn.sk (consulted on 24/4/2018).

34 The MoFEA SR created the Task Force in 2016 for the exchange of information and preparation of positions/background materials. It is composed of several MoFEA SR departments and led by the ambassador-at-large for migration.

35 Information provided by the MoFEA SR.

36 The MoFEA SR created the office in 2016 also in relation with the SK Presidency to the Council of the EU.

37 Information provided by the MoFEA SR.

38 Unsupervised media monitoring in 2017 resulted in 33,264 news reports as compared to 63,451 reports in 2016 and 61,908 reports in 2015. The complete monitoring contains a small percentage of irrelevant or marginal reports.

39 Information provided by the IOM Office in the SR.

40 E.g. <https://dennik.sk/941828/nemecke-noviny-zverejnili-zoznam-33-293-ludi-ktori-neprezili-svoju-cestu-do-europy/>; <https://spravy.pravda.sk/domace/clanok/442306-slovensko-prislubilo-dva-miliony-eur-na-riesenie-problemu-migracie/>; <https://euractiv.sk/section/spravodlivost-a-vnutro/news/nelegalna-migracia-sa-presuva-z-talianskej-na-spanielsku-cestu/>; <https://www.rtv.slovakia.sk/radio/archiv/11149/653925>; <https://spravy.pravda.sk/svet/clanok/437960-zazitok-vobec-nie-dovolenskovo-more-vyplavilo-cln-s-africkymi-migrantmi/>; <https://svet.sme.sk/c/20613272/byvaly-sef-tabora-utecenci-v-europe-su-vyslancami-sveta-ktory-nefunguje.html>; <https://spravy.pravda.sk/domace/clanok/442379-na-rakusko-slovenskych-hraniciach-hlada-migrantov-armada/> (consulted on 24/4/2018).

41 E.g. <https://euractiv.sk/section/buducnost-eu/news/v4-a-migracia-mala-sanca-na-zmenu-pozicii/> (consulted on 24/4/2018).

42 E.g. <https://www.webnoviny.sk/ministra-lajcaka-zvolili-za-predsedu-72-valneho-zhromazdenia-osn/>; <https://domov.sme.sk/c/20547272/lajcaka-zvolili-za-predsedu-valneho-zhromazdenia-osn.html>; <https://spravy.pravda.sk/domace/clanok/441321-lajcak-sa-v-utorok-stane-predsedom-72-valneho-zhromazdenia-osn/>; <http://www.teraz.sk/slovensko/mzvaez-sr-m-lajcaka-zvolili-za-predsedu-262847-clanok.html> (consulted on 24/4/2018).

43 E.g. <https://spravy.pravda.sk/ekonomika/clanok/422902-richter-viaceri-srbi-pracujuci-na-slovensku-boli-podvedeni/>; <https://dennik.sk/minuta/703555/>; <https://www.aktuality.sk/clanok/417293/j-richter-zameriame-sa-na-kontroly-firiem-v-ktorych-pracuju-cudzinci/> (consulted on 24/4/2018).

44 E.g. <https://finweb.hnonline.sk/ekonomika/932024-situacia-sa-otaca-na-slovensku-pracuju-tisice-migrantov-domacim-nekonkuruju-mysli-si-odbornik/>; https://komentare.sme.sk/c/20752736/vsetci-v-jednom-siku-zabudnite-na-rast.html?ref=w_neprehl (consulted on 24/4/2018).

45 E.g. <https://slovensko.hnonline.sk/994675-top-manazeri-si-na-cakanie-objednavaju-externistov/>; <https://dennik.sk/737564/zufali-cudzinci-spia-v-chladnej-noci-na-zemi-pred-policiou-oddelenie-prestahuju-na-kraj-mesta/>; <https://domov.sme.sk/c/20655688/prisla-ucit-anglictinu-pre-policiu-takmer-nedostala-viza.html>; <https://spectator.sme.sk/c/20613351/scaring-off-the-aliens.html>; <https://spectator.sme.sk/c/20711113/bratislava-department-of-foreigners-police-may-move-to-new-premises-in-early-2018.html> (consulted on 24/4/2018).

46 E.g. <https://domov.sme.sk/c/20697636/zilina-prevadzaci-utecenci-prokuratúra-vazba.html> (consulted on 24/4/2018).

47 E.g. <https://dennik.sk/733783/zamestnavanie-migrantov-myty-a-suche-cisla/>; <https://dennik.sk/634945/kriminalita-a-migracia-v-grafoch-maliby-ste-sa-bat-svojho-suseda-cudzinka/>; <https://dennik.sk/873018/fico-by-sa-mal-naucit-rozdiel-medzi-utecencami-a-migrantmi-hovori-sefka-ligy-zaludske-prava/?ref=list>; <https://euractiv.sk/section/spravodlivost-a-vnutro/opinion/utecenci-migracia-dojmy-pojmy/>; <https://dennik.sk/blog/811071/hoaxy-o-migrantoch-a-ich-dezinformacne-techniky/>; <https://dennik.sk/707892/kalinak-nasadi-na-hoaxy-12-policijov-cesi-maju-naskok-a-uz-lovia-dezinformacie/>; <https://dennik.sk/694176/smatana-propaganda-na-facebooku-vyraba-dojem-ze-vinou-migrantov-nam-hrozi-apokalypsa/> (consulted on 24/4/2018).

03

Legal migration and mobility

Given the lack of qualified workforce in several sectors in the Slovak labour market, a simplification of conditions for employing TCNs was proposed in 2017. Given the increased proportion of Serbian nationals working in the SR, the SR and Serbia signed the *Protocol on mutual cooperation in work and employment* in November 2017.

Mainly the European directives on seasonal workers and intra-corporate transfers within the EU were transposed into the Slovak legislation. The conditions of entry and employment were facilitated also for other TCN groups which are not related to the transposition of directives, i.e. for employees working in the Strategic Service Centres as well as for entrepreneurs planning an innovative project in the territory of the SR. Legislative changes also concerned students and researchers, persons granted long-term residence in the SR or family reunification. In 2017, the SR did not implement or plan any bilateral agreements with third countries which would concern economic migration, apart from one exception – the working holiday programmes.

In 2017, an increase in first-time residence permits and a decrease in the overall number of visas issued to TCNs were registered. A slight increase in the number of people entering Slovakia from Ukraine was registered in 2017. It was related to the introduction of a 90-day visa-free regime of the EU for Ukrainian citizens with a biometric passport.

3.1 Statistics and trends

In 2017, the SR granted 13,635 first-time residence permits for family reasons (2,620), for the purposes of education and study (1,986), for the purposes of paid (7,399) and other (1,630) activities (see **Table 1** in Annex). An increase was recorded as compared to 2016 when a total of 10,304 permits were issued and versus 2015 when the SR issued a total of 9,332 permits.^{48,49} Administration fees for residence permit applications did not change as compared to 2015 and 2016 (see **Table 2** in Annex).

All types of visa in the SR are issued with biometric data. The number of visas issued in 2017 was 43,641 as compared to 63,553 issued in 2016 and 76,177 in 2015 (see **Table 3** in Annex).^{50,51} A decrease in the number of visas issued in 2017 as compared to 2016 was caused by the introduction of the visa-free regime with Ukraine on 11 June 2017 to Ukrainian nationals with biometric passport⁵² (see 7.2).⁵³

3.2 Policies, legislation and measures in the area of economic migration

In 2017, the Slovak Republic adopted an amendment of the Act on Residence of Aliens⁵⁴ and the Act on Employment Services⁵⁵, effective from 1 May 2017. The amendment, among other things, transposes EU directives on seasonal workers and on intra-corporate transfers into Slovak legislation and also contains some requirements derived from the practice. It facilitates the conditions for admission and residence of other groups of third-country nationals (TCNs) not related to the transposition of directives, i.e. for employees working in the “Strategic Service Centres” as well as for entrepreneurs planning to implement an innovative project in the territory of the SR (see below).⁵⁶

The 1 May 2017 amendment to the Act on Residence of Aliens introduced the term *mobility* into Slovak legislation.⁵⁷ Mobility is currently applied only in the case of TCNs with granted temporary residence for the purposes of employment provided that this is an intra-corporate transfer (ICT) within the EU (see below).⁵⁸ However, mobility will be possible for other categories of foreigners, too. In the upcoming amendment to the Act on Residence of Aliens, mobility is being introduced for researchers, their family members and students.⁵⁹

48 Source: Bachtíková, Oboňová (2016): Annual Report on Migration and Asylum Policies. Slovak Republic 2015. European Migration Network, IOM Bratislava.

49 Source: Bachtíková, Oboňová (2017): Annual Report on Migration and Asylum Policies. Slovak Republic 2016. European Migration Network, IOM Bratislava.

50 Source: Bachtíková, Oboňová (2016): Annual Report on Migration and Asylum Policies. Slovak Republic 2015. European Migration Network, IOM Bratislava.

51 Source: Bachtíková, Oboňová (2017): Annual Report on Migration and Asylum Policies. Slovak Republic 2016. European Migration Network, IOM Bratislava.

52 Regulation (EU) 2017/850 of the European Parliament and of the Council of 17 May 2017 amending Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (Ukraine).

53 Information provided by the BBAP PFP.

54 Act No. 82/2017 Coll. on changing and amending Act No. 404/2011 Coll. on Residence of Aliens and on changes and amendments to some acts, as amended.

55 Source: <https://www.minv.sk/?tlacove-spravy&sprava=poslanci-schvalili-zmeny-v-cudzineckom-zakone> (consulted on 17/1/2018).

56 Source: <https://www.minv.sk/?tlacove-spravy&sprava=poslanci-schvalili-zmeny-v-cudzineckom-zakone> (consulted on 17/1/2018).

57 Mobility means transfer of a third-country national from a Member State territory to the territory of the Slovak Republic during valid residence in the territory of that MS, while the purpose of residence in the SR will be equal to that in the territory of the MS and vice versa.

58 Information provided by the BBAP PFP.

59 Information provided by the MoLSAF SR.

Another amendment to the Act on Residence of Aliens⁶⁰ came into effect on 1 September 2017. It amended the conditions of awarding national visas to those TCNs who were accepted to language education in language school and cancelled the possibility to grant temporary residence in the SR to persons attending the language courses at the language school (see below).⁶¹

The amendment to the Act on Employment Services extended the list of reasons for termination of work permit validity if TCN applies for asylum. It included another change: assembly, warranty and maintenance jobs and jobs related to setting up of the manufacturing systems which are performed by the TCNs must now be related to the provision of goods. Under the amendment, programming work or professional training must now be related to the provision of goods or services based on a business contract with the TCN in whose case the performance of employment does not require the confirmation of the possibility to fill a vacancy corresponding to highly-qualified employment, the confirmation of the possibility to fill a vacancy, or a work permit.⁶²

Planned legislative changes

The SR is preparing an amendment to the Act on Employment Services to be adopted and effective during the first half of 2018. The amendment simplifies the conditions for employing TCNs in selected jobs in districts with an unemployment rate under the defined level (see below).⁶³

The end of 2017 saw the entry of another amendment to the Act on Residence of Aliens into legislative process, the amendment which transposes the *Directive No. 2016/801/EU of the European Parliament and of the Council on the conditions of entry and residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing* which replaces directives 2001/114/EC (on students) and 2005/71/EC (on researchers) into national legislation.⁶⁴ The amendment is supposed to be effective from the 1 May 2018.⁶⁵

3.2.1 Admission and residence of specific categories of migrants from third countries

Highly qualified workers

In compliance with the EU acquis⁶⁶ and aiming to increase interest of highly-qualified TCNs to Slovak labour market and facilitate their access to it, the amendment of the Act on Residence of Aliens from May 2017:

- shortened the deadline by which the employer is obliged to announce a vacancy corresponding to highly-qualified employment from 30 to 15 working days,
- prolonged the EU Blue Card validity for the purposes of highly-qualified employment from 3 to 4 years.⁶⁷

60 Act No. 179/2017 Coll. on changing and amending Act No. 404/2011 Coll. on Residence of Aliens and on changes and amendments to some acts, as amended.

61 Information provided by the BBAP PFP.

62 Information provided by MoLSAF SR.

63 Information provided by MoLSAF SR.

64 Information provided by DFEA MIO SR.

65 Information provided by the BBAP PFP.

66 Council Directive 2009/50/EC of 25 May 2009 on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment.

67 Information provided by MoLSAF SR.

Intra-corporate transferees

Complying to acquis EU⁶⁸ the conditions of entry and residence of TCNs and their family members in SR for the period extending 90 days were defined in the intra-corporate transfer framework⁶⁹. This is a new type of residence which enables temporary posting of an employee (a TCN) who has a valid work agreement with an employer based outside of the territory of the SR and the EU MS to the same employer based in the SR. A new element in residence related legislation was introduced as well: "mobility" which is to facilitate the transfer of TCNs within the territory of the EU Member States. The transposition of this directive also helps to increase mobility and lower administrative burden on pre-defined employee categories (manager, specialist, and trainee employee⁷⁰) who undergo intra-corporate transfer from an EU enterprise to the SR. The amendment to the Act distinguishes two modes of employment in the territory of the SR within the intra-corporate transfer:

- based on a temporary residence permit for the purposes of intra-corporate transfer (if the SR is the first country where the TCN will be transferred from a third-country) which stems from the confirmation of the possibility to fill a vacancy or
- without the need to apply for temporary residence permit⁷¹ in the SR valid during the period of a residence document issued by an EU MS for the purposes of intra-corporate transfer (mobility regimen).

The amended Act also introduced the possibility to employ a TCN who is a family member of a TCN performing activities within the intra-corporate transfer. Such family member does not need the confirmation of the possibility to fill a vacancy corresponding to highly-qualified employment, the confirmation of the possibility to fill a vacancy or an employment permit.⁷²

Seasonal workers

The May 2017 amendment also introduced changes, complying to acquis EU⁷³, to the residence of TCNs who will perform seasonal employment in the territory of the SR. Compared with previous legislation under which seasonal employment⁷⁴ could be performed solely with a temporary residence permit, the TCNs now will be able to perform seasonal employment in two modes:

- The first assumes residence of max. 90 days from the day of arrival to the SR, based on a granted Schengen visa and employment permit⁷⁵ or only on an employment permit in the case of

68 Directive 2014/66/EU of the European Parliament and of the Council of 15 May 2014 on the conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer.

69 These are the cases when an employer based outside of the EU sends an employee to their enterprise in one of the EU MS and from there they are later transferred into another branch in the EU.

70 These are the TCNs who: 1. have university education and undergo vocational training (internship) aimed at professional development within the intra-corporate transfer; 2. perform management or specialist activity within the intra-corporate transfer which requires exceptional specialist knowledge, skills, qualification and experience necessary for operation or management.

71 The confirmation of the possibility to fill a vacancy corresponding to highly-qualified employment, the confirmation of the possibility to fill a vacancy or employment permit is thus not required.

72 Information provided by MoLSAF SR.

73 Directive 2014/36/EU of the European Parliament and of the Council of 26 February 2014 on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers.

74 Seasonal employment was defined by the Act on Employment Services as an "activity that does not exceed 180 days during 12 consecutive months and it is connected to a specific season of the year to a annual event or repeating sequence of events related to seasonal conditions, during which the amount of work increases significantly."

75 Entry and employment permit for the purposes of seasonal employment are granted by the respective BBAP department as a "single permit" (one document permitting entry, residence and employment). Respective OLSAF issues, upon request of BBAP, the confirmation of the possibility to fill a vacancy, which contains approval/disapproval of its filling. The confirmation is issued based on the assessment of labour market situation. The amendment of the Act on Employment Services has defined a period during which OLSAF grants the work permit and that is 20

a TCN who is not subjected to a visa requirement.

- The second mode enables a residence longer than 90 days but not exceeding 180 days will also be possible, based on a temporary residence permit for the purposes of seasonal employment which stems from the confirmation of the possibility to fill a vacancy. A temporary residence application will be assessed within the single permit framework, i.e. the foreigner will be given a single document authorising the residence and employment.

The two types of seasonal employment may be connected but the overall period of seasonal employment, including the previous residence, cannot exceed 180 days.⁷⁶

On 18 July 2017 the Ministry of Labour, Social Affairs and Family of the Slovak Republic created the *list of seasonal employment sectors*⁷⁷. The following sectors were identified: agriculture, forestry, fishing, hospitality, manufacturing and construction.⁷⁸

Migrant entrepreneurs

Entrepreneurs whose business plan will be assessed by the Ministry of Economy of the SR as a business plan to implement an innovative project⁷⁹ will have the possibility to get the temporary residence permit for the purpose of business under advantageous circumstances. The amount of financial security for business activity will be lowered in the case of an innovative project to allow the granting of temporary residence (at forty times the subsistence minimum⁸⁰ instead of one hundred times) and at its renewal (to twenty times the subsistence minimum instead of sixty times). Also the deadline for the decision of the respective Police department on temporary residence shortens from 90 to 30 days. The changes were implemented by the May 2017 Amendment to Act on Residence of Aliens.⁸¹

Au pairs

No changes concerning au-pairs from third countries were made by the SR in 2017.⁸²

Other remunerated workers

Apart from entrepreneurs with innovative projects (see above) a specific group of third-country employees, who provide vocational trainings, was created for so called "Strategic Service Cen-

tres" employees⁸³. Their applications for temporary residence for the purposes of employment will be decided upon in the shorter 30-day deadline. A TCN who will provide the Strategic Service Centre with vocational training can reside in SR carrying out this activity for 90 days without the need to be granted a work permit.⁸⁴ The amendment has also shortened the time for the Police department to decide on a temporary residence application from 90 to 30 days in the case of Strategic Service Centres⁸⁵ family members of this category.

The extension of the group of TCNs who, in order to work, are not required to submit the confirmation of the possibility to fill a vacancy corresponding to highly-qualified employment, the confirmation of the possibility to fill a vacancy, or a work permit included the persons with a granted national visa who will take part in a film project in the SR (within the support for audiovisual industry in the SR while working on co-produced film projects of larger scale).⁸⁶

Student and researchers

The SR did not implement any policies or measures related to attracting or retaining students and researchers from third countries in 2017. It continued awarding government scholarships for university education in the SR to Syrian refugees and students from countries affected by conflict (see 10.1).⁸⁷

The last amendment to the Act on Residence of Aliens of September 2017 abolished the possibility to obtain temporary residence permit for the purpose of study in line with art. 24 of the Act on Residence of Aliens. This group of students was moved to the category of national visa regimen (visa D). A condition for the TCN to obtain the national visa is that s/he is older than 15 and accepted to a language education of at least 25 classes a week at language school.⁸⁸ According to the amendment to the Act on Employment Services of May 2017 an employer cannot employ such a TCN.⁸⁹

Long-term residents⁹⁰

The May 2017 amendment of the Act on Residence of Aliens in line with the EU acquis⁹¹ equalized the status of TCNs who are long-term residents in the field of access to employment services with that of Slovak citizens as well as with citizens of EU MS. This enables this group of TCNs, among other things, to register at a respective OLSAF which will include them in the registry of job seekers and provide them with the information and counselling service.⁹²

working days from submission of a completed application. If TCN has already been granted a seasonal work permit in the past 5 years before submitting the application, OLSAF will grant work permit up to 10 working days from submitting the completed application.

76 Information provided by the BBAP PFP and MoLSAF SR.

77 Decree of the Ministry of Labour, Social Affairs and Family of the Slovak Republic No. 190/2017 Coll. establishing the list of seasonal employment. Available at: <http://www.epi.sk/zz/2017-190> (consulted on 11/2/2018). The list of seasonal employment sectors was drafted based on the information from the Ministry of Transport, Construction and Regional Development of the SR, Ministry of Environment of the SR, Ministry of Agriculture and Rural Development of the SR, the Federation of Employers' Associations of the Slovak Republic, and the National Union of Employers.

78 Information provided by MoLSAF SR.

79 Project plan of an innovative character around 5 – 10 pages long should include these requisites: professional qualification of the applicant or the project team, description of the innovative product/process/services, aims and timeline of the project, description and analysis of the market situation, determination of the targeted customers and consumers, financing and budgeting, strengths and weaknesses of the innovative project plan, as well as other information. Available at: <http://www.economy.gov.sk/inovacie/podnikatelsky-zamer-na-realizaciu-inovativneho-projektu>, (consulted on 13.2.2018).

80 Starting in July 2017, the subsistence minimum for a mature individual is €199.48 per month.

81 Source: <https://www.minv.sk/?tlacove-spravy&sprava=poslanci-schvalili-zmeny-v-cudzineckom-zakone> (consulted on 17/1/2018).

