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ANNUAL REPORT ON MIGRATION AND ASYLUM IN THE SLOVAK REPUBLIC IN 2018

Annual Report on Migration and Asylum in the Slovak Republic in 2018

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

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This report was prepared within the European Migration Network (EMN) which provides up-to-date, objective, reliable and comparable information on migration and international protection in EU Member States and Norway in order to support national and EU and its Member States policymaking. EMN is funded by the European Union and Ministry of Interior of the Slovak Republic.

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).

The report was elaborated by the International Organization for Migration (IOM) Bratislava as the coordinator of the EMN National Contact Point for the Slovak Republic. The Slovak EMN National Contact Point comprises Ministry of Interior of the Slovak Republic (Bureau of Border and Foreign Police of the Police Force Presidium, Migration Office, Department of Foreign and European Affairs of the Office of the Minister of Interior), Ministry of Labour, Social Affairs and Family of the Slovak Republic (Department of Migration and Integration of Foreigners), Statistical Office of the Slovak Republic (Section of Social Statistics and Demography) and IOM.

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.

This document was produced with the financial assistance by the European Union. The views expressed herein can in no way be taken to reflect the official opinion of the European Union. Equally, the opinions presented herein do not necessarily represent the opinions of the Government of the Slovak Republic or of the IOM.

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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 2018. 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 2018 as well as EMN Country Factsheets 2018.

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
ARMA – Annual Report on Migration and Asylum
AVR(s) – assisted voluntary return(s)
AVRR – Assisted Voluntary Return and Reintegration Programme
BBFP PFP – Bureau of the Border and Foreign 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
DBFP – Directorate of the Border and Foreign 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
FH – foster home
FPD(s) PF – Foreign Police Department(s) of the Police Force
Frontex – European Border and Coast Agency
ICMPD – International Centre for Migration Policy Development
ICRC – International Committee of the Red Cross
IOM – International Organization for Migration
MEKOMIC – Inter-Ministerial Expert Committee for Labour Migration and Foreigners' Integration
MIC IOM – IOM Migration Information Centre
Migration Policy – Migration Policy of the Slovak Republic: Perspective until 2020
MoE SR – Ministry of Economy 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 BBFP PF – National Unit to Combat Irregular Migration of the Bureau of the Border and Foreign 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
RTVS – Radio and Television of Slovakia
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)
UK – United Kingdom of Great Britain and Northern Ireland
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 including those 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 BBFP 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, Public Administration Section of 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, non-governmental 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 6.0 – a Tool for Better Comparability (2018). 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 28/3/2019).

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 6.0 – a Tool for Better Comparability (2018). European Migration Network, p. 252. Available at: http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/glossary/index_a_en.htm (consulted on 28/3/2019).

Executive Summary

The report informs about the most significant changes, developments and activities in the field of migration and international protection in Slovakia in 2018. 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 context of migration and asylum policies development, legal migration, international protection including asylum, unaccompanied minors and other vulnerable groups, integration, citizenship and situation of stateless persons, border control and management, visa practice, irregular migration including migrant smuggling, countering trafficking in human beings as well as returns and readmissions. In the annex, the report presents also selected statistics which are not collected at EU level.

In 2018, migration of third-country nationals was a part of the political, media and social discussions in Slovakia again. Politically, attention was given particularly to labour migration from third countries to Slovakia and to the cooperation of V4 countries in migration related issues. In 2018, the SR did not support the *Global Compact for Safe, Orderly and Regular Migration*. Slovakia adopted the *Global Compact on Refugees*. The cooperation of V4 countries in migration related issues continued as well as inter-departmental cooperation and implementation of EMN activities in Slovakia.

Apart from ongoing mixed and irregular migration into the EU and the EU's measures regarding this phenomenon, the Slovak media in 2018 informed mainly about the UN Global Compacts on migration and refugees. These were also a topic of social and political discussion in Slovakia. Among the topics that resonated most in the media were labour migration to Slovakia from third countries, cooperation among V4 countries, and increasing extremism and violence towards foreigners. The last inspired several demonstrations and memorial marches in Slovak cities.

In 2018, the SR continued to feel an increased demand by employers for foreign labour. The discussion was ongoing on political, professional and private sector levels. Related to this fact, the SR adopted the *Strategy for Labour Mobility of Foreigners in the Slovak Republic* and prepared the *list of professions with a shortage of labour* which were unable to be filled using domestic labour for a long time. The aim is to fill these vacancies in the respective regions with third-country nationals (TCNs) using an accelerated procedure i.e. without the required labour market research.

In 2018, the SR introduced further measures to facilitate employment of TCNs in the SR by means of *amendments to Act on the Residence of Aliens and Act on Employment Services*. As of 1 May 2018, the obligatory provisions of the European directive on students, researchers, interns and volunteers were transposed into the Slovak legislation. On 7 December 2018, the SR adopted further legislative changes pertaining to labour mobility; apart from other changes starting from 2019, TCNs' options to enter the labour market through temporary employment agencies will become wider in the case of employment roles with a shortage of labour.

In 2018, the SR again recorded an increase in the number of first-time residence permits and continued to provide Government scholarships for higher education in the SR to Syrian refugees and students from war-affected countries.

The number of asylum seekers in Slovakia remained low in 2018. The Slovak asylum system therefore did not face any challenges in that period. The SR amended the Act on Asylum especially due to the transposition of Art. 31 Par. 3 – 5 of the recast "procedural directive" which are related to the process of assessment of the international protection application. In 2018, the SR also prepared an amendment to *Act on Financial Compensation of Serious Physical Disablement*. Based on the amendment those persons with granted subsidiary protection (not only persons granted asylum) can fulfil the legal requirements for individual financial benefits to compensate for serious physical disability.

The SR did not conduct any relocations, resettlement programmes or humanitarian reception programmes for TCN refugees. However, it continued to allow for a special humanitarian refugee transfer through the territory of the SR which has been conducted in cooperation with UNHCR and IOM since 2009.

In 2018, Amendment to the *Act on Social and Legal Protection of Children and on Social Guardianship* came into force. The amendment brought about a whole range of changes aiming to improve the quality of delivery of the measures within the socio-legal protection of children and social guardianship (SPCSG) as well as conditions in the SPCSG facilities.

The number of registered unaccompanied minors in Slovakia in 2018 remained low. Escapes/disappearances of UAMs remain a pertaining challenge in 2018. The practice also showed the need to build the capacities of the expert team in the Foster Home for UAMs in Medzilaborce, as well as the need for their further education.

In April 2018, MoLSAF SR drafted the fourth interdepartmental *Summary Report on the Fulfilment of Objectives and Measures of the Integration Policy of the SR for 2017*. Annual evaluation of fulfilment, current challenges and problems at the Slovak labour market showed that the Integration Policy of the SR seems to be obsolete and in a need of a comprehensive update. The Government of the SR therefore cancelled, effective from 2018, the obligation of Ministries to submit to the Minister of Labour, Social Affairs and Family a yearly report on the fulfilment of objectives and measures of the Integration Policy as well as the obligation to submit the *Summary Report on the Fulfilment of Objectives and Measures of the Integration Policy* for review with the Government of the SR of the Minister of Labour, Social Affairs and Family. However, the Integration Policy remains a valid document. The new *Strategy of Foreigners Labour Mobility in the Slovak Republic* also contains the measures related to the integration of third-country nationals into the labour market.

The deadline for submitting the *Integration Programme for Beneficiaries of International Protection in the territory of the SR* as a systemic integration measure by the state was postponed until the end of June 2019 by the Prime Minister.

The IOM MIC continued to provide comprehensive legal and labour counselling services as well as language and professional education to foreigners in the SR. Within the *Migration Compass* project by the Human Rights League, several round table discussions were organized. Foreigners actively participated in them and discussed the status of foreigners in the city and the 2018 municipal elections. The year 2018 also saw the continuation of implementation of several other projects focused on integration on national level, integration of beneficiaries of international protection etc. Several events with participation of both wider public and professionals were organized to support public awareness, increase migration awareness and prevent discrimination, such as a play prepared by the Nová scéna Theatre [Nová scéna Theatre] on the refugee topic.

Several documents on how to communicate migration to the public were published.

In 2018, the SR did not adopt any changes related to citizenship for third-country nationals. From 20 July 2018, Act on Residence of Aliens reintroduced that a stateless person can obtain permanent residence for 5 years, not for an indefinite period of time as before.

In 2018, the SR prepared a new national border control and management plan entitled “*National Strategy of Integrated Border Management for 2019 – 2022*”⁶. The document specifies new tasks that the SR will have to perform in the area of integrated European border management in the following period. The SR repeatedly recorded a decrease in the number of visas issued which is connected to the introduction of the visa-free regime with Ukraine effective from June 2017.

Among the measures taken for the border protection, the SR has been implementing a new national project focusing on technical equipment since 2018 and has continued to implement other projects in compliance with the Internal Security (ISF) National Programme. Several measures were adopted, and expert meetings were organized within the cooperation of the BBFP PFP and the State Border Service of Ukraine based on the *Plan of Development of Cooperation between the Bureau of Border and Foreign Police of the Presidium of Police Force and the State Border Service of Ukraine 2017 – 2018*. A new *Plan of Development of Cooperation between the BBFP PFP and the State Border Service of Ukraine for 2019 – 2020* was signed in 2018 to deepen the cooperation with Ukraine.

In 2018, the SR did not record a significant increase in the number of irregular migration cases. As in 2017, the development of irregular migration in the territory of the SR was influenced especially by irregular migration of the nationals of the closest third countries – Ukraine and Serbia again in 2018. Regarding the efforts to increase the level and effectivity of detecting forged and altered documents, the SR adopted several measures related especially to capacity building. The SR strengthened the cooperation with Czech Republic in combatting smuggling; negotiations about the new agreement on police cooperation took place. In order to make prevention and capacity building in cooperation with third countries more effective, the SR hosted the experts from Azerbaijan within the *Mobilaze* project.

In November 2018, the Government of the SR approved the fifth *National Programme to Combat Trafficking in Human Beings 2019 – 2023*. Its main aim is to introduce a coordinated system to limit the trafficking in human beings. The national programme includes the *Action Plan to Combat Trafficking in Human Beings 2019 – 2023* specifying 21 tasks for the individual stakeholders in the areas of prevention, protection, investigation, and cooperation. In December 2018, the new *regulation of the Ministry of Interior of the Slovak Republic No. 144/2018 on the Provision of Support and Protection of Victims of Human Trafficking Programme* came into force. In relation to third-country nationals or stateless persons, it specifies the processes of aiding assisted voluntary return of human trafficking victims and unaccompanied minors who were placed into the human trafficking victims support and protection programme.

From December 2018, the SR also created the conditions for non-problematic healthcare provision to human trafficking victims with unpaid public health insurance. In 2018, the SR cooper-

ated with Serbia in the prevention of labour exploitation and human trafficking of their citizens in Slovakia. Since September 2018, there was a change in the provider of the free-of-charge *National Human Trafficking Victims Helpline 0800 800 818*, which became the Slovak Catholic Charity non-governmental organisation. The Ministry of Interior of the Slovak Republic updated the leaflet for self-identification by human trafficking victims which is available in 6 languages (Slovak, Ukrainian, Romanian, Roma, Chinese, English). In 2018, there were no human trafficking victims from abroad, i.e. from third countries, identified in Slovakia.

In 2018, the number of returns from the territory of the SR slightly increased but there was no significant change in trends. Regarding forced returns, the implementation of the project in compliance with the *National AMIF Programme* continued. Since 2018, the SR has started to systematically send fingerprints to SIS II after removing initial technical obstacles. Regarding the assisted voluntary returns and reintegration programme implemented by IOM a new website for those interested and for applicants for assisted voluntary returns was prepared.

⁶ in terms of Regulation (EU) 2016/1624 of the European Parliament and of the Council of 14 September 2016 on the European Border and Coast Guard and amending Regulation (EU) 2016/399 of the European Parliament and of the Council and repealing Regulation (EC) No 863/2007 of the European Parliament and of the Council, Council Regulation (EC) No 2007/2004 and Council Decision 2005/267/EC.



Introduction

The *EMN Annual Report on Migration and Asylum (ARM)* informs about the most important changes, developments and activities in the field of migration and international protection in Slovakia in 2018, while focusing on third-country nationals.⁷ The report serves as a basis for European-wide EMN Annual Report⁸ which in 2015 fully replaced the *European Commission's Annual Report on Immigration and Asylum*⁹. The report will be also a source of information for the *EASO's Annual Report on the Situation of Asylum in the EU 2018*¹⁰ and *EMN Country Factsheets 2018*¹¹ about developments in different Member States in 2018.

The report describes changes, developments and activities at the legislative, institutional, political and practical levels from 01 January 2018 till 31 December 2018, and sets them into the context of EU policies and legislation. In ten thematic chapters, the report describes context for migration and asylum policy developments, legal migration, international protection including asylum, unaccompanied minors and other vulnerable groups, integration, citizenship and stateless persons, border and control management, visa practice, irregular migration including

⁷ The description of 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 28/3/2019).

⁸ The latest EMN Annual Report on Immigration and Asylum 2017 available at: https://ec.europa.eu/home-affairs/what-we-do/networks/european_migration_network/reports/nationalreports_en (consulted on 28/3/2019).