82 Information provided by MoLSAF SR.

83 The Act on Investment Aid defines a Strategic Service Centre as a place in which the investment aid beneficiary provides services with high-added value which promote the employability of qualified specialists in centres developing computer programmes, specialist implementation centres, centres preparing modified state-of-the-art technology and customer support centres. The centres work mostly in finance, purchase, IT, human resources and customer care. The list is managed by the Ministry of Economy which will regularly send it to the Ministry of Interior.

84 Source: <https://www.minv.sk/?tlacove-spravy&sprava=poslanci-schvalili-zmeny-v-cudzineckom-zakone> (consulted on 17/1/2018).

85 Information provided by the IOM Office in the SR.

86 Information provided by MoLSAF SR.

87 Information provided by BBAP PFP, MoLSAF SR, MO MoI SR, MoFEA SR.

88 Information provided by the BBAP PFP.

89 Source: Section 23a, Paragraph e) of the Act No. 5/2004 on Employment Services and on changes and amendments to some acts. Available at: <http://www.zakonypreludi.sk/zz/2004-5> (consulted on 25/1/2018).

90 A long-term resident is a citizen from a country outside the EU who has been given long-term resident status. This status means that the person will have similar rights as EU citizens. (Directive 2003/109/EC).

91 Complying to the Directive 2003/109/EC of the European Parliament and Council of 25 November 2003 concerning the status of third-country nationals who are long-term residents.

92 Information provided by MoLSAF SR.

3.2.2 Satisfying labour market needs

The SR has been recording an increase in the demand of employers in the SR for foreign labour.⁹³ Pertaining to the lack of qualified workforce in several sectors in the Slovak labour market a simplification of conditions for employing TCNs is proposed⁹⁴ for:

- employments lacking workforce for a long time (a list of such employments would be drafted by a tri-partite commission as well as published and annually updated on COLSAF webpage; for COLSAF this would be a new competence,
- districts with a registered unemployment rate lower than 5%.

Upon cumulative fulfilling of both abovementioned conditions the following would happen:

- obligation of employer to report a vacancy (at the moment it is 15 – 30 days prior to submitting a permit or confirmation application) would be cancelled,
- a maximum deadline (30 working days) for issuing a temporary residence permit including the “single permit” would be introduced for the APD PFP,
- the maximum number of TCNs that an employer can employ in this way would be set at 30 % of the overall number of employees,
- the deadline for reporting a vacancy for the purposes of a single permit would be shortened from 30 working days to 30 calendar days.⁹⁵

Adoption of the proposed changes is expected in 2018 (see 3.2). The above described conditions might therefore be changed. Government of the SR considers acquiring foreign labour as a last resort option in case all other measures for activation of unemployed are exhausted⁹⁶. According to MoLSAF, employment of foreigners should not be to the detriment of the domestic population.⁹⁷

The May 2017 amendment to the Act on Residence of Aliens also improved the situation of TC employees who lose employment due to various reasons. Instead of the original 30 days they will now have 60 days to find a new place of employment.⁹⁸

93 Explanatory report to Act Proposal states that the registered unemployment rate (RUR) in the SR, as of 30 September 2017, amounted to 6.42% and is at the lowest since 1991. RUR was lower than the Slovakia-wide average in 51 districts out of which in 33 districts it was lower than 5%. Those are especially the regions of Trenčín, Bratislava, Trnava and Nitra with the presence of the largest employers who have for a long time been reporting a lack of workforce alongside the problems connected to finding it among the unemployed. Resulting from the situation, only in the last year the number of TCNs working in Slovakia doubled which in turn causes an increase in the administrative burden during the process of awarding individual (temporary residence and employment) permits to TCNs and a prolongation of the entire process.

94 A proposal of Members of the National Council of the Slovak Republic amending and supplementing Act No. 5/2004 Coll. on Employment Services and on amendment and supplement of other acts as amended, Parliament doc. No. 779, delivered to the National Council of the Slovak Republic on 10 November 2017.

95 Information provided by MoLSAF SR.

96 Source: Solidarity Council Conclusions from 29 June 2017 (consulted on 11.2.2018).

97 Information provided by MoLSAF SR.

98 Source: <https://www.minv.sk/?tlacove-spravy&sprava=poslanci-schvalili-zmeny-v-cudzineckom-zakone> (consulted on 15/1/2018).

3.3 Prevention of social dumping and labour standards erosion

Given the increased proportion of Serbian nationals working in the SR (yearly increase of above 200%)⁹⁹, especially in unqualified or low-qualification jobs in manufacturing, the Slovak Republic and Serbia signed the *Protocol on Mutual Cooperation in work and employment*¹⁰⁰ in November 2017.¹⁰¹ Cooperation includes information exchange, shall prevent social dumping¹⁰² and concerns work and employment, social security, checks of temporary employment and posting, intermediary agencies as well as the work of inspectorates in checking the working conditions of workers.¹⁰³

In autumn 2017, preparation of information materials for government authorities as well as for diplomatic missions of the SR in third-countries started. They serve to improve sharing of information on employment and employability of TCNs in Slovakia.¹⁰⁴ They should contain information on the rights of TC employees in employment relationships, on residence permits, and on human trafficking.¹⁰⁵ At the beginning of the year 2018 a leaflet was prepared for the Serbian citizens^{106, 107}.

Current situation of TCNs' employment and the potential for their work-related exploitation was discussed by various entities in 2017, at the initiative of the State Secretary of the Ministry of Interior of the Slovak Republic as the National Coordinator for combatting human trafficking. Measures being prepared are of a multidisciplinary character and include inspections of business entities.¹⁰⁸ In 2017 BBAP PFP members in cooperation with labour inspectorates or OLSAF bodies checked¹⁰⁹ 340 business entities¹¹⁰. Breaking the Act on Illegal Work and Illegal Employment was proved in 48 business entities.¹¹¹ No human trafficking victim was identified during the 2017 inspections carried out by the SR.¹¹² The Minister of Labour stated that work intermediary entities often based in the Czech Republic, Poland and Hungary are a frequent reason for illegal employment. He states that since the Act dealing with the activity of temporary employment agencies in Slovakia was tightened, branches of the agencies have been set up in neighbouring countries where the legislation is not so strict and are now sending employees to Slovakia. He

99 November 2017 statistics state that 10,811 Serbian nationals worked in Slovakia out of which 8,516 had work permit on the basis of information cards for “Foreign Slovaks” and 2,295 held a permit issued by individual OLSAFs. Most of them worked in the Western Slovakia and Bratislava region. At least two thirds of the overall number of Serbian nationals residing in Slovakia are “Foreign Slovaks”. Serbian nationals most often work in automotive and electrotechnical industry.

100 Protocol on Mutual Cooperation between the Ministry of Labour, Social Affairs and Family of the Slovak Republic and Ministry of Labour, Employment, Veterans Affairs and Social Affairs of the Republic of Serbia.

101 Source: <http://www.teraz.sk/ekonomika/socialne-sr-bude-viac-spolupracovat-s/292148-clanok.html> and <https://finweb.hnonline.sk/ekonomika/1061919-slovensko-spoj-sily-so-srbskom-pri-odhalovani-nelegalnej-prace> (consulted on 18/1/2018).

102 While there is no definition of the concept of “social dumping” in EU law, the term is generally used to point to unfair competition due to the application of different wages and social protection rules to different categories of worker (Parliamentary questions, 27 May 2015, E-008441-15). The European Commission described the practice as a situation ‘where foreign service providers can undercut local service providers because their labour standards are lower’, more info at Eurofound: <https://www.eurofound.europa.eu/observatories/eurwork/industrial-relations-dictionary/social-dumping-0> (consulted on 18/4/2018).

103 Information provided by MoLSAF SR.

104 Information provided by MoLSAF SR.

105 Information provided by the DFEA MIO SR.

106 MoLSAF has consulted the preparation of the leaflet with MoI SR, BBAP PFP, as well as the Office of Slovaks Living Abroad.

107 Information provided by MoLSAF SR.

108 Information provided by the DFEA MIO SR.

109 When inspecting business entities, the police officers focus, as the law prescribes, mainly on detecting persons – foreigners without residence permits and on other types of breaches of the Act on Residence of Aliens as well as on searching for and identifying the victims of the crime of human trafficking as defined in the Criminal Code.

110 A total of 3,228 persons were inspected: 1,455 Slovak citizens and 1,773 foreigners – EU citizens and TCNs.

111 Business entities illegally employed 32 Slovak citizens and 233 foreigners, among whom 204 were from third countries and 60 were residing in SR illegally. Among foreigners were mostly Serbian citizens (117), Ukrainians (73), Polish citizens (10). Illegally employed foreigners worked mainly in the industrial production and construction.

112 Information provided by the BBAP PFP.

therefore considers it important for the SR to have timely information about persons at the time of their leaving Serbia.¹¹³

In November 2017, members of the National Council of the Slovak Republic proposed the adoption of an Act¹¹⁴ (see 3.2.1) that also seeks to extend the obligations of employer who receives TCNs posted as employees and add to them the obligation to provide adequate accommodation for such posted employees as well as the obligation to present respective documents attesting to their posting. An employer interested in employing a TCN, could not be in breach of the ban on illegal employment in the period of two years prior to submitting the application.¹¹⁵

Changes related to the transposition of directives

An important change in the status of TCNs was the change related to the transposition of the 2014/36/EU¹¹⁶ and 2014/66/EU¹¹⁷ directives in May 2017. The “hard core” legal institute was adjusted in the Slovak legislation within which legal working relationships of employees during intra-corporate transfer are adequately governed by the provisions of the Labour Code.¹¹⁸ Salary related conditions of these employees during intra-corporate transfer must be at least as favourable as in the case of a comparable employee of the employer to which the employees are transferred within the intra-corporate transfer.¹¹⁹

Other planned changes

An adoption of the Act on Social Economy is going to be the key reform on strengthening the integration of the long-term unemployed (including some of the TCNs groups) on the labour market in the SR. The preparatory works for this Act has started in September 2017. This Act will predominantly focus on the disadvantaged job seekers with a specific target on long-term unemployed. By the adoption of a cross-cutting legal regulation, a favourable environment for supporting the social enterprises as a part of social economy and social innovations, including applying the principle of positive discrimination in the public procurement and based on the examples of the best practice from abroad and EU rules and principles, should be created.¹²⁰

113 Source: <http://www.teraz.sk/ekonomika/socialne-sr-bude-viac-spolupracovat-s-292148-clanok.html> and <https://finweb.hnonline.sk/ekonomika/1061919-slovensko-spojil-sily-so-srbskom-pri-odhalovani-nelegalnej-prace> (consulted on 18/1/2018).

114 A proposal by the Members of the National Council of the Slovak Republic amending and supplementing Act No. 5/2004 Coll. on Employment Services and on amendment and supplement of other acts as amended, Parliament doc. No. 779, delivered to the National Council of the Slovak Republic on 10 November 2017.

115 Source: A proposal of the Members of the National Council of the Slovak Republic amending and supplementing Act No. 5/2004 Coll. on Employment Services and on amendment and supplement of other acts as amended, Parliament doc. No. 779, delivered to the National Council of the Slovak Republic on 10 November 2017. Available at: <https://www.nrsr.sk/web/Default.aspx?sid=zakony/zakon&MasterID=6609> (consulted on 18/1/2018).

116 Directive 2014/36/EU of the European Parliament and of the Council of 26 February 2014 on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers.

117 Directive 2014/66/EU of the European Parliament and of the Council of 15 May 2014 on the conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer.

118 Specifically the provisions of Paragraph 2 Letter a), b), d) to g) and of Paragraphs 3, 7 and 8 of the Labour Code.

119 Information provided by MoLSAF SR.

120 Information provided by MoLSAF SR.

3.4 Other measures on legal migration schemes

In 2017, SR was preparing the *working holiday programme*¹²¹ with Argentina and the quota within the existing *working holiday programme with Canada* was increased on both sides to accommodate the higher number of persons interested in the programme. The working holiday programme with Canada is the result of several years of diplomatic efforts on both sides and generally good cooperation between the two countries.¹²²

The SR is preparing a census of population and housing for 2021.¹²³ The increasing financial burden of a traditional census and the increasing administrative burden on respondents caused the Slovak Republic's efforts to move from traditional to integrated census based on the use of data obtained from administrative sources (especially registries) and field surveys. The integrated census will increase the quality and effectiveness of obtaining data and information.¹²⁴ The number of citizens will, as was the case in the past, include all the residents with permanent residence in the SR, regardless of whether they are present in the territory of the SR when the census is carried out.¹²⁵ With regards to the national census, the Statistical Office of the Slovak Republic prepared the *National Action Plan for Census of Population and Housing 2021 for 2017 – 2020* which proposes setting-up an interdepartmental analytical team of specialists. Slovak Government approved the *Legislative Proposal of Act on Census of Population and Housing 2021*¹²⁶ which orders the Statistical Office of the Slovak Republic to submit a draft act by mid-2019.¹²⁷

3.5 Information on routes to and conditions of legal migration

Information tools

The *Migration Information Centre to Support Integration of Migrants in Slovakia (phase VIII)* project financed by AMIF continued in 2017 and provided TCNs as well as Slovak institutions which encounter them with information on possibilities and conditions of legal migration. In 2017, 5,183 personal, phone and/or online consultations were carried out by MIC in Bratislava and Košice to 3,375 individual clients.¹²⁸ These were related to residence, family affairs, employment, business, education or citizenship in the SR. The most frequent countries of origin of the clients in 2017 included Ukraine, Russian Federation, Serbia, India, Iran and USA. Updated information in Slovak, English and Russian were available also on the website. In 2017, 125,193 persons searched the www.mic.iom.sk website for information for foreigners about life in Slovakia.¹²⁹

121 The aim of a working holiday programme is reciprocal simplification of entry and residence conditions for Slovak and third-country citizens who want to spend a year-long holiday in the other state. Participants of the programme can study or perform occasional jobs. The programmes are intended for young people between 18 and 30 years and one programme can be used once.

122 Information provided by the MoLSAF SR.

123 With regards to its content, it is the most extensive statistical survey within the world-wide programme of population and housing census organized under the auspices of the EU and UN. All Member States are obliged to include equal or comparable definitions of surveyed data into the census. Coordination of the census enables diverse use of census data not only on a national and European but also on an international level.

124 Manifesto of the Government of the Slovak Republic 2016 – 2020 and Conception of Census of Population and Housing 2021 from February 2017.

125 Information provided by the Statistical Office of the Slovak Republic.

126 Available at: <http://www.rokovania.sk/Rokovanie.aspx/BodRokovaniaDetail?idMaterial=27083> (consulted on 17/1/2018).

127 Information provided by the Statistical Office of the Slovak Republic.

128 Information provided by the FAD EPS Mol SR.

129 Information provided by the IOM Office in SR.

In May 2017, the IOM Migration Information Centre has launched the *VisaCheck*¹³⁰ web application for foreigners who want to find out what kind of visa and residence they need to enter the Slovak Republic. The application is free of charge and in English. It informs foreigners about the conditions of entry into Slovakia which differ based on their country of origin as well as on the length and purpose of their residence. By the end of 2017, the application had responded to nearly 1,425 requests for information on entry to SR from 114 countries.¹³¹

The transnational information portal *Danube Compass* aims to promote better informed TCNs and state institutions. Apart from Slovakia, it is to be launched also in Austria, Hungary, Germany, Croatia, Serbia, Slovenia, the Czech Republic, and Bosnia and Hercegovina. It will provide information on employment and residence in the country, on the education system, on healthcare and processes to tackle discrimination at workplace. Information at the Slovak portal prepared by the Institute of Ethnology, Slovak Academy of Sciences will also be available in English, Serbian, Ukrainian and Vietnamese.¹³² The portal is funded by the Danube Transnational Programme within the *Danube Region Information Platform for Economic Integration of Migrants* (DRIM) project implemented in 2017 – 2019.¹³³

In 2017, the SR coordinated within a European Migration Network project co-financed by the EC the updating of the “What do I need before leaving?” section of the *EU Immigration Portal*¹³⁴ on behalf of Slovakia.¹³⁵

MoLSAF SR continued to update its web section “Information for foreigners”¹³⁶ in English and Slovak also in 2017, in line with the Government Resolution^{137, 138}.

Cooperation with third countries

In November 2017 the SR and the Republic of Serbia have signed a *Protocol on Mutual Cooperation* in the field of work and employment¹³⁹ (see 3.3). SR has also started to prepare materials to improve pre-departure awareness of TCNs with respect to their employment and rate of employment in the SR (see 3.3).¹⁴⁰

¹³⁰ Available at: <http://mic.iom.sk/visacheck/en/home/> (consulted on 17/1/2018).

¹³¹ Source: <http://www.iom.sk/pre-media/tlacove-spravy-a-clanky/903-ts-uzitocna-aplikacia-o-vizach-a-pobyte-na-slovensku> (consulted on 17/1/2018).

¹³² Source: <https://www.aktuality.sk/clanok/533474/migrantom-na-slovensku-pomoze-novy-portal/> (consulted on 27/4/2018).

¹³³ Source: <http://www.interreg-danube.eu/approved-projects/drim> (consulted on 27/4/2018).

¹³⁴ Available at: <http://ec.europa.eu/immigration/> (consulted on 17/1/2018).

¹³⁵ Information provided by the IOM Office in SR.

¹³⁶ Available at: <https://www.mpsvr.sk/sk/informacie-cudzincov/> (consulted 11/2/2018).

¹³⁷ Slovak Government Resolution n. 568 from 21 October 2015 on Information regarding the support of the activities of non-governmental organisations related to the humanitarian and integration support of refugees submitted by the initiators of the petition Plea for Humanity.

¹³⁸ Information provided by MoLSAF SR.

¹³⁹ Protocol on Mutual Cooperation between the Ministry of Labour, Social Affairs and Family of the Slovak Republic and Ministry of Labour, Employment, Veterans Affairs and Social Affairs of the Republic of Serbia.

¹⁴⁰ Information provided by the BBAP PFP, MoLSAF SR and MoFEA SR.



International protection including asylum

The number of asylum seekers in Slovakia remained low in 2017 and the Slovak asylum system therefore did not face any particular challenges in that year. Preparation of the amendment to the Act on Asylum started. The Act should come into effect on 20 July 2018 especially given the transposition of Art. 31 Par. 3 – 5 of the recast “procedural directive” which is related to the procedure of the assessment of an international protection application. In 2017, persons with granted asylum, subsidiary protection or temporary protection were affected also by the new Act on Victims of Criminal Acts. MO Mol SR issued an instruction which among other things regulates the issue of healthcare entitlement documents also for persons who have decided on assisted voluntary return. It has also finalized the Guide for Asylum Applicants and Beneficiaries of International Protection: A New Start in the Slovak Republic.

In 2017, the SR continued relocations from Italy and Greece based on the “First Relocation Decision” within which it voluntarily undertook to relocate 100 persons – 40 from Greece and 60 from Italy. In 2017, the SR did not implement any resettlement programme or any other humanitarian admission programme for refugees from third countries. However, the SR continued with the special humanitarian transfer of refugees through its territory which Slovakia has been carrying out in cooperation with UNHCR and IOM since 2009.

4.1 Statistics and trends

The number of asylum seekers in the SR remained low also in 2017. In 2017, 166 asylum applications were submitted (153 first and 13 repeated applications) as compared to 146 applications submitted in 2016. In 2017, asylum was granted to 29 persons and subsidiary protection to 25 persons. The SR decided to stop the proceedings in 73 cases, to not grant asylum in 42 cases and to not grant subsidiary protection in 16 cases. The most frequent groups of asylum seekers in 2017 were applicants from Afghanistan (23), Iraq (12), and Vietnam (21).¹⁴¹

4.2 National legislation and Common European Asylum System (CEAS)

4.2.1 Access to the asylum procedure and reception of asylum applicants

In 2017, the preparation of the amendment to the Act on Asylum¹⁴² started. The Act is proposed come into effect on 20 July 2018. The reason for the amendment process is mainly the transposition of Art. 31 Par. 3 – 5 of the recast “procedural directive”¹⁴³ which is related to the procedure of the assessment of international protection application¹⁴⁴, as well as modification of certain provisions of the Act on Asylum based on knowledge and needs of practice.¹⁴⁵

In 2017, persons with granted asylum, subsidiary protection or temporary shelter were covered also by the new Act on Victims of Criminal Acts¹⁴⁶ which came into effect on 1 January 2018. Under the new Act, the compensation can be claimed also by a victim of violent criminal act who was granted asylum, subsidiary protection, temporary shelter, residence or tolerated stay in the SR, provided that the health-related damage happened in the territory of the SR¹⁴⁷ (see 9.2).¹⁴⁸

There were no changes regarding the reception of asylum seekers in Slovakia in 2017. The applicants were still provided accommodation in asylum facilities of the MoI SR (Reception Centre Humenné, Accommodation Centres Opatovská Nová Ves and Rohovce). Reception centre capacity in 2017 remained unchanged at 524 persons and accommodation centres capacity at 140 persons each. In case of crisis the capacity can be increased.¹⁴⁹ Nor were there changes regarding the capacity of the BBAP PFP detention centres¹⁵⁰ which in exceptional cases serve also for the

141 Source: Statistical report of the Migration Office of the Ministry of Interior of the SR 2017. Available at: <http://www.minv.sk/?statistiky-20> (consulted on 19/4/2018).