⁹ 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 28/3/2019).

¹⁰ The latest Annual Report on the Situation of Asylum in the European Union 2017 available at: <http://publications.europa.eu/webpub/easo/annual-report-2017/en/> (consulted on 28/3/2019).

¹¹ EMN Country Factsheets 2017 available at: http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/reports/factsheets/index_en.htm (consulted on 28/3/2019).

migrant smuggling, countering trafficking in human beings as well as returns and readmissions. The Annex to the report contains also selected statistics including those which are not collected at the EU level through Eurostat or Frontex, as well as Bibliography.

The chapter *Context for asylum and migration policy developments* provides a general picture which shaped migration policies and legislation in Slovakia in 2018. 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* describes the policies, 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 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 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, including persons granted international protection. It contains also measures related to awareness-raising actions about migration, non-discrimination, integration at local level and on migration as well as integration at the local level and through civic participation of foreigners.

The chapter *Citizenship and statelessness* is aimed at policies and measures dealing with acquisition and loss of nationality and with status of persons without any citizenship in the territory of the Slovak Republic.

The chapter *Borders, Schengen and visas* provides information about external border control and management, visa policies and measures aimed at cooperation with third countries in the field of border control and management.

The chapter *Irregular migration and migrant smuggling* includes information on 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 *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 *Returns and readmissions* follows up on the chapter on irregular migration, and includes information about forced returns and readmissions as well as (assisted) voluntary returns and reintegrations.

The Annex *National statistics* summarises selected statistics for Slovakia on migration and international protection in 2018 including those which are not collected at EU level through Eurostat¹² or Frontex agency¹³. 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.

02

Context For Asylum and Migration Policy Developments

In 2018, migration of third-country nationals was a part of the political, media and social discussions in Slovakia again. Politically, attention was given particularly to labour migration from third countries to Slovakia and to the cooperation of V4 countries in migration related issues. In 2018, the SR did not support the *Global Compact for Safe, Orderly and Regular Migration*. Slovakia adopted the *Global Compact on Refugees*. The cooperation of V4 countries in migration related issues continued as well as inter-departmental cooperation and implementation of EMN activities in Slovakia.

Apart from ongoing mixed and irregular migration into the EU and the EU's measures regarding this phenomenon, the Slovak media in 2018 informed mainly about the UN Global Compacts on migration and refugees. These were also a topic of social and political discussion in Slovakia. Among the topics that resonated most in the media were labour migration to Slovakia from third countries, cooperation among V4 countries, and increasing extremism and violence towards foreigners. The last inspired several demonstrations and memorial marches in Slovak cities.

2.1 Political Development and (Inter)Departmental Cooperation

Politically, attention was given particularly to labour migration from third countries to Slovakia, to the UN documents related to international migration, to the cooperation of V4 countries in migration related issues, and to the relocations within the EU. Migration was only a marginal topic during the Slovak municipal elections which were held in November 2018.

¹² Available at: https://ec.europa.eu/eurostat/statistics-explained/index.php/Migration_and_migrant_population_statistics (consulted on 28/3/2019).

¹³ Available at: <http://frontex.europa.eu/publications/> (consulted on 28/3/2019).

The National Council of the Slovak Republic debated on several occasions the shortage of qualified labour in Slovakia.¹⁴ In 2018, the SR did not support the *Global Compact for Safe, Orderly and Regular Migration* from 11 July 2018. The *Global Compact on Refugees* was adopted.¹⁵ In November 2018, also the National Council of the Slovak Republic's Foreign Committee held a session on this topic.¹⁶

Topic of migration is not among the priorities of the Slovak 2019 OSCE Chairmanship, neither are migration related issues or activities targeted during the chairmanship.¹⁷

(Inter)Departmental Cooperation and Coordination

In 2018, the migration related interdepartmental cooperation and coordination in Slovakia continued in the following official fora:

- *Steering Committee for Migration and Integration of Foreigners* which was organized three times in 2018. The 13 March 2018 Committee focused on the migration and asylum related developments, state integration programme, CEAS negotiations status and global compacts. The Committee on 8 June 2018 continued debating these topics and included EMN activities. The 11 October 2018 meeting dealt with migration and asylum developments, the Strategy for Labour Mobility of Foreigners in the Slovak Republic, CEAS negotiations status, proposed changes to the Regulation on the European Border and Coast Guard and to the Return Directive as well as with current migration related issues in Slovakia.¹⁸
- *Inter-Ministerial Expert Committee for Labour Migration and Foreigners' Integration (MEKOMIC)*¹⁹ in January 2018 addressed the *Strategy for Labour Mobility of Foreigners in the Slovak Republic* and the integration of foreigners (see 6.1.1). In 2018, changes related to the MEKOMIC statute and a new direction for the committee as an advisory body to the Minister were being prepared.²⁰
- *EMN National Contact Point*²¹ in the SR²² conducted various activities in 2018 including preparing publications²³, submitting and answering "ad hoc queries", answering the ad hoc queries of other national contact points²⁴, organizing conferences, seminars (such as the 6th EMN Educational Seminar on Migration)²⁵ and other professional events²⁶. Every year such events focus on various topics related to the migration of third-country nationals and are organized mainly

for policy creators, public administration representatives, research institutions, academia and the non-governmental sector.^{27,28}

In 2018, the activities of MoFEA SR *Task Force for Migration*²⁹ continued, meeting according to the needs. Members exchanged current information in their departments related to migration. The members coordinated the activities with the Permanent Representation of the Slovak Republic to the EU in Brussels.³⁰

The Ambassador-at-large for migration³¹ within MoFEA SR covers mainly the external aspects of migration. From 1 September 2017 to 30 October 2018 the role was held by Jaroslav Chlebo. From 7 to 30 November it was held by Ján Gábor and afterwards it remained vacant until the end of 2018. On 1 April 2019, Peter Stano was nominated in this position.³²

2.2 Migration in Media

Slovak media showed an increased interest in migration and international protection in 2018^{33,34}. Apart from ongoing mixed and irregular migration into the EU and the EU's measures regarding this phenomenon³⁵, the Slovak media in 2018 informed mainly on the UN Global Compacts on migration and refugees. They were also a topic of social and political discussion in Slovakia.³⁶ The labour migration to Slovakia from third countries resonated, too.³⁷ In 2018, attention was given to the issue of increasing extremism and violence towards foreigners in Slovakia³⁸, against which several demonstrations and memorial marches were held in Slovak cities³⁹.