142 Act on changing and amending Act No. 480/2002 Coll. on Asylum and on changes and amendments to some acts, as amended.

143 Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection (recast).

144 Par. 3 (incomplete wording): MS shall ensure that the examination procedure is concluded within six months of the lodging of the application. MS may in some cases extend the time limit for a period not exceeding a further nine months.

Par. 4 (incomplete wording): MS may postpone concluding the examination procedure where the determining authority cannot reasonably be expected to decide within the time-limits laid down in paragraph 3 due to an uncertain situation in the country of origin which is expected to be temporary.

Par. 5 (incomplete wording): MS shall conclude the examination procedure within a maximum time limit of 21 months from the lodging of the application.

145 Information provided by the MO MoI SR.

146 Act No. 274/2017 Coll. on Victims of Criminal Acts and on changes and amendments to some acts.

147 Sec. 10 Par. 1 of Act No. 274/2017 Coll. on Victims of Criminal Acts and on changes and amendments to some acts.

148 Information provided by the MO MoI SR.

149 Information provided by the MO MoI SR.

150 Capacity of Medvedov PDCA in the Western Slovakia remained at 152 persons (112 men and 40 women). If needed, the premises of the centre allow for the creation of a further 30 places. The capacity of Sečovce PDCA in the Eastern Slovakia which is adjusted also to accommodating families with children, remained at 176 persons (36 women and/or families with children, 104 men). The centre has an alternative space for

detention of asylum seekers during their asylum procedure, especially the Dublin procedure.¹⁵¹

Ongoing *Effective Services to Asylum Seekers in the SR II*. project¹⁵² of the NGO Slovak Humanitarian Council in partnership with Rovné Municipality is being implemented in 2017 – 2019 while supported by the AMIF fund. Asylum seekers including those residing in the MO MoI SR asylum facilities are provided with both basic and subsidiary services. Special attention is given to the needs of vulnerable persons.¹⁵³ Subsidiary services include teaching the Slovak language, psychological counselling, social work, leisure time activities etc.¹⁵⁴

On 19 June 2017, the MO MoI SR joined the common EU MS initiative called *EASO Info Day* aiming to introduce the EASO agenda, work and projects to expert public in Slovakia. MO MoI SR employees presented their personal experience from working in asylum support teams in Greek and Italian hotspots. EASO representatives introduced a new documentation and information system.^{155 156}

4.2.2 Asylum procedure including the Dublin procedure

Access to information and interpreting

There were no changes in provision of interpreting, access to information and legal counselling in Slovakia in 2017.¹⁵⁷ The NGO Human Rights League cooperating with the MoI SR via the *Legal Counselling Centre for Asylum* project¹⁵⁸ supported from AMIF fund continues providing asylum seekers with legal counselling.¹⁵⁹ The project ensures access to legal services to all asylum seekers placed in the MO MoI SR asylum facilities, applicants with residence permit outside an asylum facility and imprisoned asylum seekers taking into consideration their individual needs and specifically focusing on vulnerable persons. The project is planned for 3 years from 4 November 2016 until the end of October 2019.¹⁶⁰

Dublin procedure and transfers

In 2017, the Dublin Centre in the SR processed 358 applications for determination of responsibility for assessing asylum application. In 23 cases persons were transferred over to the territory of the SR for further proceedings. The Dublin Centre sent 211 applications for taking responsibility to other EU MS and 32 persons were transferred from the Slovak territory. The Dublin Centre continued to act also in the cases of TCNs without authorised stay in the SR on whom Dublin Regulation could be applied.

In 2017, the SR did not cease transfers to any of the EU MS applying the Dublin Regulation, provided that the applications of the SR were accepted by the given state and decisions on transfer could be carried out in compliance with the Slovak legislation.

36 persons which can be adjusted for men, women and families with children.

151 Information provided by the BBAP PFP and MO MoI SR.

152 Project SK 2016 AMIF SC1.2/1.

153 Available at: <http://www.nasiuteccenci.sk/efektivne-sluzby.html> (consulted on 10/1/2018).

154 Available at: <https://www.minv.sk/?projekty-na-ktorych-sa-migracny-urad-podiela> (consulted on 10/1/2018).

155 Information provided by the MO MoI SR.

156 Available at: <https://www.minv.sk/?tlacove-spravy-6&sprava=informacny-den-europskeho-podporneho-uradu-pre-azyl-easo> (consulted on 11/5/2018).

157 Information provided by the MO MoI SR and BBAP PFP.

158 Project SK 2016 AMIF SC1.1/2.

159 Information provided by the MO MoI SR.

160 Available at: <http://www.hrl.sk/projekty/pravna-poradna-pre-azyl> (consulted on 10/1/2018).

At the end of 2017, the Dublin Centre declared to the EU LISA agency¹⁶¹ the readiness to migrate to the new DubliNet (electronic communication system) domains. The whole technical process should be completed by all MS in the first half of 2018.¹⁶²

Special procedures and first instance procedures

No changes in first instance or special procedures occurred in Slovakia in 2017.¹⁶³

Judicial procedures and rulings

In 2017, the following developments in appeals or reviews by courts occurred in the SR:

- The Supreme Court of the SR stated¹⁶⁴ that if an applicant, before bringing an appeal, asks the Centre for Legal Aid for a legal representative, the deadline for bringing the appeal before administrative court does not run from the time of bringing the appeal until the lawful decision upon it. The resolution concerned the decision of BBAP PFP on prolonging the detention, however, it can be used also when calculating the deadlines in asylum matters. The deadline for bringing an administrative appeal against the decision issued in the asylum granting procedure including the Dublin cases can therefore be, under certain circumstances, longer than 30 days (decision on non-granting asylum, decision on withdrawing asylum etc.) or 20 days (decision on refusing the application as inadmissible, decision on refusing the application as manifestly unfounded).
- The Supreme Court submitted¹⁶⁵ prejudicial questions to the Court of Justice of the EU which concerned the possibility to grant asylum in certain cases directly by the courts of first and second instance. Despite the fact that the decision in this matter has not yet been issued, the European Commission, by means of written comments, proposed that the Court of Justice gives the following responses to submitted prejudicial questions:
 1. Art. 46 Par. 3 of the "Procedural Directive"¹⁶⁶ should be interpreted in the sense that at least a first-degree court should have the authority to review the negative decision on granting international protection, given the requirements stated in art. 9, 10 and 15 of the Directive 2011/95/EU¹⁶⁷, review all factual and legal questions and issue the decision on the need of international protection which is binding for administrative bodies. Art. 46 Par. 3 of the "Procedural Directive", however, does not require the court to have the authority to directly decide on granting international protection.
 2. Art. 46 Par. 3 of the "Procedural Directive" should be interpreted in a sense that the obligation to fully examine the negative decision on granting international protection applies only to the courts of the first and not the second instance¹⁶⁸.

161 European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice.

162 Information provided by the MO Mol SR.

163 Information provided by the MO Mol SR.

164 Resolution of the Supreme Court of the Slovak Republic of 27 January 2017 revoking the resolution of Regional Court in Bratislava to dismiss an administrative appeal as filed late and returning the case for further proceedings (No. 15zak/2/20).

165 Resolution of the Supreme Court of the Slovak Republic of 24 January 2017 on interruption of the proceedings (No 15ža/20/2016).

166 Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection (recast).

167 Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted

168 Information provided by the MO Mol SR.

Safe country and country of origin information

There were no changes in national legislation related to the concept of safe countries in 2017.

In 2017, a MO Mol SR representative was a member of European Asylum Support Office (EASO) working group for the review of its *Country of Origin Information Report Methodology* (COI Methodology) which is one of the source documents for similar types of methodology on national level. After adopting the EASO methodology, the national practice is expected to be adapted, too.

The MO Mol SR employees also participated in three postings to Greece within the asylum support teams (AST) in 2017 where they were active in the COI area. They also took part in negotiations of COI expert networks and participated again in drafting EASO reports on the countries of origin¹⁶⁹, in particular in updating the safety situation in Afghanistan, expert reviewing the report (peer review) on Bangladesh as well as working on materials for the Turkey Fast Track Queries. Experience obtained in the international environment contributed to increasing quality of national outcomes.¹⁷⁰

In 2017, a total of 377 individual COI questions within the 76 submitted asylum applications were processed for the case workers – employees of the Procedural Division of the MO Mol SR. Specific development for the SR in 2017 was first COI requests related to EU Member States, so called Dublin COI.¹⁷¹

4.2.3 Provision of information on documents and rights of beneficiaries of international protection

In 2017, the MO Mol SR finished a new handbook for asylum applicants and beneficiaries of international protection entitled *A New Start in the Slovak Republic*.¹⁷² The guide provides information on the practical aspects related to the arrival of a person in the SR including the asylum procedure and following integration (see 6.2) and informs TCNs on cultural habits in the SR. Translation of English version of the guide into Farsi, Pashto, French and Russian as well as printing was arranged by the UNHCR. It will be distributed in Mol asylum facilities and is also available on-line¹⁷³. It is to serve also as a tool for MO Mol SR social workers during educating the asylum seekers within the cultural orientation.¹⁷⁴

MO Mol SR issued an instruction¹⁷⁵ in 2017 which amends the procedure of issuing, storing, recording of and manipulation with documents about entitlement to health care provision according to the Act on Asylum. Among other things the Act establishes issuance of such documents also for persons who decided for a voluntary return.¹⁷⁶

169 Reports can be a source document for determining certain country to be safe at EU level, provided that this concept is adopted within so called asylum packages.

170 Information provided by the MO Mol SR.

171 Information provided by the MO Mol SR.

172 Available at: <http://www.minv.sk/?tlacove-spravy-6&sprava=migracny-urad-vydal-prihrucku-novy-start-v-sr-pre-ziadatelov-o-azyl-vo-viacerych-jazykoch> (consulted on 10/1/2018).

173 Available at: <https://www.minv.sk/?novy-start-v-sr> (consulted on 1/2/2018).

174 Information provided by the MO Mol SR.

175 Instruction of the Migration Office of the Ministry of Interior of the Slovak Republic on the procedure of issuing, storing, recording of and manipulation with documents about entitlement to health care provision issued in accordance with the Act No. 480/2002 Coll. on Asylum and on the Amendment and Supplementation of Certain Acts as amended.

176 Information provided by the MO Mol SR.

4.2.4 Cooperation with third countries

In 2017, the MO Mol SR which is responsible for international protection in Slovakia did not implement any activities regarding third countries except for the ongoing *Mobilaze* project (see 10.2). The Visegrad Group (V4)¹⁷⁷, however, initiated activities in Jordan for 2018 (see 10.1).¹⁷⁸

The SR also took part in consultations on *Global Compacts* on migration and refugees (see 10.3).¹⁷⁹

4.2.5 Asylum system of the Slovak Republic

Institutional changes

In 2017, the originally separate MO Mol SR *Department of Asylum Policies*, operating since 2015 foremost to fulfil tasks related to the preparation and implementation of the first Slovak Presidency to the Council of the EU¹⁸⁰, was included in the *Department of Documentation and Foreign Cooperation* which improved the coordination of foreign MO Mol SR activities.¹⁸¹

Efficiency and quality

Three national trainers for EASO modules on Reception, Dublin III. Regulation and Interviewing Vulnerable Persons modules were trained in 2017. National training sessions were organized for the first two mentioned modules and 25 MO Mol SR employees in total.¹⁸²

Challenges

The number of asylum seekers in Slovakia remained low also in 2017 (see 4.1). Therefore the Slovak asylum system did not face any special challenges in 2017.

MO Mol SR which is responsible for the international protection agenda in Slovakia did not record criticism from third parties. The request of the European Commission and indirectly of some MS to soften conditions of the SR for implementing relocations (i.e. preference of Syrian mothers with children) was still present.¹⁸³

¹⁷⁷ Informal group in Central Europe region whose members are the SR, the Czech Republic, Hungary and Poland.

¹⁷⁸ Information provided by the MO Mol SR.

¹⁷⁹ Information provided by MO Mol SR, MoFEA SR and BBAP PFP.

¹⁸⁰ The second half of 2016.

¹⁸¹ Information provided by the MO Mol SR.

¹⁸² Information provided by the MO Mol SR.

¹⁸³ Information provided by the MO Mol SR.

4.3 Relocation and resettlement programmes

4.3.1 Intra-EU relocation mechanism and bilateral activities

In 2017, the SR continued relocations¹⁸⁴ from Italy and Greece based on the "First Relocation Decision"¹⁸⁵ within which it voluntarily undertook to relocate 100 persons – 40 from Greece and 60 from Italy. Since 2016 the SR has complied with 3 pledges and relocated a total of 16 persons (5 mothers and 11 children) while a further 11 persons voluntarily left the territory of the SR. The last pledge from 15 November 2016 was fulfilled on 13 February 2017 when 7 Syrian nationals (2 mothers and 5 children) arrived from Greece¹⁸⁶ in Slovakia.

In 2017, the SR submitted a further 3 pledges to relocate 30 persons: on 14 February to relocate 10 persons from Greece, on 10 May to relocate 10 persons from Greece and on 19 June to relocate 10 persons from Italy. The same target group and reception conditions as in 2016 were defined. The SR again focused on helping the most vulnerable groups (single mothers with children) upon the condition that each accepted person/family holds valid documents. Since Greece and Italy in the case of the first and third pledge sent a list of persons not fulfilling the conditions of the SR, the SR refused the proposals. Greece and Italy have not sent new proposals reflecting Slovak requirements yet. Greece did not react to the second pledge either. That is why the SR has not relocated any persons from Greece and Italy since February 2017.¹⁸⁷

On 6 September 2017, the Court of Justice of the EU dismissed the appeal of the SR¹⁸⁸ against the "Second Relocation Decision"¹⁸⁹ on a temporary mechanism for relocation of 120,000 international protection seekers based on fixed quotas from Greece and Italy. The SR noted the decision but did not change its position on mandatory redistribution mechanisms.¹⁹⁰ On 5 October 2017, the V4 ministers of interior signed a joint declaration rejecting the pressure of the EC on countries not fulfilling the mandatory quotas concerning redistribution of migrants.¹⁹¹

In 2017, the SR did not participate in any bilateral relocation activities.¹⁹²

¹⁸⁴ Relocation: The transfer of persons having a status defined by the Geneva Convention of 1951 or subsidiary protection within the meaning of Directive 2011/95/EU from the EU Member State which granted them international protection to another EU Member State where they will be granted similar protection, and of persons having applied for international protection from the EU Member State which is responsible for examining their application to another EU Member State where their applications for international protection will be examined. In the context of the EU emergency response system, relocation means the transfer of an applicant in clear need of international protection from the territory of the Member State initially indicated as responsible for examining their application for international protection to the territory of the Member State of relocation. Following transfer, the latter will become the Member State responsible for examining the application for international protection (see Art. 2(e) of Council Decision (EU) 2015/1523 and Art. 2(e) of Council Decision (EU) 2015/1601). (see EMN Glossary V5).

¹⁸⁵ Council Decision (EU) 2015/1523 of 14 September 2015 establishing provisional measures in the area of international protection for the benefit of Italy and of Greece.

¹⁸⁶ Information provided by the MO Mol SR.

¹⁸⁷ Information provided by the MO Mol SR.

¹⁸⁸ Press release of the Court of Justice of the EU on decision in C-643/15 (Slovakia) and C-647/15 (Hungary) cases., available at: <https://curia.europa.eu/jcms/upload/docs/application/pdf/2017-09/cp170091sk.pdf> (consulted on 11/2/2018).

¹⁸⁹ Council Decision (EU) 2015/1601 of 22 September 2015 establishing provisional measures in the area of international protection for the benefit of Italy and Greece.

¹⁹⁰ Information provided by the MO Mol SR.

¹⁹¹ Source: <http://www.teraz.sk/zahranicie/ministri-v4-v-budapesti-trestat-kraji/284435-clanok.html> (consulted on 27/4/2018).

¹⁹² Information provided by the MO Mol SR.

4.3.2 Resettlement and humanitarian admissions

In 2017, the SR did not implement any resettlement programme or any other humanitarian admission programme of refugees from third countries apart from a special humanitarian transfer of refugees through the Slovak territory which the SR has been carrying out in cooperation with UNHCR and IOM since 2009.¹⁹³

In 2017, several groups of refugees and persons under UNHCR protection came to the Emergency Transit Centre (ETC) in Humenné. At the beginning of 2017, there were 45 persons in the ETC: Somali (humanitarian transfer from Eritrea and Yemen) and Sudanese (humanitarian transfer from Lebanon) nationals. As of 31 December 2017, there were 8 Somali or Sudanese nationals including 2 children in the ETC. The total number of people admitted in the SR since 2009 is 1,047 including 502 children (17 children were born in Slovakia). SR transferred 1,038 persons from its territory in 2017.¹⁹⁴

4.4 National and European jurisprudence

The SR did not record any new decisions of the European Court of Human Rights which would create asylum-related precedents significantly influencing policies. As for the decisions issued by the Court of Justice of the EU, the Ministry of Interior of the SR takes into consideration the case law of the Court of Justice of the EU in the practice; however, no specialized policies were adopted (see 4.2.2).¹⁹⁵

In 2017, the Supreme Court of the SR was active in areas related to international protection of third-country nationals. In 2018, the SR awaits response to prejudicial questions of the Court of Justice of the EU about possibility to grant asylum in certain cases directly by the court of first or second instance (see 4.2.2).¹⁹⁶

¹⁹³ The last valid trilateral Agreement between the Government of the Slovak Republic, UNHCR and the IOM concerning Humanitarian Transfer of Refugees in Need of International Protection through the SR was closed on 18 November 2015.

¹⁹⁴ Information provided by the MO MoI SR.

¹⁹⁵ Information provided by the MO MoI SR and BBAP PFP.

¹⁹⁶ Information provided by the MO MoI SR.

Unaccompanied minors and other vulnerable groups

In 2017, no legislative changes were adopted concerning UAMs or any other groups of vulnerable migrants. Important legislative changes are planned for 2018. They are related to the amendment of the Act on Social and Legal Protection of Children and on Social Guardianship (SPCSG). The number of registered UAMs in the SR remained low in 2017. UAMs escaping/disappearing from care remain a persistent problem. In 2017, the MoLSAF SR was preparing a final research report on this topic. It was prepared in cooperation with the COLSAF and contains analysis of the problem of UAM escapes/disappearances and conclusions for the application practice.

5.1 Unaccompanied minors

Statistics and trends

In 2017, Slovakia did not register a significant increase in the number of UAMs (see **Table 9** in Annex). A total of 25 UAMs were intercepted during unauthorized state border crossing or unauthorized residence in the SR, the majority of whom were Vietnamese nationals followed by nationals of Iraq.¹⁹⁷ In Slovakia, a child "who is not a citizen of the SR and is present at the territory of the SR without company of their parent or other adult individual who could be granted

¹⁹⁷ Source: Statistical Overview of Legal and Illegal Migration in the SR, BBAP PFP, available at: https://www.minv.sk/swift_data/source/policia/hranicna_a_cudzinecka_policia/rocniky/rok_2017/2017-rocenka-UHCP-SK.pdf (consulted on 22/3/2018).

custody of the child” is considered an unaccompanied minor¹⁹⁸ (i. e. they are not just minor TCN). In 2017, bodies active in socio-legal protection of children and social guardianship registered 44 UAMs (of which 9 were girls) out of which 38 were placed in the Dľaň foster home for UAMs in Medzilaborce.

In 2017, 11 UAMs¹⁹⁹ sought asylum as compared to 2 UAMs in 2016, 3 UAMs in 2015 and 11 UAMs in 2014.²⁰⁰ Two UAMs were granted asylum on humanitarian grounds. In 2017, the foster home in Medzilaborce served mainly UAMs from Vietnam (10 UAMs), Afghanistan (7 UAMs), Iraq (6 UAMs), Bangladesh (4 UAMs), Syria (2 UAMs). As of 1 January 2018, 7 UAMs were placed in the Dľaň foster home in Medzilaborce, 1 of them was girl. At the end of 2017, 2 UAMs from the original group of 9 UAMs absconded from the facility.

There was a decrease in UAMs not seeking asylum to 19 cases as compared to 31 in 2016, 23 in 2015, and 10 in 2014²⁰¹ (see **Table 9** in Annex).

Politics, legislation and measures

In 2017, there were no significant legislative changes adopted by the SR in the area of receiving or caring for UAMs. Important legislative changes are planned for 2018. They are related to the amendment of the Act on Social and Legal Protection of Children and on Social Guardianship (SPCSG)^{202,203}. The changes will concern the deinstitutionalization of foster care which has been ongoing in Slovakia for a long time as well as professional help focused on children staying or being returned to their parents’ care, stemming from the natural family environment preference principle.²⁰⁴

The problem of placing UAMs older than 18 (determined subsequently) persists. From January 2017 to June 2017, 14 UAMs were placed into the FH for UAMs. In 5 cases, the age was later determined to be above 18. This resulted in initiating a working meeting of the MoLSAF SR with the BBAP PFP where practices for age determination of TCNs at capture in the territory of the SR stemming from the 2017 amendment to the Act on Residence of Aliens²⁰⁵ were defined. The amendment²⁰⁶ caused a change related to the obligation of the minor who claims to be an UAM to undergo a medical examination to determine their age if there is a suspicion they are in fact adult.²⁰⁷ The previous provision stated that only a person who is apparently a minor was exempted from the requirement to undergo a medical examination. In the second half of 2017, no minor placed in the FH for UAMs was proved to be older than 18.²⁰⁸

In 2017, apart from regular working information meetings and training days for employees of SPCSG bodies and Dľaň foster home for UAMs which concerned current issues regarding the

198 Act No. 305/2005 Coll. on Social and Legal Protection of Children and on Social Guardianship and on changes and amendments to some acts.

199 Information provided by the MO MoI SR.

200 Source: Bachtíková, Oboňová (2017): Annual Report on Migration and Asylum Policies. Slovak Republic 2016. European Migration Network, IOM Bratislava.

201 Source: Bachtíková, Oboňová (2017): Annual Report on Migration and Asylum Policies. Slovak Republic 2016. European Migration Network, IOM Bratislava.

202 Act No. 305/2005 Coll. on Social and Legal Protection of Children and on Social Guardianship and on changes and amendments to some acts.

203 Information provided by MoLSAF SR.

204 Source: Explanatory report to the Government Act Proposal changing and amending the Act No. 305/2005 Coll. on Social and Legal Protection of Children and on Social Guardianship and on changes and amendments to some acts.

205 Section 111 Paragraph 6) of Act No. 404/2011 Coll. on Residence of Aliens as amended.

206 Amendment n. 82/2017 Coll. of the Act on Residence of Aliens 404/2011 Coll. as amended.

207 Section 111 Paragraph 6) of Act No. 404/2011 Coll. on Residence of Aliens as amended.

208 Information provided by MoLSAF SR.

provision of care to UAMs, positions of psychologist and education coordinator were added to strengthen the capacity of professional and education employees of the foster home.²⁰⁹ In 2017, a national EASO trainer for interviewing vulnerable persons was trained as well.²¹⁰

The problem of frequent escapes of UAMs from the facility where they are placed persisted in 2017. Of 38 UAMs which were placed in the FH in Medzilaborce in 2017, 13 UAMs not seeking asylum and 7 UAMs seeking asylum voluntarily left the facility and departed to an unknown location.

Due to this reason preventative measures in the cooperation of SPCSG authority and FH in Medzilaborce which focus on preventing absconding of UAMs were adopted in 2017. They entail specific regime measures of the FH for UAMs in Medzilaborce, closer cooperation with the Police Force and creation of prevention and protective conditions to prevent the causes of escapes.

In 2017, a research report was initiated by MoLSAF SR in cooperation with COLSAF and prepared by the Institute for Labour and Family Research (ILFR): “*Examination of escapes/dissapearances of separated children from the foster home for unaccompanied minors*”.²¹¹ In this context the Institute for Family Research elaborated research task initiated by the MoLSAF SR in cooperation with the Central Office of Labour, Social Affairs and Family. The report gathers data on 117 unaccompanied minors who were during 2010-2017 placed in Dľaň FH Medzilaborce in last years. The report clarifies the conditions of their disappearance or absconds and proposes preventative measures to prevent further escapes or absconds including to adopt lasting solutions for UAMs integration into society. The final research report including the findings for application in practice is published at the ILFR website under the “Research Reports” (Výskumné správy) section.^{212,213}

5.2 Vulnerable groups

In 2017, there was no new development regarding the policies concerning vulnerable groups. As far as measures to strengthen human resources, one new employee was added to the Asylum Facilities Department of MO MoI SR. She will specialize in vulnerable groups.²¹⁴

209 Information provided by MoLSAF SR.

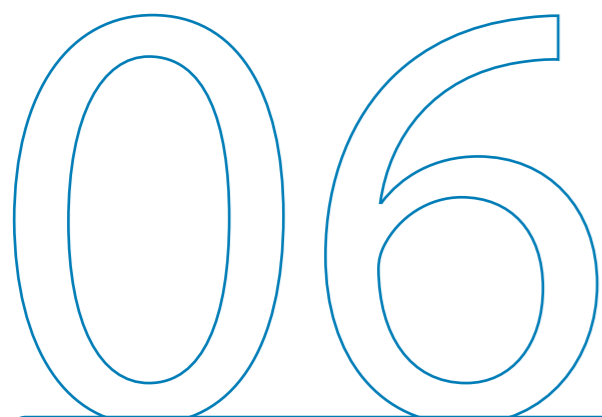
210 Information provided by MoLSAF SR.

211 Research project of ILFR and MoLSAF SR Examination of escapes/dissapearances of separated children from the foster home for unaccompanied minors

212 Fico, M. Examination of escapes/dissapearances of separated children from the foster home for unaccompanied minors, ILFR, 2017, available at: https://www.ceit.sk/IVPR/images/IVPR/vyskum/2017/Fico/ivpr_mbs_interna_verzia2_net.pdf

213 Information provided by MoLSAF SR.

214 Information provided by the MO MoI SR.



Integration

In 2017, the *Integration Policy of the SR* adopted by the *Resolution of the Slovak Government No. 45/2014 of 2014* remained the main programme document on the integration of third-country migrants. Based on this document, the MoLSAF SR elaborated the third interdepartmental *Summary Report on the Fulfilment of Objectives and Measures of the Integration Policy of the SR for 2016*. MoLSAF is considering revising the Integration Policy. The SR postponed the deadline for the State Integration Programme for Beneficiaries of International Protection from 31 December 2017 to mid 2018.

6.1 Integration of third-country nationals

Politics and legislation

In 2017, the *Integration Policy of the SR*²¹⁵ remained the main programme document on the integration of third-country migrants. The year 2017 was the first year of implementation of the *Action plan on integration policy of the MoLSAF for 2017-2018*²¹⁶.

215 The Integration Policy of the SR was approved by the Resolution of the Government of the Slovak Republic No. 45 of 29 January 2014 following the Proposal of the Integration Policy of the SR. The Resolution obliges the Minister of Labour, Social Affairs and Family of the SR to submit an annual summary report on fulfilling the goals and measures related to the Integration Policy of the SR to the Government of the SR by 30 April starting from 2015.

216 Source: <https://www.employment.gov.sk/sk/ministerstvo/integracia-cudzincov/zameranie-integracnej-politiky-sr.html> (consulted on 11/01/2018).

The third *Summary Report on the Fulfilment of Objectives and Measures of the Integration Policy of the SR for 2016*^{217 218} was prepared by the MoLSAF in April 2017. At the same time *Summary Report for 2017* has been prepared and the material is available at the Office of the Government of the SR website²¹⁹. As a part of assessment of the effectiveness of the currently still in force Integration policy the Summary Report states that the Integration policy of the SR is not implemented effectively and sufficiently in practice. Based on the EU-wide changes in the field of migration during the past years MoLSAF presumes that the issue of foreign nationals and economic migration is and most probably will remain in the forefront of discussions, influencing policies in the SR also in the upcoming period. Therefore, in the Summary Report MoLSAF proposes to adopt measures leading to effective integration of foreigners in the society including new strategic policies of managed legal and economic migration in the SR in order to better connect regional and state level and enhance cooperation in this regard.²²⁰

Concerning legislative changes: in 2017, the SR transposed the Directive 2014/36/EU²²¹ which introduced the possibility to employ a TCN who is a family member of a TCN performing activities within an intra-corporate transfer (see 3.2.1).²²²

In 2017 and based on new Act on Health Insurance²²³ a new category was added to the claims to public health insurance under Section 11 Paragraph 7 Letter a): category of dependant children with a residence permit in the territory of the SR who have at least one publicly insured legal representative in the territory of the SR or an individual into whose care they were placed by a court decision.²²⁴

Measures to promote the integration of TCNs

In 2017, the IOM started with the implementation of the *Migration Information Centre to Support Integration of Migrants in Slovakia (phase VIII)*²²⁵ project which provides the services of the IOM Migration Information Centre, including: comprehensive legal, work, social and cultural counselling, support of language and vocational education of foreigners and ensuring the protection of the rights of the unaccompanied minors as well as the support of their integration. In 2017, MIC offices in Bratislava and Košice serviced 3,375 TCN clients with counselling on various aspects of living in Slovakia (see 3.5).

Regarding the support for foreigners during their integration into Slovak labour market: MIC provided labour market orientation consultations to 592 clients. Those included assisting in preparing CVs, preparation for interviews, communication with employers, help with searching for work and mediation of employment. MIC also provided financial support to improve the chances of success in the labour market. Thanks to this support, 34 clients participated in retraining courses.

217 The Summary Report contains a statement of fulfilment of 2016 integration measures in various areas (self-governing regions, housing, cultural and social integration, healthcare, education, employment and social protection, Slovak citizenship, unaccompanied minors).

218 Source: http://www.rokovania.sk/File.aspx/ViewDocumentHtml/Mater-Dokum-208638?prefixFile=m_ (consulted on 11/1/2018).

219 Summary Report on the Fulfilment of Objectives and Measures of the Integration Policy of the SR for 2017, available at: http://www.rokovania.sk/File.aspx/ViewDocumentHtml/Mater-Dokum-218364?prefixFile=m_

220 Information provided by MoLSAF SR.

221 Directive of the European Parliament and Council 2014/36/EU from 26 February 2014 on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers.

222 Information provided by MoLSAF SR.

223 Act No. 580/2004 Coll. on Health Insurance in effect since 1/1/2017, Section 3, Section 3 j).

224 Information provided by MoLSAF SR.

225 (SK 2016 AMIF SC2.1/3) project.

The Centre cooperates with 11 cultural mediators – representatives of associations and communities of foreigners in Slovakia. In 2017, they coorganized 11 meetings for more than 300 participants under the *Welcoming Slovakia* event. Foreigners obtain practical and useful information on living in Slovakia at these meetings. They get to know new people, share information and there is cultural exchange between foreign communities and the Slovak public.

Slovak language teaching is currently not systemic in Slovakia. In 2017, IOM organized free of charge Slovak language courses in Bratislava and Košice which was targeted at third-country nationals and at the unaccompanied minors²²⁶. During 2017, more than 1,000 foreigners attended the courses. The interest in these courses increases year-to-year.²²⁷

From 1 September 2017 until 31 August 2018 the Centre of Continuing Education at Comenius University implements a project called *Innovations in teaching and testing in the Slovak language and vocational subjects for foreigners*, as a part of Erasmus+ programme.²²⁸

6.2 Integration of persons granted international protection

Politics and legislation

In 2017, the Migration Office of the Ministry of Interior of the SR in cooperation with MoLSAF SR and Ministry of Education, Science, Research and Sport of the SR continued the preparation of the state Integration Programme for Beneficiaries of International Protection in the territory of the Slovak Republic. The main challenges during preparation of the programme include an effective integration of an individual into Slovak society for the period of 1 year and related costs regarding basic living needs (such as housing, language education and active access to labour market by means of using an individual integration plan). The deadline for the programme was extended to mid-2018.²²⁹ The integration programme includes systemic solutions for housing and financial support within the integration in the SR as well as Slovak language teaching. Legislative changes in this respect are planned for 2018, too. They will concern mainly the extension of legislation in specific areas of social protection for beneficiaries of subsidiary protection in the SR. Integration measures for this group of migrants have been so far provided mainly by non-profit organizations and financed by EU funds.²³⁰

The Integration Programme is only a basic programme material to ensure successful integration of beneficiaries of international protection in the territory of the SR and therefore has no ambition to completely solve this issue. Public administration authorities as well as non-government entities will continue to deal with the integration of beneficiaries of international protection.

Year 2017 also saw the preparation of Act on Financial Compensation of Serious Physical Disablement amendment²³¹ including extension of the participants pool to persons who were granted subsidiary protection based on the Act.²³²

226 The courses take place in the Dľaň foster home in Medzilaborce.

227 Information provided by the IOM Office in the SR.

228 More information at: <https://cdv.uniba.sk/o-cdv/projekty/>.

229 Intra-departmental commenting of the material has been finished on 16 April 2018.

230 They include mainly the "STEP 3" project (SK 2016 AMIF SC2.1/1) of the Marginal civic association whose main objective is to provide third-country nationals who are beneficiaries of international protection in the territory of the SR with integration services including counselling, legal services, language education, subsidiary healthcare and housing aid.

231 Act n. 447/2008 Z. z. on Financial Compensation of Serious Physical Disablement as amended.

232 Information provided by MoLSAF SR. The amendment is currently submitted to the Government of the SR for negotiation. The impact

Measure to promote integration of persons granted international protection

Civic association Marginal continued implementing the "STEP 3" project²³³ whose main objective is to provide third-country nationals who are beneficiaries of international protection in the territory of the SR with integration services including counselling, legal services, language education, subsidiary healthcare and housing aid. The project will be implemented until the 2019.

Organizations implementing integration projects also provide employment counselling and assist this group with seeking jobs. The MO Mol SR has appropriated a group of trained field workers (integration managers) who facilitate communication with institutions and if needed, also help with practical field issues related to integration.

In 2017, the MO Mol SR also allocated an employee for integration of beneficiaries of international protection to labour market. During 2017, the employee contacted a wide spectrum of employers and acted in bilateral negotiations focused on providing objective information on the status of persons granted asylum and persons granted subsidiary protection in the labour market and on the possibilities of using their skills.

In 2017, a digital platform covering the recognition of skills and labour market integration was launched in Slovakia. It is a part of the FromSkills2Work international project²³⁴. The aim of the project was to support the integration of beneficiaries of international protection into the labour market by means of fast recognition of both formal and informal skills and competences. This can be done by strengthening capacities and reception framework of relevant institutions, mediators and employers as well as by improving the access to information and services related to the recognition of skills and qualification of beneficiaries of international protection.²³⁵

In 2017, the MO Mol SR prepared the Guide for Asylum Applicants and Beneficiaries of International Protection: *A New Start in the Slovak Republic*. The contents of the Guide were consulted with various entities including the beneficiaries of international protection in the SR who have the experience with asylum procedure and Slovak cultural specifics. For more information see 4.2.3.²³⁶

In 2017, the Migration Office of the Ministry of Interior of the Slovak Republic in relations with a variety of activities initiated the creation of an informal working group "Platform for Integration". It aims to coordinate the activities and initiatives of various institutions and non-government organizations in the integration of beneficiaries of international protection. The first meeting was held on 16 November 2017 with active participation of representatives of 13 organizations^{237, 238}.

clause is available at: <http://www.rokovania.sk/File.aspx/Index/Mater-Dokum-217451> (consulted on 15/5/2018).

233 Project No. SK 2016 AMIF SC2.1/1.

234 The platform is a part of the IOM's Skills2Work project financed by the European Commission. Project activities are implemented in 9 EU Member States. In Slovakia, the PONTIS Foundation and the Migration Office of the Ministry of Interior of the SR are project partners. The project was implemented from January 2016 to December 2017.

235 Skills2Work, available at: <http://www.fromskills2work.eu/sk/> (consulted on 21/1/2018).

236 Information provided by the MO Mol SR.

237 The representatives of the MO Mol SR, Slovak Humanitarian Council, Studia Academica Slovaca – The Centre for Slovak as a Foreign Language (SAS), UNHCR, Milan Šimečka Foundation, Institute of Ethnology of the Slovak Academy of Sciences, Slovak Catholic Charity, International Organization for Migration (IOM), Human Rights League, Mareena Civic Association, Pokoj a dobro Civic Association, ADRA Slovakia Civic Association as well as the Marginal Civic Association as the implementer of STEP3 integration project.

238 Information provided by the MO Mol SR.

Since 1 January 2017 (to 30 September 2019), the civic association O.Z. Marginal in cooperation with the organizations Člověk v tísni²³⁹, Fundacja Instytut Spraw Publicznych²⁴⁰, Menedék Migránsokat Segítő Egyesület²⁴¹ has been implementing the V4NIEM project: Visegrad Countries National Integration Evaluation Mechanism funded from the Visegrad Fund. It focuses on evaluation of integration policies and improvement of integration of refugees and beneficiaries of international protection in V4 countries. The objective of the project is primarily the creation of a network of professionals based on regular meetings aiming to evaluate the integration policies in the V4 countries as well as information and best practice sharing and exchange among project partners²⁴².

6.3 Integration on local level

Essential role in integration on local level and in fulfilment of integration measures is that of self-governing regions, municipalities, and cities. Their activities should include mapping the nature of foreign populations living in their areas and improving cooperation in service provision including work on improving the quality of relations between the majority in society and foreigners. However, except for the Košice Self-Governing Region there are no developed integration plans elaborated on regional level and the interest of local actors in the application of integration measures and cooperation in policies for foreigners is outstandingly insufficient.²⁴³

In 2017, an open call was declared within the AMIF; its objective was to support the activities which strengthen cooperation between regional/local and state institutions by means of capacity building and development of regional/local integration plans which will contribute to the fulfilment of the Integration Policy of the SR objectives. The winning “KapaCITY – Supporting Integration of Migrants on Local Level”²⁴⁴ project of the Human Rights League and its partner organisations²⁴⁵ focuses on the development of professional, networking, coordination, advocacy and communication capacities of local actors in integration of third-country nationals and on the creation of know-how and local level mechanisms with the objective of ensuring integration measures implementation. The project will be implemented from 1 January 2018 to 31 December 2020.²⁴⁶

The “Effective Services to Asylum Seekers in the SR II.” project also focuses on increasing the effectiveness of cooperation with cities and villages in housing, employment, participation in public life and the removal of integration obstacles of beneficiaries of subsidiary protection or asylum. It is being implemented by Rovné Municipality in close cooperation with the Migration Office of the MoI SR.^{247 248}

In March 2017 the European Migration Network (EMN) in Slovakia organized a national conference on “The Role of Municipalities in the Integration of Refugees”²⁴⁹ which has created an environment for strengthening cooperation and dialogue between public administration and local

239 More information at: www.clovekvtsni.cz

240 More information at: www.isp.org.pl

241 More information at: www.menedek.hu

242 More information at: <http://www.marginal.sk/aktualne>.

243 Information provided by MoLSAF SR.

244 Available at: <https://www.hrl.sk/sk/co-robime/projekty/aktualne-projekty/kapacity>.

245 Centre for research of ethnicity and culture, Marginál, o.z. a Nadácia Milan Šimečku.

246 Information provided by the FAD EPS MoI SR

247 Project (No. SK 2016 AMIF SC1.2/1) is funded by AMIF

248 Information provided by the MO MoI SR.

249 Source: <https://emn.sk/sk/aktivity-emn/stretnutia-a-konferencie/279-emn-organizovala-konferenciu-o-ulohe-samosprav-v-integracii-utecen-cov> (cited 20.5.2018).

government as well as provided the opportunity to exchange experience and best practices of selected cities in the EU with the integration of refugees.

6.4 Raising awareness about migration and non-discrimination

Regarding non-discrimination, there was a legislative change of the Criminal Code²⁵⁰ effective from January 2017. Its aim is to more effectively investigate extremism crimes and racially motivated crimes. Merits of new crimes of apartheid and discrimination of a group of persons were defined.²⁵¹ The crime consists of breaching the ban of any discrimination of a group of people, i.e. breaching the equality principle as guaranteed in Art. 3 Paragraph 1 of the Charter of Fundamental Rights and Freedoms. The amendment also introduces a change in the definition of extremist material, specific motive, listing of crimes of extremism as well as changes in the definition of the crime of inhumanity.²⁵²

In 2017, National Anti-Terrorism Unit (NATU) was established within the National Criminal Agency of the PFP in order to fight against terrorism and extremism in the SR more effectively. It also focuses on uncovering organizations that encourage and support racial hatred and discrimination. Given that racial discrimination and other form of hatred are currently committed via online social media, an extremism screening centre was established at NATU. It is tasked with collecting, analysing and using information obtained from Slovak security services and foreign security units on persons supporting or committing extremist activities in the territory of the SR.²⁵³

To improve the efficiency of detecting illegal activities connected to racially motivated crimes committed online (in virtual environment), the NATU members in 2017 attended a training organized by the specialized CSIRT (Computer Security Incident Response Team Slovakia) unit. They also joined the EMICVEC (*Effective Monitoring, Investigation and Countering of Violent Extremism in Cyberspace*) project focusing on monitoring activities as well as on examining manifestations of extremism in cyber space.