Some media outputs were debunking myths and explaining disinformation and hoaxes related to several migration topics.⁴⁰ In relation to the November 2018 municipal elections, some media informed foreigners about the possibility to vote.⁴¹

14 Source: <https://www.noviny.sk/politika/395146-poslanci-nechcu-migrantov-s-vynimkou-tych-ktorych-tu-chcu-zamestnat> (consulted on 3/4/2019).

15 Source: <https://slovensko.hnonline.sk/1848352-potopi-pellegrini-lajcaka-pakt-osn-o-migracii-v-ziadnom-pripade-nepodporime-vyhlasil>; <https://domov.sme.sk/c/20967410/premier-pellegrini-lajcak-osn-pakt-migracia-odchod-demisia.html>; <https://slovensko.hnonline.sk/1845762-kiska-je-znepokojeny-konfliktom-v-koalicii-migracia-je-pre-politikov-cervenym-suknom-tvrdi>; <https://spravy.pravda.sk/domace/clanok/495653-na-hlasovani-o-globalnom-pakte-o-migracii-sa-nikto-zo-slovenska-nezucastni-vyhlasil-pellegrini>; <https://www.ta3.com/clanok/1143812/nie-su-migranti-ako-utecenci-slovensko-podporilo-pakt-osn.html> (consulted on 1/4/2019).

16 Source: <https://www.webnoviny.sk/zahranicny-vybor-odmietol-globalny-pakt-osn-o-migracii-a-nesuhlasil-ani-s-lajcakovym-nazorom/> (consulted on 3/4/2019).

17 Information provided by MoFEA SR.

18 Information provided by the MO Mol SR.

19 MEKOMIC is a MoLSAF SR coordination body for migration and integration policy and an advisory body to the Minister of Labour, Social Affairs and Family of the SR. Experts of central public administration bodies are members of MEKOMIC. They implement the goals and measures of integration policy. If needed, intergovernmental and non-governmental organizations are invited to the MEKOMIC sessions.

20 Information provided by the MoLSAF SR.

21 European Migration Network (EMN) provides up-to-date, objective, reliable and comparable information on migration and international protection to support the creation of EU and its MS policies. It implements their activities through national contact points in every EU MS and Norway and in cooperation with the European Commission: Directorate-General for Migration and Home Affairs. The activities focus on migration of third-country nationals.

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

23 Source: <http://emn.sk/sk/na-stiahnutie-emn/publikacie-emn.html> (consulted on 1/4/2019).

24 Source: <http://emn.sk/sk/aktivita-emn/ad-hoc-otazky.html> (consulted on 1/4/2019).

25 Source: <https://www.emn.sk/sk/aktivita-emn/stretnutia-a-konferencie/326-6-rocnik-vzdelavacieho-seminara-emn-o-migracii-priciny-a-dosledky-nutenej-migracie-bratislava-22-24-augusta-2018> (consulted on 1/4/2019).

26 Source: <http://emn.sk/sk/aktivita-emn/stretnutia-a-konferencie.html> (consulted on 1/4/2019).

27 Information provided by the IOM Office in the SR.

28 Source: www.emn.sk (consulted on 1/4/2019).

29 The Task Force was established in 2016 by MoFEA SR. Its role is to exchange information and prepare positions/documents. It is composed of various MoFEA SR departments and is chaired by the ambassador-at-large for migration.

30 Information provided by MoFEA SR.

31 It was established by MoFEA SR in 2016 in relation to the Slovak Presidency of the Council of the EU.

32 Information provided by MoFEA SR.

33 Based on unsorted media monitoring.

34 Information provided by the IOM Office in the SR.

35 E.g. <https://dennikn.sk/tema/utecenci/>; <https://euractiv.sk/tag/utecenci/> (consulted on 1/4/2019).

36 E.g. <https://euractiv.sk/section/spolocnost/news/globalny-kompakt-o-migracii-osn-sa-nepaci-babisovi-kurzovi-trumpovi-ani-sns-co-prinasa/>; <https://svet.sme.sk/c/20961218/globalny-kompakt-osn-o-migracii-marakes-maroko-otazky.html>; <https://dennikn.sk/1300587/zavali-nas-utecencami-vsetko-o-globalnom-pakte-o-migracii-s-porozumenim/>; <https://www.pravda.sk/trendove-temy/globalny-kompakt-o-migracii/>; <https://www.topky.sk/cl/100535/1750589/Globalny-pakt-o-migracii-rozhadal-politikov-Ministerstvo-zverejnilo-kontroverzny-dokument-v-slovenecine> (consulted on 1/4/2019).

37 E.g. <https://dennikn.sk/1033609/zahranicni-manazeri-chcu-prist-do-nitry-byvat-rovno-s-kufrikom-dalsi-mieria-do-ubytovni-hovori-sef-miestnej-reality/>; <https://www.webnoviny.sk/zamestnavatelia-radi-prijmu-pracovnikov-zo-zahranicia-a-ziadaju-poslancov-o-schvalenie-novely/>; <https://www.etrend.sk/ekonomika/parlament-zjednodusi-prijimanie-zahranicnych-pracovnikov.html>; <https://euractiv.sk/section/ekonomika-a-euro/news/co-priniesla-pracovna-migracia-eu/> (consulted on 1/4/2019).

38 E.g. <https://dennikn.sk/1143143/zbita-somalska-matka-porezany-francuz-nadavky-moslimom-nenavist-k-cudzincim-rastie/>; <https://www.tyzden.sk/nazory/48592/nasilie-a-smrt-na-obchodnej/>; <https://www.cas.sk/clanok/703980/nasilie-v-bratislave-pokracuje-dalsi-utok-na-cudzince-kusok-od-miesta-kde-bol-napadnuty-henry-36/>; <https://focus.hnonline.sk/politika-s-spolocnost/clanok/1756989-ake-posledne-prejavynepriatel'skeho-spravania-voci-cudzincim-mame-za-sebou/>; <https://dennikn.sk/tema/smrt-filipinca/> (consulted on 3/4/2019).

39 E.g. <https://www.aktuality.sk/clanok/596613/spomienka-na-filipinca-henryho-bude-v-piatok-8-juna/>; <https://dennikn.sk/1146836/s-filipincom-henrym-sa-prisli-rozlucit-tisice-ludi-precitali-aj-list-od-jeho-sestry/>; <https://www.topky.sk/cl/100370/1715203/ONLINE-Po-vrazde-Filipinca-vysli-ludia-do-ulic-Spravodlivost-pre-Henryho> (consulted on 3/4/2019).

40 E.g. <https://spravy.pravda.sk/domace/clanok/492315-lajcak-vysvetluje-ake-myty-a-lzi-koluju-o-migracnom-pakte/>; <https://www.tyzden.sk/svet/51869/daleko-od-marrakesa/> (consulted on 1/4/2019).