In 2017, a meeting was organized in Bratislava within the TAHCLE (*Training against hate crimes for law enforcement*) education programme. It was intended for law enforcement authorities active in the “hate crimes” area of criminal procedure. The aim was to train a group of participants for future trainers who will train other participants – PF Academy students, Secondary Police School students, the “first-contact” police officers and investigators within their further education. The training was attended by PF members and the employees of Ministry of Justice of the SR and General Prosecutors Office of the SR.

In 2017, the Human Rights League implemented the *Give Refugees a Chance* project supported by the Ministry of Justice of the SR as a part of the efforts to promote, support and protect human rights and freedoms and to prevent all forms of discrimination, racism, xenophobia, anti-semitism and other types of intolerance. Video interviews with individual refugees and foreigners living in Slovakia were shot as a part of the project; an e-learning platform²⁵⁴ was created

250 Act n. 300/2005 Coll.

251 This results from the fulfillment of the SR's obligations under the International Convention on the Suppression and Punishment of the Crime of Apartheid and the International Convention on the Elimination of All Forms of Racial Discrimination.

252 Information provided by the DFEA MIO.

253 Information provided by the DFEA MIO.

254 Source: Giving Refugees a Second Chance, available at: <https://www.hrl.sk/sk/co-robime/projekty/ukoncene-projekty/dajme-sancu-utecencom-> (consulted on 20/5/2018).

and published at the HRL's website. It enables the public to get to know migrants and to obtain objective information on migration. Public discussions on the topic were organized as well, e.g. "Refugees and Migration: What's next?"²⁵⁵

In 2017, MoLSAF SR in cooperation with IOM, the Press Council of the Slovak Republic, MoI SR and the Human Rights League prepared and finalized the "Ethical Recommendations for Journalists on How to Approach the Topic of Migration and Integration in the Host Society". The document will be presented, promoted and disseminated to relevant parties in 2018.²⁵⁶

The Police of the SR launched a new Facebook video series "The Police against Hoaxes" to prevent disinformation sharing on social media. Among other things, the videos clarify disinformation about migration in Slovakia.²⁵⁷

In 2017, the MO MoI SR representatives attended the Dobrý festival in Prešov on 16–18 June 2017 in order to spread positive information and share objective data on asylum in the SR. They had an info booth where they talked about asylum procedures and the integration of beneficiaries of international protection into society.

The Slovak Humanitarian Council, Milan Šimečka Foundation and civic association Old Market Hall Alliance in cooperation with other organizations organized the *Umbrella march (Dáždnikový pochod)* on 20 June to commemorate the World Refugee Day. The aim of the march was to symbolically express support to refugees. It was the sixth year of the march in Bratislava, this time attended by some 60 people. Similar marches have been organized in many European cities since 2010.²⁵⁸

In 2017, the IOM organized the 5th year of European Migration Network educational seminar "Addressing the Needs of Forced Migrants in the 21st Century" which is a platform for education and capacity building of public administration employees active in migration in Slovakia.²⁵⁹ Two evening events including discussion and films were also a part of the seminar. One of the films was *The Good lie* about Sudanese refugees relocated to the United States. The second was the *Salam Neighbor* documentary about life in the UNHCR Za'atari refugee camp in Jordan followed by a discussion with its former manager Kilian Kleinschmidt.²⁶⁰

As a part of the *Global Migration Film Festival* organized every year in more than 100 countries IOM joined forces with the International documentary film festival One World. They created a movie section "A Moving World" (Svet v pohybe). It included four films about the lives of escaping people, perception and reception of migrants in European countries and about changes and division of society under the influence of migration. Films were complemented by two discussions with makers of the *Český Alláh (Czech Allah)* and *Salam Neighbor* films. Films and discussions relating to the "A Moving World" film section on 15 – 16 October in the Lumière cinema in Bratislava were attended by 272 people.²⁶¹

255 More information at: <http://multikulti.sk/svk/aktuality/utecenci-a-migracia-ako-dalej.html>.

256 Information provided by MoLSAF SR.

257 Available at: <https://www.facebook.com/policiaslovakia/videos/1831750826855131/> (consulted on 15/1/2018).

258 Source: *Nedeľná paráda: Dáždnikový pochod*, more information at: <https://www.citylife.sk/ina-akcia/svetovy-den-utecencov-dazdnikovy-pochod-bratislava> (consulted on 18/1/2018).

259 Available at: <https://iom.sk/sk/novinky-a-podujatia/1045-vzdelavaci-seminar-emn-o-nutenej-migracii-august-2017.html> (consulted on 18/1/2018).

260 Source: <https://emn.sk/sk/aktivity-emn/stretnutia-a-konferencie> (consulted on 18/1/2018).

261 Source: <https://iom.sk/sk/novinky-a-podujatia/1053-druhy-rocnik-global-migration-film-festival-v-bratislave-pritiahol-270-divakov.html>.

6.5 Integration through civic participation and communities

In 2017, the Human Rights League non-governmental organization in cooperation with the MoLSAF SR and with the support of the Ministry of Justice of the SR organized the *Integration Forum* which was attended by public administration experts, local governments' representatives, non-governmental organizations, other professionals and representatives of refugees. They gathered to discuss current topics in migration and integration. One of the outputs of the Forum was the Recommendations²⁶² of the Integration Forum: *Social Innovations for Disadvantaged Persons*²⁶³.

The European Migration Network activities included a meeting organized in Bratislava in cooperation with the representatives of Migration Office MoI SR on the topic *Cultural differences and similarities (Kultúrne odlišnosti a podobnosti)*. The aim of the meeting organised in the framework of the guide about life in the SR for asylum seekers and beneficiaries of international protection (see 4.2.1 and 6.2) currently in preparation phase by the MO MoI SR was exchange of information and experience with living in Slovakia and discussion about social and cultural specifics with people who had undergone the asylum procedure. Apart from the Migration Office of MoI SR representatives, the meeting was attended by the representatives of various NGOs, the National Institute for Education, UNHCR, IOM as well as foreigners themselves.

In December, the "Migration: Challenges and Opportunities" conference was organized under the auspices of UNESCO and MoFEA SR. The conference was attended by representatives of the European Commission, UNESCO and state administration of the SR. It contained a discussion on integration topics.²⁶⁴

In December 2017, the Human Rights League with support from the Ministry of Justice of the SR organized a study visit²⁶⁵ of successful social enterprises who do business with refugees directly. The study visit was organised as part of the *Give Refugees a Chance* project within its sub-objective aimed at supporting leaders from among refugees and foreigners.²⁶⁶

In 2017, the community centre of the civic association Mareena was established. Subsidiary activities for asylum seekers and beneficiaries of international protection are organized there. They include mainly cultural events, events for children, Slovak language conversations etc. The Migration Office of MoI SR had the opportunity to use the premises of the centre for their activities focused on the integration of this target group – e.g. when organizing Christmas party for refugees. The activity was paralleled in Košice.²⁶⁷

262 The recommendations of non-governmental organizations and experts for improving the integration programme for beneficiaries of international protection in Slovakia. Available at: http://www.hrl.sk/sites/default/files/files_downloads/odporucania_osoby_s_medzinarodnou_ochranou_0.pdf.

263 Information provided by MoLSAF SR.

264 Information provided by MO MoI SR, more information at: https://uniba.sk/detail-aktuality/back_to_page/univerzita-komenskeho/article/migracia-vyzvy-a-prilezitosti/.

265 The visit took place in the Magdas Hotel and the Habibi and Hawara restaurant in Vienna.

266 Human Rights League 2017, available at <http://www.hrl.sk/projekty/dajme-sancu-utecencom> (consulted on 19/1/2018).

267 Information provided by the MO MoI SR.



Irregular migration

In 2017, the SR recorded a slight increase in irregular migration cases. As compared to 2015 (and partially to 2016) when Slovakia was only marginally impacted by the migration crisis in the form of transit migration from Hungary (and sporadically from Austria) and in relation to Western Balkans route, the 2017 development of irregular migration in Slovakia was influenced mainly by the migration of nationals from the closest third countries, i.e. Ukraine and Serbia. Given the visa liberalization and current Slovak labour market conditions it is probable that it will continue to rise.

7.1 Statistics and trends

The SR has been recording a relatively low irregular migration rate. In 2017, a slight increase was recorded in irregular migration (2,706 cases) as compared to 2016 (2,170 cases). Number of unauthorized state border crossing compared to previous year increased by 19% (248 cases, 127 of which were Vietnamese and 35 Ukrainian nationals). Unauthorized residence in the territory of the SR occurred in 2,458 cases and 1,751 of those concerned Ukrainian nationals. Out of total number of detected irregular migration cases in 2017 (2,706) 1,786 cases concerned Ukrainian nationals, 227 Serbian nationals, and 160 Vietnamese nationals. In 2017, the law enforcement authorities detained 138 persons suspected of the crime of smuggling in criminal proceedings. Statistical information regarding smuggling can be found in **Tables 4** and **5** in Annex.

7.2 Measures to control the borders

Technology, equipment and infrastructure

In 2017, the implementation of the following projects has started within the National Programme ISF (International Security Fund) under its specific objective 2 Borders:

- *Renewal of technical equipment for the second and third lines of document control*²⁶⁸: modernization of technical equipment to make expert and training activities more effective,
- *Replacement of technical equipment for examining documents*²⁶⁹: focused on exchanging special equipment for examining the documents which is used during border control,
- *Additions to and replacement of vehicles*²⁷⁰: focusing on additions to and replacement of currently inappropriate vehicles used by organizational units which perform control and surveillance tasks at the Schengen Area external borders including the control of irregular migration and other types of cross-border criminal activity.

In 2017, the SR also continued with the implementation of the following projects within the Internal Security Fund:

- *Hardware equipment for consular offices following the national VIS functioning and its connection to the central VIS*²⁷¹,
- *Development of border control capacities by helicopter purchase*²⁷²,
- *Upgrade of the application equipment related to the operation of SIS II at national level*²⁷³,
- *Purchase of means of transport for specialized departments of the Financial Administration*²⁷⁴.

Liberalization of visa regime with regards to Ukrainian nationals has also had considerable influence on border management and control.²⁷⁵ The April 2017 decision of the EU to abolish visa requirement for Ukrainian nationals came into effect on 11 June 2017.^{276 277} On this day, a celebratory act was held at the Slovak-Ukrainian border (at the Vyšné Nemecké - Uzhhorod border crossing), attended by presidents of both countries.²⁷⁸ In 2017, the BBAP PFP strengthened, both in terms of personnel and equipment, its presence especially at the five border crossings with Ukraine and in their vicinity. It has also asked the Ukrainian side to inform the population, especially in cross-border areas, about what the abolition of the visa requirement means in practice.²⁷⁹

²⁶⁸ The project (SK 2017 ISF SC2 NC6 A2) is implemented by the beneficiary: Criminal Investigation and Expertise Institute of the Police Force.

²⁶⁹ The project (SK 2017 ISF SC2 NC6 A2/P2) is implemented by the beneficiary: Bureau of the Border and Aliens Police of the Police Force Presidium.

²⁷⁰ The project (SK 2017 ISF SC2 NC1 A2/P2) is implemented by the beneficiary: Bureau of the Border and Aliens Police of the Police Force Presidium.

²⁷¹ The project (SK 2016 ISF SC1 NC1 A2) is implemented by the beneficiary: Ministry of Foreign and European Affairs of the Slovak Republic.

²⁷² The project (SK 2015 ISF SC2 NC6 A1) is implemented by the beneficiary: Flying Service of the Ministry of Interior of the SR.

²⁷³ The project (SK 2016 ISF SC2 NC6 A3) is implemented by the beneficiary: Bureau for International Police Cooperation of the Police Force Presidium.

²⁷⁴ The project (SK 2016 ISF SC2 NC1 A2) is implemented by the beneficiary: Financial Directorate of the SR.

²⁷⁵ In 2017, the Regulation (EU) 2017/850 of the European Parliament and of the Council of 17 May 2017 amending Regulation (EC) No. 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement came into effect. Exemption from visa requirement applies solely to the holders of biometric passports issued by Ukraine in compliance with the standards of the International Civil Aviation Organization (ICAO).

²⁷⁶ Liberalisation of visa regime for Ukraine national does not guarantee them right to work in the EU.

²⁷⁷ Source: <http://www.europarl.europa.eu/news/sk/press-room/20170329IPR69065/europsky-parlament-schvalil-bevizovny-styk-s-ukrajinou> (consulted on 17.1.2018).

²⁷⁸ Source: <https://spravy.pravda.sk/svet/clanok/432239-ukrajinci-uz-mozu-vstupit-do-eu-bez-viz-porosenko-oslavoval-s-kiskom/> (consulted on 17.1.2018).

²⁷⁹ Source: <https://www.minv.sk/?tlacove-spravy&sprava=vizova-povinnost-pre-ukrajincov-konci-pripravte-sa-na-mozne-zdrzanie-na-vychodnej-hranici> (consulted on 17.1.2018).

The Liberalization of visa regime for holders of Ukrainian biometric passports resulted in a significant increase of number of persons crossing the outer border of the SR and in prolonged waiting periods at border crossings. BBAP PFP adopted the measures to shorten the waiting periods at border control: performing border controls in all stalls, performing border control using mobile screening in the Central Screening Console (CSC) and strengthening the service performance.²⁸⁰ The highest increase was recorded during the summer months of June-August 2017. For example: at the Vyšné Nemecké crossing point, the police officers checked, on average, 9,000 more persons a month as compared to the period of January-May 2017.²⁸¹ Similar, approx. a 15% increase in the number of passengers was recorded also at Ublá-Malyj Bereznyj and Veľké Slemence-Mali Selmenci border crossing points. The increased number of passengers resulted in waiting periods at Slovak-Ukrainian borders ranging from 1 hour to 6 hours. A higher number of passengers was recorded on weekends and during public holidays.²⁸² Taking into account visa liberalisation and current conditions on the Slovak labour market we can assume that the number will rise.²⁸³

In 2017, the amendment of the Regulation (EU) 2016/399 of the European Parliament and of the Council which orders the Member States to systematically control all persons (including the citizens of the SR) including those who have the right of free movement in compliance with EU law²⁸⁴ while crossing outer borders using the Database of Lost and Stolen Documents and aims to ascertain whether these persons constitute a threat for public order and internal security came into effect. This obligation is applied at all external borders (air, maritime and land) at both entry and exit. Such controls of all persons alongside the increase in number of passengers result in prolonged waiting time especially during entry border control. Installation of Automated Border Control (ABC) gates at the M. R. Štefánik Airport is one of the steps planned to shorten the waiting periods as well as to decrease the time of border control and improve its quality and the comfort of passengers. The gates will enable automated border controls at the airport by means of a self-service system and electronic gate. The Bureau of the Border and Alien Police of the Police Force Presidium plans to implement this plan between the years 2018 – 2019.²⁸⁵

Other activities

In order to ensure the required level of knowledge and practical skills of BBAP PFP departments an Order of the BBAP PFP President is issued every year²⁸⁶ to implement further education of members of the Border and Aliens Police.

In 2017, the implementation of the project *Language trainings of Border and Aliens Police members in English, Russian and Ukrainian* started within the field of training projects under the specific objective Borders²⁸⁷.

²⁸⁰ Information provided by BBAP PFP.

²⁸¹ Source: https://www.financnasprava.sk/sk/pre-media/novinky/archiv-noviniiek/detail-novinky/_col-kontr-hran-ua/bc-a-http://www.dnes24.sk/zrusenie-viz-na-ukrajinskej-hranici-colne-kontroly-sa-nezmenili-273573 (consulted on 17.1.2018).

²⁸² Source: <https://dolnyzemplin.korzar.sme.sk/c/20662155/hranica-praska-vo-svikoch-ukrajinci-cestuju-bez-viz.html#ixzz54Sru8o3l> (consulted on 17/01/2018).

²⁸³ Source: BBAP PFP, Irregular Migration in Slovakia, presentation available at: https://www.minv.sk/?tlacove-spravy-1&sprava=policia-zaznamenala-v-roku-2017-najviac-nelegalnych-migrantov-od-vstupu-sr-do-schengenskeho-priestoru&subor_spravy=286799 (consulted on 20/5/2018).

²⁸⁴ I.e. EU national and their family relatives who are not EU nationals.

²⁸⁵ Information provided by BBAP PFP.

²⁸⁶ Order of BBAP PFP director No. 9/2017.

²⁸⁷ Project n. SK 2017 ISF SC2/NC4/A1-1.

Year 2017 was the last year of implementing the three-year long *Improvement of Technical and Educational Capacities to Accelerate the Handling Process of the Common Slovakia-Ukraine Border* project of BBAP PFP financed by the Norwegian Financial Mechanism. The following four initiatives were the main objectives of the project: purchase and installation of modern technical equipment for monitoring the situation at border crossings and for police officers education purposes; organizing pilot trainings of Slovak and Ukrainian police officers on various professional topics and language competences; conducting a survey among passengers and police officers at border crossings in order to make the processing more efficient; organizing conferences and seminars in order to professionally discuss measures to improve border management. As for the last year of implementation of the project, at the beginning of and during year 2017, the following steps were carried out at the Secondary Vocational School of the Police Force in Košice: equipment for education on border control and on forging or altering documents was purchased; additions to and renewal of the camera systems on 5 border crossing points of the Slovak-Ukraine state border were finalized; a closing project conference was organized and attended by the representatives of project partners, participants in project activities, media and the public.²⁸⁸

In 2017, the Police Sciences Department at the Police Force Academy organized the *QUO VADIS SCHENGEN?* International Scientific Conference on the tenth anniversary of the Slovak Republic's entry into the Schengen Area. The aim of the conference was to assess the 10 years and to discuss both advantages and challenges of SR's membership in the Schengen Area. Experts from both Slovakia and abroad attended. The conference featured also a presentation of technology the SR uses to protect the state borders of the SR.²⁸⁹

²⁸⁸ Information provided by the BBAP PFP.

²⁸⁹ Source: *QUO VADIS SCHENGEN?* Conference: internal borders are the way to break Schengen, 2017, available at: <https://www.minv.sk/?tlacove-spravy&sprava=konferencia-quo-vadis-schengen-zavazdzanie-vnutornych-kontrol-je-cesta-k-rozbitiu-schengenu> (consulted on 20/4/2018).

7.5 Measures to tackle the misuse of legal migration channels

Visa liberalisation

Related to the entry into effect of the Regulation 2017/850²⁹⁵ which included Ukraine into the list of countries whose nationals²⁹⁶ are exempt from visa requirement when crossing external borders and given the regular reassessment of art. 22 of the Visa Code²⁹⁷ and migration threats analysis, the SR made changes to the consultation procedure, as of 1 December 2017.

The SR did not introduce any special regime for monitoring of visa-free regime impact. An introduction of a unique ETIAS²⁹⁸ system for the registration of people travelling from visa-free countries, the adoption of which was supported by the Slovak Republic, is expected.

False or altered travel documents

As compared to 2016, the SR registered a slight decrease in the number of cases of forging or altering travel, residence or other documents in its territory. In 2017, 83 persons i.e. 50% less than in 2016 presented an irregular document. These cases amounted to a total of 90 forged and altered documents (passports, ID cards, residence permits, visa, supporting documents) and 117 forged, altered or illegally obtained border crossing stamps. Ukrainian nationals presented the majority of irregular documents (54) which amounted to 65% of the overall detected number of cases. They were followed by the nationals of Turkey, Russia, Cuba, Brazil, Macedonia and Moldova. Regarding the place of detection, 54 persons were detected at land borders, 22 inland and 7 at airports.

New measures adopted or implemented in 2017 mainly include the activities related to the work of police officers of Border and Aliens Police (BAP) service in the Frontex agency from where sufficient relevant information necessary for further education of BAP members in the SR is obtained. This is the information that serves for education in profiling, e.g. the "Handbook on Imposter Risk Profiles", in assessing authenticity of documents, e.g. the "Reference Manual" etc.

²⁹⁵ Regulation (EU) 2017/850 of the European Parliament and of the Council amending Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement.

²⁹⁶ The regulation concerns only holders of biometric passports.

²⁹⁷ Regulation (EC) No. 810/2009 of the European Parliament and of the Council of 13 July 2009 establishing a Community Code on Visas (Visa Code). Art. 22: 1. A Member State may require the central authorities of other Member States to consult its central authorities during the examination of applications lodged by nationals of specific third countries or specific categories of such nationals. Such consultation shall not apply to applications for airport transit visas.

2. The central authorities consulted shall reply definitively within seven calendar days after being consulted. The absence of a reply within this deadline shall mean that they have no grounds for objecting to the issuing of the visa.

3. Member States shall notify the Commission of the introduction or withdrawal of the requirement of prior consultation before it becomes applicable. This information shall also be given within local Schengen cooperation in the jurisdiction concerned.

4. The Commission shall inform Member States of such notifications.

5. From the date of the replacement of the Schengen Consultation Network, as referred to in Article 46 of the VIS Regulation, prior consultation shall be carried out in accordance with Article 16(2) of that Regulation.

²⁹⁸ European Travel Information and Authorization System.

7.6 The fight against facilitation of irregular migration ("smuggling") and prevention of irregular stay

Combatting facilitation of irregular migration (smuggling)

The Agreement on Establishing a Joint Investigation Team with the Czech Republic signed in Bratislava on 23 June 2017 (see 7.4) is a new measure under the responsibility of the NUCIM of the BBAP PFP.

March 2017, the SR signed the *Agreement on Cooperation in the Prevention and Fight Against Crime*²⁹⁹ with Vietnam which concerns the smuggling of migrants, transnational organized crime, human trafficking and terrorism including its funding, corruption, counterfeiting money as well as forbidden arms trafficking (see 9.4.2).³⁰⁰

Cooperation with third-countries in preventing irregular migration

In the field of cooperation with third countries, intense police operational cooperation with Ukraine based on the updated *Plan of Development of Cooperation between the BBAP PFP and the State Border Service of Ukraine for 2017 – 2018* is ongoing.³⁰¹

The cooperation of the NUCIM BBAP PFP with the Western Balkans countries is not directly bilateral but based on being a part of Europol multilateral working groups. It is coordinated only on international level or through the EUROJUST justice cooperation.

Monitoring and identifying irregular migration routes

There was no new development regarding the migration routes monitoring. Irregular migration routes are continually surveilled and monitored, individually and in cooperation with foreign partner operational units of EU MS along the irregular migration routes through the territory of SR.³⁰²

Starting from 1 January 2017, the diplomatic missions of the SR abroad regularly, in two-month intervals, provide the Risk Analysis and Statistics Department of the BBAP PFP with analytical information on false visa applications, misuse of legal routes, facilitating irregular migration to the EU and the changes in third-countries' authorities capacity, which should prevent irregular migration to the EU.^{303 304} The RASD BBAP PFP uses the information in preparing regular analytical reports (drafted every 2 months) on irregular migration and border security which are made available to MoI SR departments through intranet and to the Member States which are members of the FRAN (Frontex Risk Analysis Network) through the ICONet protected network.

²⁹⁹ Agreement between the Ministry of Interior of the Republic of Slovakia and the Ministry of Public Security of the Socialist Republic of Vietnam on Cooperation in the Prevention and Fight Against Crime. The agreement was signed and entered into force on 6 March 2017.

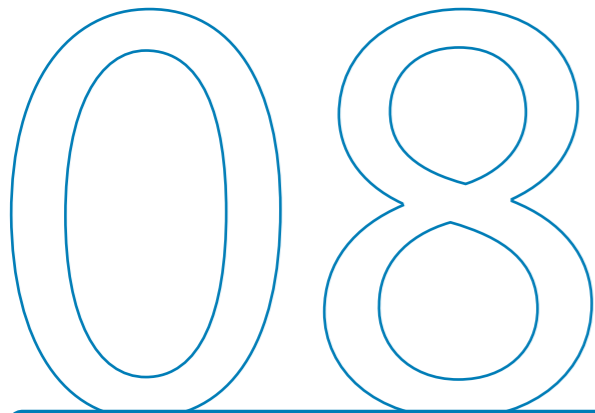
³⁰⁰ Source: <https://domov.sme.sk/c/20613328/kalinak-slovensko-je-pripravene-pomoc-vietnamu-v-oblasti-bezpecnosti.html>; <https://www.webnoviny.sk/kalinak-slovensko-je-pripravene-pomoc-vietnamu-budovat-bezpecnostny-priemysel/>; http://www.teraz.sk/slovensko/r-kalinak-vietnamski-polica-ji-by-m/247400-clanok.html?combinedGlobalTab_zamestnajs=1 (consulted on 22/1/2018).

³⁰¹ Information provided by the BBAP PFP.

³⁰² Information provided by BBAP PFP.

³⁰³ Information provided by MoFEA SR.

³⁰⁴ In compliance with the Instruction R KONZ No 3/2016.



Returns

In 2017, there was no significant change of return trends. The SR returned 353 persons within the scope of forced returns in 2017. Voluntary return was used by 1,387 persons (mainly Ukrainian nationals) while in 43 cases it was assisted voluntary return through IOM.

8.1 Forced returns

Following the Commission Recommendation of 7 March 2017 on making returns more effective when implementing the Return Directive³⁰⁵, the SR has adopted a number of measures. In the course of the year 2017 the recommendations have been put into practice and all relevant authorities were familiarized with them accordingly. Most of the recommendations were already being applied in practice before due to the existing legislation in place. Some of the recommendations could have been applied directly as they did not require amending of the national legislation. This concerned introduction of a broader definition of the risk of absconding, the impact of a returnee's cooperation on the duration of the period for voluntary departure, as well as the introduction of a full-scale utilisation of the VIS system in the return process. Another new measure was the introduction of an EU return document which if needed can be used for the purposes of return.³⁰⁶

³⁰⁵ Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals.

³⁰⁶ Information provided by BBAP PFP.

Since 2017, the monitoring of the implementation of administrative expulsion decisions and the monitoring of the enforcement of the punishment of expulsion (hereinafter referred to as the "removal enforcement monitoring"), or the so-called forced return monitoring³⁰⁷, has been for the first time performed by the non-profit organisation the Slovak Humanitarian Council. Based on the regularly submitted information by the Mol SR about the preparation of third-country nationals' removal enforcement, the non-profit organisation's staff members randomly select and determine particular cases in which they will take part in the removal enforcement process and monitor such process. After the monitoring, the non-profit organisation shall prepare a "Forced Return Monitoring Report" without delay. Apart from identification data (such as the date, personal information or the country of return), the Report shall also include information on the actual course of the enforcement process or particular parts thereof. The Monitoring Report shall also include Conclusion with the overall evaluation of the situation and the recommendations of the person doing the monitoring. The Monitoring Report also includes the so-called Monitoring Steps Checklist.³⁰⁸

Depending on a particular case in question, a number of types of monitoring are applied in practice, e.g. monitoring of the removal enforcement by plane or by means of land transportation (Ukraine) all the way to the home country; monitoring to the transit airport only (Vienna) or to the border crossing of the neighbouring country only, with the further stages of the removal enforcement process being undertaken by the authorities of respective country, etc. 13 monitorings in total were carried out in 2017. So far, cooperation with the Slovak Humanitarian Council has been carried out on a voluntary basis and free of charge. This means the non-profit organisation used their own resources to cover all the expenses related to monitoring. In 2018, the monitoring should continue to follow the same pattern but the expenses incurred will be covered by the Mol SR budgetary resources. Individuals carrying out the monitoring will be doing so on the basis of a Contract for Performance of Work.³⁰⁹

In 2017, the BBAP PFP started to use FAR (Frontex Application for Return) actively, too (within the scope of the IRMA – Integrated Return Management Application – platform). The FAR application makes it possible for the member states to plan and coordinate joint return operations, which helps to make returns more effective). Regarding the use of this application, the Slovak experts were trained on the usage of this application and the SR took part in the joint return operation to Pakistan, for example.³¹⁰

In 2017, the SR began with the preparation of measures which will help systemize data input and transfer. Biometric data are becoming an obligatory category of data gathered due to their uniqueness and permanence. The SR has been collecting photographs and fingerprints of expelled persons on national level for several years. Use of biometric data on a national level, especially after the MIGRA information system launch, has prevented the duplicate creation of records of persons in information systems and contributed to the identification of multiple identities (aliases) used by foreigners. At the launch of the second generation Schengen Information System (SIS II), the SR has immediately started to systematically send photographs while enter-

³⁰⁷ Legal basis for the forced returns "monitoring system" follows the Act No. 404/2011 Coll. on Residence of Aliens and Amendment and Supplementation of Certain Acts, which defines monitoring of the implementation of administrative expulsion decisions and the monitoring of the enforcement of punishment of expulsion conditions.

³⁰⁸ A list of questions concerning rights and justified interests of TCNs and of the answers to these questions in the course of implementation of all stages of monitoring.

³⁰⁹ Information provided by the BBAP PFP.

³¹⁰ Ibid.

ing persons for the purposes of entry ban under Art. 24 of Regulation of the European Parliament and of the Council (EC) No 1987/2006. At the request of the National SIRENE Bureau it has been (in a non-systematic manner) also entering fingerprints.³¹¹

In the 2017, SR has been preparing for a systematic entering of fingerprints in the SIS II system. Until now, these were provided on an ad-hoc basis. Technical conditions have been formed on a national basis for the entering of data in this system. However due to the persisting technical issues occurring in CS SIS II³¹² (problems with the entering of data in NIST format³¹³), following the agreement with the National SIRENE Central Office, the SR planned to introduce systematic entering of fingerprints at the beginning of 2018.³¹⁴

Within the AMIF projects in line with the National AMIF Programme, the following projects facilitating quick, sustainable and effective returns have been implemented since 2017:

- The BBAP PFP project “*Forced Return – AMIF II*”³¹⁵, aimed at improving effectiveness of return operations management and ensuring sustainable, safe and dignified return of TCNs. The project follows up on previously implemented BBAP PFP national projects. In the project, activities contributing to the successful management and carrying out of return operations are being implemented: arrangement of transfer, arrangement of travel and flight tickets, accommodation, assistance provided to target group and enhancement of information provision to this group, interpreting and expert age screening, arrangement of emergency travel documents for TCNs in the process of forced return.³¹⁶ In 2017, the SR returned 353 persons within the forced return scope. Voluntary return was used by 1,387 persons (mainly Ukrainian nationals) (see Table 6 in Annex).
- The BBAP PFP’s project “*Capacity Building in the field of Returns II*”³¹⁷ (implemented from May 2017) is aimed at the capacity building of employees directly involved in return policy, in the form of training for policemen carrying out returns as well as for representatives of selected diplomatic missions of the SR abroad. The training focused on the following topics: return-related legislation, especially issuance of decisions on administrative expulsion (AE), implementation of such decisions, detention of foreigners in PDCAs, alternatives to detention, prevention of irregular migration of TCNs, etc. Implementation of the project contributes to the increased qualification of the employees involved in the return process and hence to more successful return operations and efficient return policy management.³¹⁸
- The Slovak Humanitarian Council’s project “*KOMPAS II*”³¹⁹, which aims, above all, to ensure an effective return process. Its implementation started in December 2016 and has continued during 2017. The project ensures provision of complex services to TCNs at the Police Detention Centres for Aliens (hereinafter referred to as the “PDCAs”) in Medvedov and in Sečovce. Project activities are aimed at relevant target groups with a specific focus on vulnerable groups.

311 Ibid.

312 NB. SIS II central system

313 A standard term used in the process of fingerprints processing which, put simply, indicates the type of file including images of fingerprints taken and other additional pieces of information (such as the name, surname, reasons why images of some fingers have not been scanned, date and place the images were taken, etc.).

314 Information provided by the BBAP PFP.

315 Project n. SK 2016 AMIF SC3.2 implemented by BBAP PFP from 01.01.2017 to 31.12.2019.

316 Information provided by the FAD EPS Mol SR.

317 Project n. SK 2017 AMIF SC3.1 implemented by BBAP PFP from 01.05.2017 to 28.02.2018.

318 Information provided by the FAD EPS Mol SR.

319 Project n. SK 2016 AMIF SC3.1/2 implemented by Slovak Humanitarian Council from 01.12.2016 to 31.12.2019.

8.2 Assisted voluntary returns and reintegration

In 2017, the SR continued to provide assisted voluntary returns (AVR) through the IOM *Voluntary return and reintegration in the country of origin* project³²⁰ which follows up previous projects. The main aim of the project is to contribute to the execution of the SR migration policy by implementation of the AVRR programme which provides migrants with the opportunity of human and dignified return including inclusion in the labour market and society in their country of origin. At the same time, it provides the SR with a financially effective tool to increase the sustainability of target group returns. Within the project, the migrants are provided with comprehensive services that include raising and maintaining awareness of assisted voluntary returns and reintegrations in the target group itself and in collaborating institutions, preparing and implementing the returns themselves, and providing reintegration assistance in their countries of origin. In 2017, 43 foreigners voluntarily returned from Slovakia to 19 countries with the IOM help. The majority returned to Ukraine (9), Iraq (8), and Vietnam (5). The IOM provided reintegration help to improve living conditions following the return home to 22 individuals and families in 12 countries: Afghanistan, Georgia, India, Iraq, Moldova, Pakistan, Serbia (including Kosovo), Ukraine, Vietnam, and for the first time also in Ghana and the US (see **Table 6** in Annex).³²¹

In 2017, the IOM in cooperation with the BBAP PFP introduced a number of measures designed to raise awareness of the possibility of return to the country of origin through the programme of assisted voluntary returns and reintegrations. In September 2017, the updated guidelines were issued on the obligation to inform foreigners about the possibility of using the assisted voluntary return (AVR) programme. The aim of the update is to allow administratively expelled foreigners to share their contact details with the IOM in order to provide them with the detailed information on AVR possibilities. Sharing of contact information by the foreigners is voluntary.

Another new measure applied since 2017 is the involvement of interpreters in the process of informing of foreigners about the AVR. Interpreters interpreting for foreigners during the administrative expulsion proceeding can, once the proceeding is completed, inform the foreigners about the possibility to obtain detailed information about the AVR directly by themselves or over the phone from the IOM.

In cooperation with the BBAP PFP, IOM had the information panels and media on the AVR produced and distributed to all Aliens Police Departments in the SR, including Police Detention Centre(s) for Aliens, in 2017.

Moreover, in 2017 IOM launched the information campaign on social media (Facebook)³²² in order to raise the awareness of potential clients (irregular migrants) about the AVRR programme and services provided within. Information campaign contained a short informative video and a thematic poster, both of which have been published on Facebook page in three phases:

320 Project n. SK 2016 AMIF SC3.1/1 implemented by IOM from 01.01.2017 to 31.12.2019.

321 Results of the IOM in SR activities in 2017, available at: <https://iom.sk/sk/novinky-a-podujatia/1092-iom-activities-and-achievements-2017.html> (consulted on 2.5.2018)

322 Examples of the campaign are available here: <https://www.facebook.com/IOMslovakia/videos/1820918397924911/>, <https://www.facebook.com/IOMslovakia/photos/a.913683431981750.1073741827.913570748659685/1755929411090477/?type=3&theater>, <https://www.facebook.com/IOMslovakia/videos/1820927107924040/>, <https://www.facebook.com/IOMslovakia/photos/a.913683431981750.1073741827.913570748659685/1764923726857712/?type=3&theater>, <https://www.facebook.com/IOMslovakia/videos/vb.913570748659685/1821929304490487/?type=2&theater>.

programme introduction, the information on the services provided and the information on re-integration assistance.³²³

With regards to the AVR measures adopted in 2017 also the MO Mol SR has adopted a new measure which introduces issuing documents on entitlement of provision of healthcare to the persons decided to enrol in AVR (see 4.2.3).

8.3 Readmission agreement

EU Readmission agreement (country)	Development in SR	Date of signing the agreement and entering into force
Ukraine	<p><i>Implementing Protocol between the Government of the Slovak Republic and the government of the Ukrainian Republic on implementing the Agreement between the European Community and Ukraine on readmission of persons</i></p> <p>On 18 and 19 May 2017, a bilateral meeting took place in Kiev which concerned the draft of the Implementing Protocol between the SR and UA forming a part of the EU – UA readmission agreement³²⁴. On the grounds of this meeting, the SR expects delivery of an official note from Ukraine, which would confirm the agreed wording of the protocol. After the note is delivered, the approval process at national level will be initiated.</p>	Not signed yet
Turkey	<p><i>Implementing Protocol between the government of the SR and the government of the Republic of Turkey on implementation of the Agreement between the EU and Republic of Turkey on the readmission of persons residing without authorisation</i></p> <p>Draft version of the Implementing Protocol between the government of the SR and the government of the Republic of Turkey concerning implementation of the Agreement between the European Union and the Republic of Turkey on the readmission of persons residing without authorisation is currently being prepared. The Slovak proposal was sent to the Turkish party in March 2017 and the SR is currently waiting for the opinion of the Turkish party.</p>	Not signed yet

³²³ Information provided by the IOM Office in the SR.

³²⁴ Agreement between the European Community and Ukraine on readmission of persons (OJ L332 of 18.12.2007, p. 48) 2007/839/EC



Countering trafficking in human beings

The number of identified human trafficking victims from abroad or third countries remained low in Slovakia in 2017. However, since the number of TCNs who might become victims of labour exploitation has been growing in the Slovak Republic, several interinstitutional discussions on the measures that could possibly be taken in this field have been organized in 2017.

In 2017, Mol SR started the preparation of the amendment to the internal act relating to the implementation of the *Programme of Support and Protection of Victims of Trafficking in Human Beings*. There was a change of the provider of trafficking victims assisted voluntary returns facilitated under the Programme with the service now being provided by the non-governmental organization Slovak Catholic Charity. The new *Act on Victims of Criminal Acts* also concerned victims of human trafficking. Regarding the cooperation with third countries, in March 2017, SR and Vietnam concluded the *Agreement of Cooperation in the Field of Prevention and Fighting against Criminal Activity* such as human trafficking and migrant smuggling.

9.1 Statistics and trends

In 2017, 88 human trafficking victims were identified in the SR (19 of which agreed to enter the Programme of Support and Protection of Victims of Trafficking in Human Beings) which is almost double as compared with 2016 when 45 victims were identified in the SR. Among victims was

one third-country national³²⁵ (see **Table 10** in Annex) and one EU citizen.³²⁶ In 2017, there were also suspicions of labour exploitation of Serbian and Ukrainian nationals in the territory of the SR. They, however, were not confirmed as criminal activity.³²⁷

Based on the statistical information of the Information Systems Administration Department of the Police Force Presidium, General Prosecutor's Office of the Slovak Republic and the Ministry of Justice of the SR, in 2017 there were 52 persons prosecuted and investigated for human trafficking (34 prosecuted and 25 charged); 15 were convicted (see **Table 11** in Annex)³²⁸.

9.2 Legislation, policies and international monitoring

The SR did not implement any new action plan or national strategy focused specifically on countering trafficking in human beings who are third country nationals.³²⁹ In 2017, activities to combat human trafficking in the SR were conducted in compliance with the *National Action Plan for Combating Human Trafficking for Years 2015–2018* which is a part of the *National Programme for Combating Human Trafficking for Years 2015–2018*.³³⁰

The PF started to prepare the action plan to accompany the *Strategy of Prevention of Criminal and Other Antisocial Activities in the Slovak Republic for Years 2016 – 2020* in 2017, the priorities of which include, inter alia, crime prevention in risk groups and assistance for the victims of crime. Hence the Strategy will include the tasks also related to prevention of trafficking in human beings in general (mostly media activities will be implemented).³³¹ The new *Act on Victims of Criminal Acts* also concerned victims of human trafficking.

Since the number of TCNs who can become victims of labour exploitation has been growing in the Slovak Republic, the State Secretary of MoI SR in his capacity as the national anti-trafficking coordinator initiated a number of interinstitutional discussions on the measures that could possibly be taken in this field in 2017 (see 3.3).³³²

In 2017, the Ministry of Interior of the Slovak Republic has continued cooperating not only with EU Member States but also with the USA. According to the last evaluation *Trafficking in Persons Report* published annually by the U. S. Department of State, Slovakia in 2017 remained one of the Tier 1 countries, i.e. countries which fully meet the minimum standards of human trafficking elimination. Moreover, the report underlines the increasing investigations and collaboration of the SR with foreign law enforcement authorities to identify and prosecute traffickers as well as public campaigns to raise awareness and prevent human trafficking. At the same time, the report points out the insufficient identification of foreign victims of human trafficking and inadequate legal assistance for victims.³³³

325 Subsequent investigation did not confirm this was a human trafficking victim and criminal prosecution was therefore not initiated. NUCIM therefore does not statistically register this person as a human trafficking victim (see Table 10 in Annex).