41 E.g. <https://spectator.sme.sk/c/20906990/faq-how-can-foreigners-vote-in-municipal-elections-in-slovakia.html>; <https://www.topky.sk/cl/1002039/1747185/Starostov-a-primatorov-v-komunalnych-volbach-mozu-volit-aj-cudzinci/>; <https://www.aktuality.sk/clanok/262646-v-komunalnych-volbach-mozu-volit-aj-cudzinci/> (consulted on 3/4/2019).

03

Legal Migration

In 2018, the SR continued to feel an increased demand by employers for foreign labour. The discussion was ongoing on political, professional and private sector levels. Related to this fact, the SR adopted the *Strategy for Labour Mobility of Foreigners in the Slovak Republic* and prepared the *list of professions with a shortage of labour* which were unable to be filled using domestic labour for a long time. The aim is to fill these vacancies in the respective regions with third-country nationals (TCNs) using an accelerated procedure i.e. without the required labour market research.

In 2018, the SR introduced further measures to facilitate employment of TCNs in the SR by means of *amendments to Act on the Residence of Aliens and Act on Employment Services*. As of 1 May 2018, the obligatory provisions of the European directive on students, researchers, interns and volunteers were transposed into the Slovak legislation. On 7 December 2018, the SR adopted further legislative changes pertaining to labour mobility; apart from other changes starting from 2019, TCNs' options to enter the labour market through temporary employment agencies will become wider in the case of employment roles with a shortage of labour.

In 2018, the SR again recorded an increase in the number of first-time residence permits and continued to provide Government scholarships for higher education in the SR to Syrian refugees and students from war-affected countries.

3.1 Statistics and Trends

In 2018, the number of first-time residence permits increased to 20,989 which means more than 50% increase as compared to previous years. The number of permits issued on family grounds was 2,902, for the purposes of education and study 2,324, for the purposes of paid activities 13,956 (which is the biggest increase – from 7,399 in 2017) and for the purposes of other activities 1,807 (see **Table 1** in Annex)⁴². The increase is caused mainly by TCNs' interest in residence permits for the purposes of employment which in turn relates to the increased demand for foreign workers with low levels of qualification. Ukrainian and Serbian nationals prevail in this group of labour migrants.⁴³

To compare, the SR issued a total of 13,635 first-time residence permits in 2017⁴⁴, 10,304 in 2016⁴⁵ and 9,332 in 2015⁴⁶. Administrative fees for residence applications did not change as compared to 2015 – 2017 (see **Table 2** in Annex).⁴⁷

3.2 Transposition of EU Legislation

As a part of the transposition of the EU's legislation on legal migration, the SR adopted two amendments to national acts. As of May 2017, the Amendment to Act on Residence of Aliens was adopted and as of May 2018 the Amendment to Act on Employment Services was adopted. They concerned the three EU directives stated in the table below, alongside the national legal acts which transposed them⁴⁸:

⁴² Source: Mészárosová, S., Oboňová, S. (2018): Annual Report on Migration and Asylum. Slovak Republic 2017. European Migration Network, IOM, Bratislava.

⁴³ Information provided by BBFP PFP.

⁴⁴ Source: Mészárosová, S., Oboňová, S. (2018): Annual Report on Migration and Asylum. Slovak Republic 2017. European Migration Network, IOM, Bratislava.

⁴⁵ Source: Bachtíková, I., Oboňová, S. (2017): Annual Report on Migration and Asylum Policies. Slovak Republic 2016. European Migration Network, IOM, Bratislava.

⁴⁶ Source: Bachtíková, I., Oboňová, S. (2016): Annual Report on Migration and Asylum Policies. Slovak Republic 2015. European Migration Network, IOM, Bratislava.

⁴⁷ Information provided by BBFP PFP.

⁴⁸ Information provided by BBFP PFP and MoLSAF SR.

EU legislation	Equal national legislation	Status
<i>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</i> ⁴⁹ (to be transposed by 23 May 2018)	<ul style="list-style-type: none"> Act No. 404/2011 Coll. on Residence of Aliens and on changes and amendments to some acts Act No. 5/2004 Coll. on Employment Services and on changes and amendments to some acts <p>Note: Only the part concerning au pairing was not transposed. Its transposition by EU MS was voluntary.</p>	in effect from 1 May 2018 ⁵⁰
<i>Directive on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers</i> ⁵¹ (to be transposed by 30 September 2016)	<ul style="list-style-type: none"> Act No. 404/2011 Coll. on Residence of Aliens and on changes and amendments to some acts Act No. 5/2004 Coll. on Employment Services and on changes and amendments to some acts 	in effect from 1 May 2017 ⁵²
<i>Directive on the conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer</i> ⁵³ (to be transposed by 29 November 2016)	<ul style="list-style-type: none"> Act No. 404/2011 Coll. on Residence of Aliens and on changes and amendments to some acts Act No. 5/2004 Coll. on Employment Services and on changes and amendments to some acts 	in effect from 1 May 2017 ⁵⁴

3.3 Policies, Legislation and Measures in Economic Migration

In 2018, the SR continued to experience an increased demand by employers for foreign labour. The discussion was ongoing on political, professional and private sector levels.⁵⁵ The number of foreigners – EU and third countries nationals – working in the SR more than doubled in the last

49 Directive No. 2016/801/EU of the European Parliament and of the Council of 11 May 2016 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 (recast).

50 The transposition was conducted by Act No. 108/2018 Coll. on changing and amending Act No. 404/2011 Coll. on Residence of Aliens and on changes and amendments to some acts, as amended, effective from 1 May 2018.

51 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

52 The transposition was conducted by 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, changing and amending certain acts, effective from 1 May 2017.

53 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

54 The transposition was conducted by 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, changing and amending certain acts, effective from 1 May 2017.