326 Available at: http://www.minv.sk/?program_podpory_a_ochrany_obeti (consulted on 10/4/2018).

327 Source: Situational Report on Human Trafficking in the Slovak Republic for 2017. Available at: http://www.minv.sk/?program_podpory_a_ochrany_obeti (consulted on 10/4/2018).

328 Under Sec. 179 of Act No 300/2005, as amended.

329 Information provided by the BBAP PFP.

330 Information provided by the DFEA MIO.

331 Information provided by the BBAP PFP.

332 Information provided by the DFEA MIO.

333 Source: <https://www.state.gov/j/tip/rls/tiprpt/2017/> (consulted on 10/4/2018).

9.3 Identification of victims from third countries, information provision and assistance

9.3.1 Policies and legislation

In 2017, MoI SR started drafting the internal act relating to the implementation of the *Programme of Support and Protection of Victims of Trafficking in Human Beings*. Moreover, there was a change of the provider of assisted voluntary returns for trafficking victims³³⁴ facilitated under the Programme, with the service now being provided by the non-governmental organization Slovak Catholic Charity.³³⁵ Until 2016, this service was provided within the *Programme of Support and Protection of Victims of Trafficking in Human Beings* by the IOM Office in the SR.³³⁶ The free-of-charge *National Helpline for Victims of Human Trafficking 0800 800 818* continued to be available also in 2017.³³⁷

9.3.2 Activities to raise awareness and improve professional skills

The MoI SR organised a number of training sessions on identification of and ways to assist victims of human trafficking for a variety of state institutions in 2017. The trainings were also focusing on the specificities of cases involving child victims and foreigners.³³⁸ In 2017, the IC MoI SR³³⁹ organised trainings for the staff members of BBAP PFP (NUCIM and PDCA Sečovce; see below), state and non-state foster homes, re-education facilities and therapeutic and educational institutions, labour inspectors and National Labour Inspectorate employees, members of Emergency Medical Service operations centres and medical doctors working at the Emergency departments of relevant university hospitals. Said training sessions were of a multidisciplinary nature and included, inter alia, specific topics relevant for the target groups of participants. Moreover, IC MoI SR has organised training on the identification of trafficking in human beings for trainees from the organisational units of the Ministry of Defence of the SR who are subsequently responsible for the specialised training of soldiers to be deployed abroad. Every year, the IC MoI SR also trains MoFEA SR staff members on trafficking in human beings identification as a part of the pre-deployment preparation of diplomatic staff and consuls.³⁴⁰ Depending on the demand, training activities were carried out also at primary schools, secondary schools, universities (e.g. Academy of Police Force) and dormitories. The IC MoI SR held lectures about human trafficking also for wider public during the Police Day in Prešov as well as for the job seekers within the job fair Job Expo.³⁴¹

BBAP PFP organised a specialised retraining course for NUCIM operations unit members on two separate dates with the aim of teaching the PF members in the permanent service about generally binding legislation and internal regulations, procedures and interventions in cases of human

334 Assisted voluntary returns are provided for the Slovak nationals to Slovakia, for the EU nationals to the country of origin or the last residence as well as for the TCNs to the country of origin or the last residence. A part of AVR services is also a pre-return assistance. Costs for implementing services are covered by the MoI SR budget.

335 Information provided by the DFEA MIO.

336 Information provided by the DFEA MIO.

337 Source: <http://www.dotyk.sk/06-linka/index.php> (consulted on 10/4/2018).

338 Information provided by the DFEA MIO.

339 Information Centre for Combating Trafficking in Human Beings and Crime Prevention of the MoI SR.

340 Information provided by the DFEA MIO.

341 Information provided by the DFEA MIO.

trafficking and their practical application.³⁴²

In January and December 2017 trainings were organised also by IOM during which experts from different professions presented among others website or mobile application about human trafficking.³⁴³

9.4 International cooperation

9.4.1 Cooperation with EU Member States

NUCIM BBAP PFP established two new joint investigation teams (JIT) with the UK in 2017 – JIT ROBOTIC with the aim to simplify and increase efficiency of investigation of the organised crime group involved in the criminal activity of human trafficking for labour and sexual exploitation of the Slovak citizens in the UK; and JIT LANGSAT with the aim to facilitate investigation within the area of the UK and of the SR, as well as to facilitate international police and judicial cooperation in matters pertaining to detection, documentation and investigation of crime of trafficking in human beings for the purpose of labour exploitation of the Slovak citizens in the UK.³⁴⁴ There are currently active 3 JITs with the UK, one ceased to exist in March 2017. Most identified human trafficking victims benefiting from the assistance provided within the scope of the Mol SR programme who are appearing as the injured parties in criminal proceedings tried in the SR were exploited in the UK.³⁴⁵

NUCIM BBAP PFP continued in 2017 in participating in the working group EMPACT³⁴⁶. The topics of the meetings were fight against threats of organised crime, social media as a tool for irregular migration and human trafficking, adoption of MASP (Multi Annual Strategic Plan) and OAP (Operational Action Plan) for the upcoming period, financial investigation in connection with human trafficking and cooperation with labour inspectors in the field of labour exploitation.³⁴⁷

9.4.2 Cooperation with third countries

In March 2017, the SR and Vietnam concluded the *Agreement of Cooperation in the Field of Prevention and Fighting Against Criminal Activity*³⁴⁸ mainly with regard to multinational organized crime, human trafficking, migrant smuggling, terrorism and its financing, corruption, money forging and the illicit arms trafficking.³⁴⁹ The aim of the agreement is to foster cooperation through operational information exchange and experience sharing as well as to enhance professional competencies through trainings of the staff from relevant executive bodies of both countries.³⁵⁰

The SR participated in regular meeting of national coordinators and correspondents or of similar

³⁴² Information provided by the BBAP PFP.

³⁴³ Source: <https://iom.sk/sk/novinky-a-podujatia/1092-iom-activities-and-achievements-2017.html> (consulted on 10/04/2018).

³⁴⁴ Information provided by the BBAP PFP.

³⁴⁵ Information provided by the DFEA MIO.

³⁴⁶ European Multidisciplinary Platform against Criminal Threats.

³⁴⁷ Information provided by the BBAP PFP.

³⁴⁸ Agreement between the Ministry of Interior of the Republic of Slovakia and the Ministry of Public Security of the Socialist Republic of Vietnam on Cooperation in the Prevention and Fight Against Crime. The Agreement was signed and entered into force on March 6, 2017.

³⁴⁹ Source: <https://domov.sme.sk/c/20613328/kalinak-slovensko-je-pripravene-pomoc-vietnamu-v-oblasti-bezpecnosti.html>; <https://www.webnoviny.sk/kalinak-slovensko-je-pripravene-pomoc-vietnamu-budovat-bezpecnostny-priemysel/>; http://www.teraz.sk/slovensko/r-kalinak-vietnamski-policaaji-by-m/247400-clanok.html?combinedGlobalTab_zamestnajs=1 (consulted on 22/01/2018).

³⁵⁰ Information provided by the BBAP PFP.

OSCE mechanisms in Vienna also in 2017. They are attended also by national coordinators from third countries and aim to capacity building and cooperation.³⁵¹

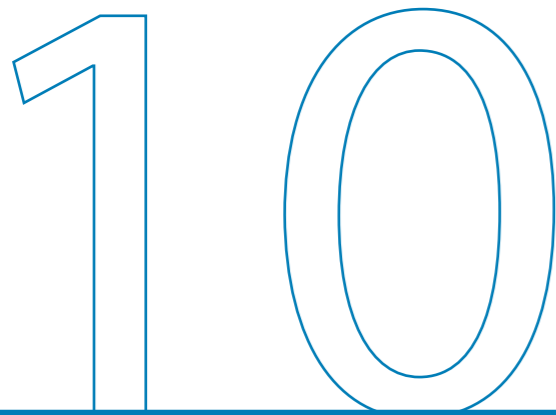
In 2017, the SR started to prepare information leaflets for TCNs as one of the measures to prevent, above all, labour exploitation, as well as trafficking in human beings (see 3.3).³⁵²

The SR did not join any joint investigation teams with third countries in 2017.³⁵³

³⁵¹ Information provided by the DFEA MIO.

³⁵² Information provided by the DFEA MIO.

³⁵³ Information provided by the DFEA MIO, BBAP PFP and MO Mol SR.



Migration and development

In 2017, the SR did not implement any significant systemic measures to promote the development impact on migration.³⁵⁴ However, it has continued to include migration into the development cooperation and humanitarian aid while focusing on healthcare and education of refugee children in crisis. Amendments to the *Income Tax Act* and *Value Added Tax Act* brought about tax benefits for the commercial providers of material to be used as humanitarian assistance which the SR delivers abroad. In the ODA SR territorial priorities list, the SR continued to include South Sudan, Syria and neighbouring countries from Near and Middle East, as these are deemed to be the territories with exceptional humanitarian and development needs. The SR worked on improving the effectiveness of the system of Government scholarship provision to citizens from conflict-affected countries while it has provided 48 such scholarships from the end of 2016 to the end of 2017. In 2017, the SR took part in helping countries impacted by an increased number of applications for international protection as well as the countries of origin or transit through EU mechanisms and UN donor conferences. It has also taken part in the four-year V4 Kenya project which deals with improving the social and economic situation of small farmers and the creation of jobs in organic and fair trade production of cashew nuts and sesame. Regarding economic migration, the SR joined the mobility partnership of the EU and Jordan in 2017 and further developed the working holiday programmes.

³⁵⁴ E.g. activities/measures to include migration into development and sectoral policies to combat brain drain in the countries of origin or activities of cooperation with third countries in the area of economic migration (such as working mobility partnerships and establishing of the "Migration and Mobility Resource Centres"), cooperation with diaspora and in relation to remittances.

10.1 Development cooperation and humanitarian assistance

Focus and aims

In 2017, the SR continued the mainstreaming of migration in development policies. In the document entitled *Focus of Development Cooperation in 2017*³⁵⁵ the SR continued to include South Sudan, Syria and neighbouring countries from Near and Middle East among its territorial priorities as these are deemed to be the territories with exceptional humanitarian and development needs. According to the document, focus on the education of the children of refugees in emergency situations has proven to be correct and the SR will continue to work in this direction. In addition, the SR was also focusing on the formation of a system basis for the ODA activities that have in the past been organised on an ad-hoc basis. Following, inter alia, the Manifesto of the Government of the Slovak Republic and the participation of the SR at the Leaders' Summit on Refugees in New York in September 2016³⁵⁶, as a part of said changes the SR has reconsidered the scope and the means of implementation of the government scholarship policy (see below in 10.1). The migration situation in the EU has shown the need for a better combination of development activities and humanitarian assistance. While respecting the specificities of both said types of activities, the SR has been focusing on the content and time synchronisation of activities in selected territories and situations.³⁵⁷

Bilateral cooperation and assistance of the SR in third countries

MoFEA SR has continued the humanitarian projects implemented through Slovak and local non-governmental organisations in Syrian and neighbouring countries from Near and Middle East in 2017. The projects concerned health-care and education. The SR plans to continue to implement similar types of humanitarian projects in future and even extend the scope of their implementation to include some other selected African countries (e.g. South Sudan).³⁵⁸

In addition, the SR has been engaged in the long term in the development cooperation activities in Afghanistan. In December 2017, the SR made a development cooperation and humanitarian assistance contribution amounting to 500,000 EUR to this country, as pledged during the Brussels Conference on Afghanistan in 2016.³⁵⁹

The SR took part in a number of international donor conferences concerning migrants in 2017 ('Supporting the future of Syria and the region' Brussels conference, AU – EU Summit) and implemented the declared undertakings there. The SR decided to focus mainly on health-care and education as the areas where they can provide material and financial assistance as well as specialised expertise:

1. As part of their effort to meet the obligations SR declared during the *World Humanitarian Summit* in Istanbul in the field of material humanitarian assistance the MoFEA SR, in close cooperation with the Ministry of Finance of the SR, managed to push the amendment to the

³⁵⁵ Source: http://www.slovakaid.sk/sites/default/files/zameranie_2017.pdf (consulted on 16/01/2018).

³⁵⁶ The Leaders' Summit on Refugees, also known as the so-called Obama's Summit, was held alongside the 71st session of the UN General Assembly on 20 September 2016 in New York.

³⁵⁷ Source: http://www.slovakaid.sk/sites/default/files/zameranie_2017.pdf (consulted on 16/01/2018).

³⁵⁸ Information provided by the MoFEA SR.

³⁵⁹ Information provided by the MoFEA SR.

*Income Tax Act*³⁶⁰, effective since 1 January 2017, and the amendment to the *Value Added Tax Act*³⁶¹, effective since 1 January 2018, through the Parliament. These amendments brought about tax benefits for the commercial providers of material to be used as humanitarian assistance which the SR delivers abroad.

With respect to the abovementioned, at the beginning of January 2017 the SR provided material assistance to a number of Syrian hospitals in the areas around the city of Aleppo. The assistance consisted of sleeping bags, blankets, beds and medical material needed. It was the first humanitarian assistance consignment the SR has sent into war-torn Syria.³⁶²

2. The SR continued to meet its obligation undertaken during the Leaders' Summit on Refugees³⁶³, where they declared additional commitments promoting migration and refugee crisis solution. The SR pledged, inter alia, to provide additional contributions amounting to 3.4 mil EUR on top of the existing Slovak ODA for humanitarian assistance, development cooperation and voluntary financial contributions provided by relevant international agencies, funds and programmes in the period of years 2017 - 2021. In 2017, the SR paid a total of 2.5 million EUR of this commitment for development cooperation and humanitarian assistance.³⁶⁴

Assistance through EU mechanisms and V4

In 2017, the SR took part in EU mechanisms providing assistance aimed at the countries impacted by an increased number of applications for international protection as well as the countries of origin or transit. In 2017, the SR contributed an additional 1 million EUR to the North Africa window of the *EU Emergency Trust Fund for Africa*³⁶⁵ to be used specifically for the two projects implemented in Libya. Within the scope of the V4 countries' cooperation³⁶⁶, the SR also plans to contribute to the joint amount of 35 million EUR to the said trust fund for the same purpose in 2018. The SR has also initiated negotiations with some EU MS on potential activities in Jordan funded by the *EU Trust Fund Madad*^{367, 368}. The project would focus on Jordan's capacity building in the field of health care. Jordan belongs to priority countries within the Slovak activities, evidence of which is participation of the SR in the EU mobility partnership with Jordan on 31 May 2017. In 2018, the SR plans to get involved in the mobility partnership activities (project led by the Czech Republic) through providing experts.³⁶⁹

A V4 countries' joint project which was granted funding from the *EU Emergency Trust Fund for Africa* amounting to the total of 2 million EUR in Kenya at the end of 2016 was launched in December 2017.^{370, 371} The *Enhancement of Livelihoods in the Kenyan Coastal Region by Supporting*

360 Act No. 595/2003 Coll. on Income Tax.

361 Act No. 222/2004 Coll. on the Value Added Tax.

362 Information provided by the MoFEA SR.

363 The Leaders' Summit on Refugees, also known as the Obama's Summit, was held alongside the 71st session of the UN General Assembly on 20 September 2016 in New York.

364 Information provided by the MoFEA SR.

365 The Emergency Trust Fund for Stability and Addressing Root Causes of Irregular Migration and Displaced Persons in Africa.

366 An informal grouping of states in Central European region including the SR, the Czech Republic, Hungary and Poland as members.

367 The EU Regional Trust Fund in Response to the Syrian Crisis.

368 Information provided by the MoFEA SR.

369 Information provided by the MO MoI SR.

370 Available at: https://www.slov-lex.sk/legislativne-procesy?p_p_id=processDetail_WAR_portletset&p_p_lifecycle=0&p_p_state=normal&p_p_mode=view&p_p_col_id=column-2&p_p_col_count=1&_processDetail_WAR_portletset_startact=1510064505000&_processDetail_WAR_portletset_idact=1&_processDetail_WAR_portletset_action=files&_processDetail_WAR_portletset_cisloLP=LP%2F2017%2F800 (consulted on 11/02/2018).

371 Information provided by the MoFEA SR.

Organic and Fair Trade Certification project intends to bring a permanent improvement of the socio-economic situation of 15 thousand small farmers in Kenya and to generate new jobs in bio and fair trade production of cashew nuts and sesame in three coastal provinces of Kenya. Project activities include planting, training courses, certifications, technologies acquisition and the essentials of financial literacy. The project that should be implemented for four years is based on the strategy according to which job opportunities in agriculture, microenterprises and small enterprises form inclusive conditions for stable and resilient communities. The Slovak Agency for International Development Cooperation acts as the lead manager of the project and the project partners include the Czech University of Life Sciences Prague, Science for Development Foundation, the National Agricultural Research and Innovation Centre and the Association of Conscious Consumers in Hungary, Fair Trade Poland and the Czech Republic and local partners Ten Senses Africa and Farm Africa.³⁷²

A new *Migration Crisis Response Mechanism* (MCRM) was established in November 2016 as a platform for the cooperation within the V4. It has three pillars: cooperation within the EU (joint positions in Brussels), information exchange (e.g. migraton flows) and external dimensions (e.g. joint activities in Jordan). The platform also includes a V4 expert training curriculum, with the first training in March 2018. The joint MCRM is coordinated by Poland which is to set up an analytical centre. All EU Member States can join the mechanism. In 2017, apart from the V4 countries, Switzerland expressed its interest.³⁷³

Bilateral cooperation and assistance implemented in within the territory of the SR

In 2017, the MoFEA SR and MoESRS SR are currently working together to predefine the territorial priorities of the existing government scholarship programme of the SR with the aim to streamline the system of government scholarship provision in relation to conflict-affected countries. This is to fulfil the commitment the SR has undertaken at the Leaders' Summit on Refugees³⁷⁴ to provide 550 scholarships for refugees until 2021, starting in 2016.

Thus, in the 2016/2017 academic year 30 positions were open for Syrian citizens who are in Syria or neighbouring countries of the Near and Middle East for the first time under this programme. In addition, starting from the 2016/2017 academic year 18 scholarships were granted to students from the conflict-affected countries of Afghanistan and Palestine³⁷⁵. Thus, so far the SR has granted a total of 48 scholarships under said commitment and will continue to meet this obligation in future, too.³⁷⁶

The private sector in Slovakia has also started to develop initiatives in scholarship provision for citizens of conflict-affected countries. The foundation of the private company Penta has been supporting Ukrainian students studying in Slovakia since 2015: they are providing them with scholarships and covering their costs up to 300 EUR a month. The programme focuses mainly on economics, medicine, mathematics and physics study branches and offers a possibility to in-

372 Source: https://www.mzv.sk/vi/aktuality/detail/-/asset_publisher/lw1ppvnScIPx/content/l-parizek-inovativna-rozvojova-pomoc-znamena-realne-vytvorenie-samostatne-udrzatelneho-ekonomickeho-modelu-?p_p_auth=w9hUpYR7&_101_INSTANCE_lw1ppvnScIPx_redirect=%2Fvi%2Faktuality%2Fvsetky_spravy (consulted on 17/01/2018).

373 Information provided by the MO MoI SR.

374 The Leaders' Summit on Refugees, also known as the so-called Obama's Summit, was held alongside the 71st session of the UN General Assembly on 20 September 2016 in New York.

375 The SR provided the governmental scholarships for students from these countries also in the past. Since the school year 2016/2017 they fall under the category "students from the countries facing conflict".