55 Source: https://ec.europa.eu/slovakia/news/seminar_27042018_sk; <https://domov.sme.sk/c/22019087/premier-peter-pellegrini-novorocny-prihovor-2019.html?ref=trz>; https://www.nrsr.sk/web/Default.aspx?sid=udalosti%2Fudalosti&MasterID=54836&fbclid=IwAR00aszH0DXwXgjM0EZ0TtUfcjurF3ExYTCZuCbOx4pfl5_wFhCajMK-A-c; <https://finweb.hnonline.sk/ekonomika/1761595-situacia-s-pracovnou-silou-je-kriticka-varuju-zamestnavatelia> (consulted on 2/4/2019).

three years.⁵⁶ The Slovak economy is aided by the workers from Serbia, Ukraine and Vietnam.⁵⁷ In 2018, the Slovak employment rate was at its historic minimum – it amounted to an average of 5% which means less than 150 thousand unemployed per 5.5 million inhabitants.⁵⁸ In Western Slovakia, the unemployment rate is even lower. The 2018 labour market situation according to the Association of Industrial Unions was such that 37.6% of companies had to refuse orders due to a shortage of labour.⁵⁹ More than 1,200 companies in the SR employed people from outside of the EU in 2018. Transportation companies lacked approximately 2,500 drivers last year.⁶⁰

In this respect, the SR adopted the *Strategy for Labour Mobility of Foreigners in the Slovak Republic* on 10 October 2018⁶¹. It is a key change in legal migration in that year. It aims to make the system regulating the entry and residence of TCNs in the territory of the SR for the purposes of employment more effective, fast and flexible, especially regarding the professions with identified lack of available labour. Before 2018, there had not been a comprehensive strategy for planning and managing the managed and regulated labour mobility of foreigners into the Slovak labour market which would cover the needs of the Slovak economy and especially of strategic investors. The Strategy contains the short- and long-term measures for foreigners' labour mobility in order to:

- ensure sustainable economic development and improve the quality of life of both Slovak citizens and foreigners living in Slovakia,
- react to new technologies and labour market changes,
- react to the demographic changes and the related impacts on the social and retirement systems,
- combat illegal work; working conditions differing for those of Slovak citizens, imposed by employers on foreigners and labour abuse,
- support the integration of foreigners locally and develop the new integration policy of the Slovak Republic (a long-term measure of the Strategy).

The SR will update the Strategy on a quarterly basis (instead of the originally proposed yearly basis) based on the current labour market situation in the SR. The Strategy contains short-term and extraordinary measures (2018 – 2019), as well as long-term measures (2019 – 2030) which will be regularly updated and subsequently discussed within the MEKOMIC platform.⁶²

In order to deal with the lack of qualified labour, the SR also prepared the *list of professions with a shortage of labour*⁶³ which were unable to be filled using domestic labour for a long time. If a new profession is to be included in the list, one of the conditions is that the average unemployment rate for the previous calendar year in the given region must be under 5%, whereas the number of TCNs employed in such professions was limited to a maximum of 30% of the overall number of employees. The COLSAF is newly responsible for the creation and quarterly updates to the list which should contain mainly positions for workers with low levels of qualification

56 In 2018, some 64 thousand foreigners worked in the Slovak Republic. About 30 thousand come from non-EU countries. They amount to 0.3% of all working people in Slovakia.

57 Source: <https://www.etrend.sk/trend-archiv/rok-2018/cislo-3/biznis-si-hlada-cestu-k-cudzincim.html> (consulted on 2/4/2019).

58 Source: <https://euractiv.sk/section/buducnost-eu/news/krajiny-v4-sa-otvaraju-zahranicnej-pracovnej-sile-zaujeme-maju-len-o-konkretne-profesie/> (consulted on 2/4/2019).

59 Source: <https://www.etrend.sk/ekonomika/stat-chce-riadit-dovoz-pracovnej-sily.html> (consulted on 2/4/2019).

60 Source: <https://ekonomika.sme.sk/c/20922165/vlada-povoli-prichod-cudzincov-ich-zaclenenie-zatial-neriesi.html?ref=trz> (consulted on 2/4/2019).

61 Resolution of the Government of the SR No. 473 of 10 March 2018. Available at: <http://www.rokovania.sk/Rokovanie.aspx/BodRokovaniaDetail?idMaterial=27838> (consulted on 31/1/2019).

62 Information provided by MoLSAF SR.

63 Available at: https://www.upsvr.gov.sk/sluzby-zamestnanosti/zamestnavanie-cudzincov/zoznam-zamestnani-s-nedostatkom-pracovnej-sily.html?page_id=806803 (consulted on 12/2/2019).

which were unable to be filled for a long time. The list was created and published on the COLSAF website for the first time in July 2018. The vacancies in the list can be filled by TCNs in an accelerated procedure – without labour market test (i.e. without the obligation to report a vacancy and without the obligatory period of 20 days since reporting the vacancy in order to conduct the labour market test and the possibility to fill the vacancy using domestic labour). The changes were brought about by the 1 May 2018 Amendment to the Act on Employment Services⁶⁴. It also caused the following:

- In order to speed up the process of issuing the “single permits”, the period for reporting vacancies in order to evaluate the labour market situation was shortened from 30 to 20 working days for employers who are interested in employing TCNs based on the confirmation of the possibility to fill a vacancy.
- Employers now can employ TCNs starting from the time of their submission of the application for temporary residence for the purposes of employment by the time the permit is granted, however, for the maximum of 6 subsequent weeks within one calendar year. This period must be devoted to training the employee to work in the particular job. Regarding this category of TCNs, to undertake employment in the SR, it is not an obligation to present 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.
- The maximum fine for breaching employer’s obligations when employing an EU MS and TCN under Section 23b of the Act was increased to €100,000.⁶⁵

On 7 December 2018, the SR adopted further legislative changes⁶⁶ in compliance with the *Strategy for Labour Mobility of Foreigners in the Slovak Republic*. Starting from 2019, they will cause the following changes as well as other things:

- frequency of updating the *list of professions with a shortage of labour* will change from annual to quarterly,
- TCNs’ options to enter the labour market through temporary employment agencies will broaden in the case of jobs with a shortage of labour,
- the obligation to submit supporting documents with an application will be facilitated; this concerns mainly the documents on prior education and the documents related to the temporary assignment of TCNs through temporary employment agencies,
- the periods for evaluation of applications for seasonal employment permits will be shortened to 10 days following the delivery of the application,
- the obligation will be introduced for employers to report vacancies to respective Labour Office and a maximum fine of €300 for not fulfilling this obligation will be defined,
- the assessed length of period during which the ban on illegal employment of TCNs was not breached will be unified.⁶⁷

64 By Act No. 64/2018 Coll. on Changes and Amendments to Act No. 5/2004 Coll. on Employment Services and on changes and amendments to certain acts as amended, changing and amending certain acts.

65 Information provided by MoLSAF SR.

66 Act No. 376/2018 Coll. on Changes and Amendments to Act No. 5/2004 Coll. on Employment Services and on changes and amendments to certain acts as amended, changing and amending certain acts.