376 Information provided by the MoFEA SR.

tern in the company.³⁷⁷ Since 2018, scholarship can also cover the expenses of one-year intense Slovak language course.³⁷⁸

10.2 Cooperation with third countries in the field of economic migration

At European level, the SR joined the EU Mobility Partnership with Jordan on 31 May 2017 and within the EU mobility partnership with Azerbaijan engaged in the project *Mobilaze*. The project aims to support development and migration policy-making of Azerbaijan through governmental capacity building. The MO Mol SR participates mainly in activities related to the development of national asylum system and integration of persons with granted international protection. The project has been running since the mid January 2016 until mid January 2019.³⁷⁹

Apart from the working holiday programs (see 3.4), the SR did not implement or plan any bilateral agreements with third countries concerning labour migration in 2017. The SR joined the EU mobility partnership with Jordan on 31 May 2017.³⁸⁰

The SR did not adopt or plan any new policies, measures or activities concerning the brain drain mitigation from third countries or remittances migrants are sending to third countries in 2017.³⁸¹

10.3 Other activities in the field of migration

The SR as an EU member agrees with its policies in the external dimension including the *New Migration Partnership Framework*³⁸² (i.e. migration compacts policy) from June 2016 and is part of Valletta plan adopted during Summit of EU Leaders and African States in November 2015.³⁸³ In September 2017, the Minister of Foreign and European Affairs of the Slovak Republic Miroslav Lajčák was sworn in as the President of the UN General Assembly (UN GA). He took the office at the time of ongoing negotiations on the *Global Compact for Safe, Orderly and Regular Migration* and *Global Compact on Refugees*. The SR has been involved in both of these compacts both in the capacity of the President of the UNGA, which sees migration as one of the priority areas, and also in the capacity of an EU MS.³⁸⁴

With regard to inclusion of diaspora (migrants from third countries) in development initiatives or to the support for various diaspora groups' efforts to improve the development in their countries of origin, the SR did not implement or plan any new policies or measures in 2017.³⁸⁵

377 Source: <https://scholarshipinslovakia.com/information/frequently-asked-questions/> (consulted on 18/1/2018).

378 Source: <https://scholarshipinslovakia.com/language-courses/> (consulted on 18/1/2018).

379 Source: <https://www.minv.sk/?projekty-na-ktorych-sa-migracny-urad-podiela> (consulted on 17/1/2018).

380 Information provided by the MoFEA SR and the MoLSAF SR.

381 Information provided by the MoFEA SR and the MoLSAF SR.

382 Available at: http://europa.eu/rapid/press-release_IP-16-2072_sk.htm (consulted on 8/1/2018).

383 Available at: <http://www.consilium.europa.eu/sk/policies/migratory-pressures/countries-origin-transit/migration-partnership-framework/> (consulted on 8/1/2018).

384 Information provided by the MoFEA SR.

385 Information provided by the MoFEA SR and the MoLSAF SR.

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Annex: National statistics

The Annex contains selected migration and international protection statistics for 2017 which are not collected at EU level through Eurostat³⁸⁶ or Frontex agency³⁸⁷.

National statistics for Slovakia are available mainly in the yearly statistical overviews of BBAP PFP³⁸⁸ (regular and irregular migration, returns), yearly statistical reports of MO MoI SR³⁸⁹ (international protection including unaccompanied minors applying for asylum), statistics of COLSAF³⁹⁰ (employment of foreigners and unaccompanied minors not applying for asylum), MoFEA SR³⁹¹ (visa) and SO SR³⁹² (demographic data and international migration). Summary of the basic statistical data on migration and international protection in Slovakia provide yearly EMN Country Factsheet³⁹³ or the website of the IOM Office in the SR³⁹⁴.

Table 1: First residence permits issued by the Slovak Republic to third-country nationals in 2017 by reason³⁹⁵ and gender

Gender	Total	Reason of Residence			
		Family formation and reunification (family reasons)	Education and study	Remunerated activities	Other ³⁹⁶
Total	13,635	2,620	1,986	7,399	1,630
Male	:	:	:	:	:
Female	:	:	:	:	:

Source: BBAP PFP.

Note: Data are processed in a way and in line with subdivision as provided to Eurostat according to Regulation (EC) No. 862/2007 as well as in line with current Eurostat instructions. This data can, however, slightly differ from official data for 2017 to be validated in May 2018 and subsequently provided to Eurostat.

³⁸⁶ Available at: http://ec.europa.eu/eurostat/statisticsexplained/index.php/Migration_and_migrant_population_statistics (consulted on 2/1/2018).

³⁸⁷ Available at: <http://frontex.europa.eu/publications/> (consulted on 2/1/2018).

³⁸⁸ Available at: <http://www.minv.sk/?rocnky> (consulted on 2/1/2018).

³⁸⁹ Available at: <http://www.minv.sk/?statistiky-20> (consulted on 2/1/2018).

³⁹⁰ Available at: http://www.upsvar.sk/statistiky/zamestnavanie-cudzincov-statistiky.html?page_id=10803 (consulted on 2/1/2018).

³⁹¹ Statistics on the numbers of visas issued are available upon request only.

³⁹² Available at: https://slovak.statistics.sk/wps/portal/ext/themes/demography/population/news/!ut/p/b1/jdDRColwFABgZ-kF3HFbc7ucRnM-lSjTLdhMWEVJqUBS9fRbeZp27A9__wznlogLZprxXx_JWtU15fu-WbY2nue-7Eri_wqC9OHXnxqi5Szuw6UCgZEi9CIBHagxahnkqDEgyX95-DISfu-VnyFa72nnsawccAEKx4IJzocXsSBojexgRe71YJolWAqgqkm6mJeBphnEcOg2A8Abg-GnvABA1fGYVsfUHY9oUudF89MV8lRjJ5AKltdl4/d5/L2dBlSEvZ0FBIS9nQSEh/ (consulted on 2/1/2018).

³⁹³ Available at: <https://emn.sk/sk/na-stiahnutie-emn/publikacie-emn/itemlist/category/5-vyrocnne-spravy-emn> (consulted on 2/1/2018).

³⁹⁴ Available at: <http://www.iom.sk/sk/migracia/migracia-na-slovensku> (consulted on 2/1/2018).

³⁹⁵ Reasons for issuing residence are in accordance with the respective EU legislation (Commission Regulation (EU) No. 216/2010 of 15 March 2010 implementing Regulation (EC) No 862/2007 of the European Parliament and of the Council on Community statistics on migration and international protection, as regards the definitions of categories of the reasons for the residence permits) and are divided into four categories: 1. Family formation and reunification, 2. Education and study, 3. Remunerated activities, and 4. Other reasons. National types of and reasons for residence permits are divided into these four categories.

³⁹⁶ According to Act No. 404/2011 Coll. on the Residence of Aliens, the category "Other reasons" includes the following types of residence which do not fall under any of the previous categories:

1. temporary residence – special activity – providing healthcare and accompanying a TCN who is provided healthcare; 2. temporary residence – execution of duties by civilian units of armed forces; 3. temporary residence – a Slovak citizen living abroad (in case the foreigner claims the category "Other reasons"); 4. permanent residence for an indefinite period of time according to Art. 46 par. 2 (if needed due to providing protection and assistance to a witness under a special regulation; or to a stateless person for reasons worth considering; or to an adult person with granted

Table 2: Administrative fees of applications for residence permits in the SR in 2017 by type, purpose and length of the residence

Type and purpose of residence	Maximum length of the residence (in months)	Cost of the permit (in EUR)*		
		Cost of the permit at the police department	Cost of the permit at the Slovak diplomatic mission	Fee for the issuance of the residence card**
Temporary residence for the purpose of family reunification (Directive 2003/86)	60	132.50 EUR	135 EUR	4.50 EUR
Temporary residence for the purpose of studies, pupil exchange, unremunerated training or voluntary service (Directive 2004/114)	72	0 EUR (for the purpose of studies)	0 EUR (for the purpose of studies)	4.50 EUR (for the purpose of studies)
	24	99.50 EUR (for the purpose of special activity - unremunerated training or voluntary service)	100 EUR (for the purpose of special activity - unremunerated training or voluntary service)	4.50 EUR (for the purpose of special activity - unremunerated training or voluntary service)
Long-term residence (Directive 2003/119)	Indefinite period	165.50 EUR	-	4.50 EUR
Temporary residence for the purpose of scientific research (Directive 2005/71)	24	0 EUR	0 EUR	4.50 EUR

tolerated stay for a minimum period of three years during which studied at school within the territory of the SR); 5. tolerated stay – if there is an obstacle to administrative expulsion or in case the departure is not possible and detention is not reasonable [§ 58 par. 1 a) and b)], in case of a minor found on the territory of the Slovak Republic or victim of human trafficking who at least 18 years of age [§ 58 par. 2 a) and c)], in case of an illegally employed person under especially exploitative conditions or in case of an illegally employed minor whose presence in the territory of the Slovak Republic is inevitable for the purposes of criminal proceeding [§ 58 par. 3], in case of a period of state care provision, period of quarantine, period for assessing the application for tolerated stay, period of imprisonment or incarceration, or a maximum 90-day reflection period for a human trafficking victim (with possibility of extension by another 30 days) [§ 58 par. 4 a) till d)]; 6. subsidiary protection and 7. asylum.

Type and purpose of residence	Maximum length of the residence (in months)	Cost of the permit (in EUR)*		
		Cost of the permit at the police department	Cost of the permit at the Slovak diplomatic mission	Fee for the issuance of the residence card**
Temporary residence for the purpose of highly qualified employment (EU Blue Card) (Directive 2009/50)	36	165.50 EUR	170 EUR	4.50 EUR
Temporary residence for the purpose of seasonal employment (Directive 2014/36)	6 (180 days)	33 EUR	35 EUR	4.50 EUR
Temporary residence for the purpose of intra-corporate transfer *** (Directive 2014/66)	36	-	-	-
Tolerated stay for victims of human trafficking (Directive 2004/81)	6 (180 days)	0 EUR	0 EUR	0 EUR
Temporary residence for the purpose of employment – single permit to reside and work (Directive 2011/98)	60	165.50 EUR	170 EUR	4.50 EUR
Other national permits	-	-	-	-

Source: BBAP PFP.

* The fees listed in the table are based on the Act No. 145/1995 Coll. on Administrative Fees.

** Residence card cost is paid in all above-mentioned applications for residence irrespective of place of their submission (APD PF or diplomatic mission of the Slovak Republic). The cost is in both cases paid at the APD PF.

*** The directive has not been transposed yet, the transferred employees will be granted temporary residences for the purpose of employment.

Table 3: Visas issued by the Slovak Republic to third-country nationals in 2017 by type

Visa	Total	(Schengen) short stay visas (A, C and LTV types of visa)		National visas (D type of visa)**	
		In a third country	In another EU Member State	In a third country	In another EU Member State
		Previous stay			
Total	43,641*	39,968	808	2,850	15

Source: MoFEA SR (based on the Microcomp data from the NVIS system).

* DMs SR which received in 2017 the biggest amount of visa applications are DM Moscow in Russia and DM Kyjev and General Consulate in Uzhgorod in Ukraine.

** Out of the total number, MoI SR issued 9 visas.

Note: Number of visas issued may differ from data contained in the BBAP PFP's publication *Statistical Overview of Regular and Irregular Migration in the Slovak Republic in 2017*. At the time of publishing of the overview, the number of processed visas in the system did not have to mirror the printed, i.e. issued visas.

Explanations: A type of visa – airport transit visa

C type of visa – tourist visa

D type of visa – national visa

LTV visa – visa with limited territorial validity

Table 4: Smuggled persons in the SR – selected indicators in 2017³⁹⁷

Indicator	Total	Male	Female
Third-country nationals identified as smuggled persons	1,267	:	:
Reflection periods provided to smuggled persons (e.g. in accordance with Directive 2004/81/EC if implemented for smuggled persons)	-	-	-
Residence permits granted to smuggled persons (e.g. in accordance with Directive 2004/81/EC if implemented for smuggled persons)	-	-	-

Source: BBAP PFP.

(:) Unavailable data (in the cases documented by the NUCIM BBAP PFP, only the nationality of irregular migrants and the relation to the crime for which a charge was brought against the smugglers are recorded).

(-) Not implemented for smuggled persons in the Slovak Republic.

³⁹⁷ According to the Art. 355 and Art. 356 of the Act No. 300/2005 Coll. Criminal Code, smuggling is defined as follows:

§ 355: Any person who organises illegal crossing of the state border of the SR, or a transfer through its territory, for a person who is neither a citizen of the SR nor a person with permanent residence in the territory of the SR, or who enables such activity or aids and abets it with the intention of obtaining financial or other material benefit.

§ 356: Any person who, with the intention of obtaining financial or other material benefit for himself or another either directly or indirectly, enables or helps a person, who is neither a citizen of the SR or of another EU MS or a citizen of a contracting state of the Agreement on the EEA nor a person with permanent residence in the territory of the Slovak Republic, to stay or get an illegal job in the territory of the SR or of other EU MS or a contracting state of the Agreement on the EEA, shall be liable to a term of imprisonment of two to eight years.

Table 5: Smugglers in the SR – selected indicators in 2017

Indicator	Smugglers	
	Arrested as suspects / criminally prosecuted	Convicted
Spolu	138*/103**	74
Convicted under Art. 355 of new Criminal Code No. 300/2005 Coll.	-	31
Convicted under Art. 356 of new Criminal Code No. 300/2005 Coll.	-	30
Convicted under Art. 171a of old Criminal Code No. 140/1961 Coll. (by nature of criminal offence)	-	13

Source: BBAP PFP, General Prosecutor's Office of the SR and Ministry of Justice of the SR.

* The total number of persons suspected from the criminal offence of migrant smuggling.

** The number of persons indicted on charges of migrant smuggling (out of the total number).

Table 6: Third-country nationals returned from the SR in 2017 by type, nationality and country of return

Indicator	Returned as part of forced return measures*				Returned voluntarily (incl. AVR)**				Returned voluntarily within the AVR Programme				Reintegrated within AVR*****			
	Total	M	F	Min	Total	M	F	Min	Total	M	F	Min	Total	M	F	Min
Total	353	309	41	3	1 387	1075	304	8	43	33	7	3***	23*****	18	5	0
Top Nationalities	1. Vietnam(122) 2. Ukraine (112) 3. Serbia (21) 4. India (18) 5. Syria (15) The indicated number of countries is not exhaustive.				1. Ukraine (1310) 2. Moldova (29) 3. Iraq (8) 4. Serbia (8) 5. Vietnam (6)				1. Ukraine (9) 2. Iraq (8) 3. Vietnam (5) 4. Serbia (4) 5. Kosovo****/Pakistan (2) 6. Afghanistan/Armenia/ Brazil/Ethiopia/Ecuador/ Georgia/Ghana/China/ Morocco/Moldova/Rus- sia/USA/Turkey (1)				1. Serbia/Ukraine (4) 2. Iraq/Vietnam (3) 3. Kosovo**** (2) 4. Afghanistan/Georgia/ Ghana/India/Moldova/ Pakistan/USA (1) 5. -			
Top Countries of Return	1. Ukraine 2. Serbia 3. Pakistan 4. Austria/Vietnam 5. Bulgaria The indicated number of countries is not exhaustive.				1. Ukraine 2. Iraq, Serbia 3. Vietnam 4. Russia 5. China, Kosovo, Macedonia, Pakistan, Turkey				1. Ukraine 2. Iraq 3. Vietnam 4. Serbia 5. Kosovo****/Pakistan 6. Afghanistan/Armenia/ Brazil/Ethiopia/Ecuador/ Georgia/Ghana/China/ Morocco/Moldova/Rus- sia/USA/Turkey				1. Serbia/Ukraine 2. Iraq/Vietnam 3. Kosovo**** 4. Afghanistan/Georgia/ Ghana/India/Moldavsko/ Pakistan/USA 5. -			

Source: BBAP PFP³⁹⁸ and IOM Office in the SR³⁹⁹.

* Forced return – This category refers to the execution of decision on administrative or judicial expulsion by Police Force escort: a) via external land border; b) via internal land border or; c) via airplane to a third country.

** Returned voluntarily (including AVR) – This category includes a) voluntary fulfilment of an obligation to travel out of the Slovak territory within the time limit set in the decision on administrative expulsion due to detected unauthorised stay within the Slovak territory (fulfilment of this obligation was recorded at the border crossing on external border) or b) traveling out of the Slovak territory after detecting irregular stay on the border crossing point while a foreigner is leaving Slovakia, issuing him/her decision on administrative expulsion. Such case includes also persons whose return was organised by IOM through the AVRR programme, after issuance of decision on administrative expulsion. One person can be issued more decisions on administrative expulsion.

*** There was no unaccompanied minor among minors.

**** As defined by UN Security Council Resolution 1244/99.

***** Number of persons who were provided with reintegration assistance or such assistance was approved. In some cases the assistance can be implemented in the following year 2018.

***** Including 1 person who received one part of reintegration grant in 2016 and another part in 2017.

Explanations: AVR – assisted voluntary returns

F – female

M – male

Min – minor

398 BBAP PFP provided return statistics based on data provided to Eurostat for 2017. BBAP PFP collected statistical data on returns (forced and voluntary) for 2017 in compliance with the Art. 7.1. of the Regulation No. 862/2007 on Community Statistics on Migration and International Protection and with current Eurostat technical instructions (Technical Guidelines for the Data Collection – Enforcement of Immigration Legislation EIL Statistics).

399 IOM Office in the SR collects statistics on assisted voluntary returns and reintegrations which are, compared to data above, listed on its website as number of AVR and reintegration cases. One case can include several persons.

Table 7: Third-country nationals relocated to the SR in 2017 by gender, country of origin and EU Member State

Indicator	Total	Male	Female	Minor	Country of origin of relocated TCNs	Relocations made from EU Member State(s)
Total	7	0	2	5	Syria (7)	Greece (7)

Source: MO MoI SR.

Note: All the relocations in 2017 are related to the last pledge made by SR in 2016.

Table 8: Third-country nationals resettled to the Slovak Republic in 2017 by original hosting country and gender

Original hosting country/ gender	Total	Male	Female	Original hosting country
Total	0	0	0	-

Source: MO MoI SR.

Note: SR carries out through its territory resettlement activities to other third countries (see the Chapter 4). Program *Humanitarian transfer of refugees through the territory of the SR* is carried out based on trilateral agreement between the Slovak Government, UNHCR and IOM.**Table 9: Unaccompanied minors in the Slovak Republic in 2017 by legal status and gender**

Indicator	Total	Male	Female
Unaccompanied minors not applying for asylum	14	14	0
Unaccompanied minors applying for asylum	11	9	2
Total	25	23	2

Source: MO MoI SR and COLSAF.

Table 10: Human trafficking victims from third countries in the SR – selected indicators in 2017

Indicator	Total	Male	Female
TCNs presumed to be victims of trafficking in human beings (presumed victims)⁴⁰⁰	1	1	0
Age			
	Over 18 years of age	1	0
	Under 18 years of age	0	0
Form of exploitation ⁴⁰¹			
	Sexual exploitation	0	0
	Labour exploitation	1	0
	Other:	0	0
Citizenship (top 3 countries)		Confidential data.	Confidential data.
		Confidential data.	Confidential data.
TCNs identified as victims of trafficking in human beings (identified victims)⁴⁰²	0	0	0
Age			
	Over 18 years of age	0	0
	Under 18 years of age	0	0
Form of exploitation ⁴⁰³			
	Sexual exploitation	0	0
	Labour exploitation	0	0
	Other:	0	0
Citizenship (top 3 countries)		-	-
		-	-
Reflection periods granted	0	0	0
Directive 2004/81/EC	0	0	0
Other	0	0	0

Residence permits requested	0	0	0
Directive 2004/81/EC	0	0	0
Other (e.g. humanitarian grounds etc.)	0	0	0
Residence permits granted	0	0	0
Directive 2004/81/EC	0	0	0
Other (e.g. humanitarian grounds etc.)	0	0	0

Source: BBAP PFP and Information Centre for Combating Trafficking in Human Beings and Crime Prevention of the MoI SR.

Table 11: Traffickers of human beings in the SR – selected indicators in 2017

Indicator	Traffickers of human beings	
	Arrested as suspects / criminally prosecuted and investigated	Convicted
Total	72/52*	15**

Source: BBAP PFP, General Prosecutor's Office of the SR and Ministry of Justice of the SR.

* 72 persons were listed as suspects in the criminal charges in 2017, out of whom 52 persons were prosecuted or investigated in connection with criminal offence of human trafficking.

** According to the § 179 of the Criminal Code No. 300/2005 Coll. According to the old Criminal Code there was no person convicted in 2017.

400 Presumed victims are persons who fulfil the definition of victim of trafficking in human being, as outlined in Directive 2011/36/EU, but whom have not been formally identified by the relevant authorities (i.e. the national person/body authorised to formally identify victims).

401 More than one form of exploitation may be associated with each victim, therefore the statistics presented in this section may not necessarily agree with the overall totals entered above.

402 Identified victims are those who have been formally identified by the relevant authority (i.e. the national person/body authorised to formally identify victims). Slovak National Referral Mechanism states that only the law enforcement bodies are authorised to formally identify a victim of human trafficking in the Slovak Republic.

403 More than one form of exploitation may be associated with each victim, therefore the statistics presented in this section may not necessarily agree with the overall totals entered above.



National Contact Point of the European Migration Network for the SR
International Organization for Migration (IOM)
Office in the Slovak Republic
Grösslingová 35, 811 09 Bratislava, Slovak Republic
www.iom.sk, www.emn.sk



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