67 Information provided by MoLSAF SR.

3.3.1 Admission and Residence of Particular Categories of TCN Migrants in Slovakia

(Highly) Qualified Workers

Effective from 1 May 2018, the following category of TCNs free to enter the labour market was left out of the Act on Employment Services: “third-country nationals who will be employed for a determined period in order to increase their qualifications for the performed employment”. The reason is that the employers used this provision to employ TCNs without a direct connection to the improvement of their qualifications.⁶⁸

Intra-corporate Transferees

In 2018, the SR did not adopt any changes related to intra-corporate transferees.⁶⁹

Seasonal Workers and Workers with Low/Middle Qualifications

Related to the simplification of re-entry of TCNs who perform seasonal employment into the Slovak labour market: the amendment of *Act on Employment Services*⁷⁰ effective from 1 May 2018 modified the condition for issuing the approval of the possibility to fill a vacancy by the respective Labour Office. The deadline for the employer to inform the Office in writing on vacancies, their number and nature was shortened from 30 to 15 working days prior to submitting the application for granting or renewing the temporary residence permit for the purposes of employment.

From May 2018, the obligations were extended for the employers who: employ TCNs with a work permit for the purposes of seasonal employment, employ TCNs in order to train them and employers who receive TCNs deployed to work. The extension concerns the obligation to ensure adequate accommodation and in the case of deployed employees also to present documents proving their deployment. The proof of accommodation is to be annexed to the information form which the employer submits to the respective Labour Office. The scope of authority of the inspection bodies was extended as well: they are authorized to enter accommodation facilities to check the fulfilment of this obligation by the employer.⁷¹

Entrepreneurs and Investors

In 2018, the SR did not adopt any changes related to entrepreneurs and investors.⁷²

Au pairs, Volunteers and Interns

Effective from 1 May 2018⁷³, the TCNs in the territory of the SR now can engage in internships after graduating from higher education institutions as compared to the previous status when

68 Information provided by MoLSAF SR.

69 Information provided by the MoLSAF SR and BBFP PFP.

70 By Act No. 64/2018 Coll. on Changes and Amendments to Act No. 5/2004 Coll. on Employment Services and on changes and amendments to certain acts as amended, changing and amending certain acts.

71 Information provided by MoLSAF SR.

72 Information provided by the MoLSAF SR and BBFP PFP.

73 By Act No. 64/2018 Coll. on Changes and Amendments to Act No. 5/2004 Coll. on Employment Services and on changes and amendments to certain acts as amended, changing and amending certain acts.

they were allowed to engage in internships only during their university studies.⁷⁴ In 2018, there were no changes related to au pairs and volunteers from third countries in the SR.⁷⁵

Students, Researchers and Their Family Members

Effective from 1 May 2018, the amendment to the *Act on Residence of Aliens* transposed the obligatory provisions of the 2016/801/EU Directive.⁷⁶ The rules of admission used to be obligatory for students and researchers only and voluntary for pupils, unpaid interns and volunteers. The Directive contains certain improvements, especially regarding the admission procedures, right to equal treatment, right of the students to work during their study, mobility within the EU as well as procedural guarantees. It further defines the conditions of entry and residence for longer than 90 days in the territory of the MS and the rights of TCNs or their family members for the purposes of study, vocational training or voluntary service in the European Voluntary Service. If MS so decide, pupil exchange programmes, educational projects, voluntary activities other than the European Voluntary Service or au pairing are possible, too. The Directive also defines the conditions of entry, residence and rights of researchers and their family members and students in a MS different from that which first granted the TCN the residence permit based on this Directive.⁷⁷

In this regards the SR in 2018 defined the *mobility rules* with the aim to lower the administrative burden and facilitate mobility and residence in the EU MS. In practice this means that those foreigners who plan mobility in the territory of the SR under the *Act on Residence of Aliens* are not required to have a temporary residence in the SR during the first year after the beginning of their residence, if another EU MS granted them residence previously.⁷⁸ Related to mobility, the transposition of 2016/801⁷⁹ directive by amended *Act on Employment Services* (see 3.2) effective from 1 May 2018 modified the entry to the Slovak labour market for the following categories of TCNs who no longer need the confirmation of the possibility to fill a vacancy corresponding to highly-qualified employment, confirmation of the possibility of filling a vacancy, and work permit:

- TCNs who perform research and development based on a hosting agreement or whose teaching activity does not exceed 50 days in one calendar year or their family members,
- TCNs whose employment at all employers does not exceed 20 hours a week or a corresponding number of days or months a year, if they are a student of higher education institution who resides in the SR based on mobility.⁸⁰

Effective from 1 May 2018, the following changes were made after amending the *Act on Employment Services*:

- The category of TCNs who attend language school was omitted from the legislation; to perform employment in the SR they previously were not obliged to present the confirmation of the possibility to fill a vacancy corresponding to highly-qualified employment, con-

⁷⁴ Information provided by MoLSAF SR.

⁷⁵ Information provided by BBFP PFP and MoLSAF SR.

⁷⁶ Directive No. 2016/801/EU of the European Parliament and of the Council from 11 May 2016 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.

⁷⁷ Information provided by the BBFP PFP.

⁷⁸ Information provided by the BBFP PFP.

⁷⁹ 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.

⁸⁰ Information provided by MoLSAF SR.

firmation of the possibility to fill a vacancy or employment permit. The change followed the modifications in the Act on Residence of Aliens; it is now not possible to grant temporary residence for the purposes of study to a TCN who attends language school.

- TCNs who will be employed in the SR for a defined period in order to increase their qualification through employment cannot now enter the labour market without presenting the confirmation of the possibility to fill a vacancy corresponding to highly-qualified employment, the confirmation of the possibility to fill a vacancy and an employment permit. The reason is that this provision was mainly used for TCNs to carry out the job.⁸¹

The Government of the SR approved the *National programme for the development of education (2018 – 2027)* in June 2018.⁸² Its first *Implementation plan* expects the following two measures within the field of internationalization:

- the provision of special financial support to the universities which will be a part of the prepared European universities network in order to help the institutions provide joint study programmes and develop student and employees exchange schemes;
- the creation of an internationalization strategy of university environment. The strategy should contain a proposal of measures to strengthen academic mobility, remove obstacles to foreign students for studying at Slovak universities (such as the language of instruction, the administrative burden related to residence in Slovakia and funding of studies), support integration in the higher education environment as well as promote study in Slovakia to foreign applicants. The strategy should be prepared in 2019 and a gradual implementation of the measures proposed should start in 2020 (see 6.1.1).⁸³

From 2018, to make the administrative process more effective, the Slovak higher education institutions have the option (by filling a form) to arrange a special appointment for the submission of temporary residence applications of their students, if they are Slovak Government scholarship beneficiaries, PhD. candidates or lecturers working at the institution. The application for residence can be submitted at the expanded administrative post established by the DBFP Bratislava in 2018.⁸⁴

In 2018, the Slovak Republic provided a total of 48 Government scholarships within the ODA; 27 of them was granted to the students from conflict-affected countries (Afghanistan, Palestinian National Authority, Syria, Lebanon, Jordan, Iraq and Sudan).⁸⁵

3.4 Preventing Social Dumping and Lowering of Work Standards

The *Strategy for Foreigners Labour Mobility in the Slovak Republic* (see 3.3) contains, among other, also the following specific measures to eradicate illegal employment in the near future:

- to strengthen the capacities of KOBRA specialized units and all responsible departments involved in the detection of illegal work and illegal employment,

⁸¹ Information provided by MoLSAF SR.

⁸² Source: <https://www.minedu.sk/20212-sk/vlada-schvalila-narodny-program-rozvoja-vychovy-a-vzdelavania> (consulted on 04/02/2019).

⁸³ Source: Drozd, P., Sásová, M. (2018): Prilákanie a udržanie zahraničných študentov v Slovenskej republike – dotazníková verzia. [Attracting and Retaining International Students in the Slovak Republic – questionnaire version]. European Migration Network, IOM, Bratislava.

⁸⁴ Information provided by the BBFP PFP.

⁸⁵ Information provided by MoFEA SR.

- to consider the introduction of “social dumping” definition into the Slovak legislation.⁸⁶

The Amendment to Labour Code⁸⁷ in 2018 introduced an absolute ban for employers to in any way limit the access of employees to information about their salary. Provisions of work contracts, agreements on work outside of the employment or any other agreement between employer and employee which would prevent the employee from disclosing the information on their work conditions including their salary and employment conditions are invalid. The modification aims to prevent the abuse of TCNs who enter the Slovak labour market for social dumping especially as far as their salaries are concerned.⁸⁸

Effective from 1 May 2018, the following changed in the Slovak Republic:

- The possibility to grant an employment permit to a TCN employed by an employer with its seat outside of the SR who deploys them to work in the territory of the SR (based on agreeing to numbers and professions deployed and the period of their deployment) was cancelled. The modification aims to prevent the abuse of labour shortages for social dumping.
- The employers who employ TCNs in scarce professions for training period (6 weeks at the longest) for the are now also obliged to provide accommodation fulfilling the minimum requirements under a specific regulation). The same obligation is in place for the recipients of service for employees – TCNs who are deployed by their employer from another EU MS if the deployment is not longer than 90 days.⁸⁹

In 2018, the BBFP PFP continued to perform regular checks of business entities in cooperation with National Labour Inspectorate and the Central Office of Labour, Social Affairs and Family in order to detect illegal work and illegal employment. In 2018, they inspected 117 business entities. They checked a total of 2,007 persons out of which 960 were Slovak nationals and 1,047 were foreign nationals – EU citizens and TCNs coming especially from Serbia, Ukraine, Romania and Bosnia and Herzegovina.⁹⁰

In 2018, *Act on Social Economy and Social Enterprises*⁹¹ was adopted which aims to bring order to social entrepreneurship and clarify its terminology as well as remove the obstacles preventing the development of social economy. At the same time, it should create a favourable business environment for social entrepreneurship in Slovakia. This is a new category of entrepreneurship, previously unknown in Slovak legislation. The cross-sectional act is a key reform to support the integration of disadvantaged job seekers or those unemployed for a long time into the Slovak labour market (including some TCN groups). It applies the positive discrimination principle in public procurement and stems from foreign best practice examples and valid European rules.⁹²

86 Information provided by MoLSAF SR.

87 Act No. 311/2001 Coll. Labour Code

88 Information provided by MoLSAF SR.

89 Information provided by MoLSAF SR.

90 Information provided by the BBFP PFP.

91 Act No. 112/2018 Coll. on Social Economy and Social Enterprises and on changes and amendments to some acts.

92 Information provided by MoLSAF SR.

3.5 Further Measures Related to Legal Migration

Brexit

In 2018, the MoLSAF SR was preparing for the unregulated withdrawal of the United Kingdom of Great Britain and Northern Ireland (UK) from the EU (so called Brexit) which could have happened as of 29 March 2019:

- BBFP PFP in 2018 prepared an amendment to *Act on Residence of Aliens* which will define the status of UK nationals after Brexit. The amendment will come into effect in 2019 depending on the date of Brexit.⁹³ The measures are proposed based on adherence to the reciprocity principle towards UK procedures regarding the Slovak nationals in the territory of the UK.⁹⁴
- A platform “Brexit – informácie pre občanov a podniky [Brexit – information for citizens and businesses]”⁹⁵ was created at the MoFEA SR website.

In order to improve the overall level of awareness of the state and to evaluate the overall impact of Brexit on Slovak citizens the MoLSAF SR started to prepare an analysis of profiles of citizens living in the UK, including their working and living strategies in the framework of Brexit.⁹⁶

Population and Housing Census

The SR continued to prepare for the population and housing census which is to be organized in 2021.⁹⁷ In 2018, negotiations of the SO SR with the BBFP PFP which administers the information system of foreigners’ registration took place. These were related to the possibility to digitalize the foreign migration data transfer.

The results of the census will become a base for understanding the numbers and structure of populations by country of birth, citizenship, age and sex in the period between two censuses.⁹⁸

3.6 Information on Legal Migration Options and Conditions

State Institutions

In 2018, Mol SR besides informing the foreigners via their website also established direct phone lines⁹⁹ to BBFP PFP in order to provide information to foreigners.¹⁰⁰ The lines are available for individual regions.

In order to improve the work of police officers and increase the comfort of TCNs, in 2018 the BBFP PFP also moved the busiest Foreign Police Bratislava department into new and more suit-

93 Information provided by the BBFP PFP.

94 Information provided by DFEA MIO.

95 Available at: <https://www.mzv.sk/europske-zalezitosti/brexit> (consulted on 04/02/2019).

96 Information provided by MoLSAF SR.

97 This is the most extensive statistical research within the world wide programme of population and housing censuses which is conducted under the EU and UN auspices. All Member States are obliged to include the same or comparable definitions of research data in the census. Co-ordination of the census allows for a wide use of census data not only on national and European but also wider international levels.

98 Information provided by the SO SR.

99 Available at: <https://www.minv.sk/?vizova-info-typy-viz-1> (consulted on 04/02/2019).

100 Information provided by the BBFP PFP.

able premises with easy access for disabled. The number of desk posts was increased from 15 to 23. New parking spaces were added. Larger premises also include children's play areas.¹⁰¹

A new *Labour Mobility for Foreigners*¹⁰² section was created at the MoLSAF SR website. It contains the following categories of information for TCNs and employers:

1. Entry and residence, 2. Employment, 3. Housing, 4. Education. The section also contains updated information on human trafficking and illegal employment. There is also information on asylum and subsidiary protection as well as recommendations for journalists on how to communicate the topic of migration and integration (see 6.4).¹⁰³

MoLSAF SR published an *information leaflet in several languages for the citizens of Serbia, Ukraine, Vietnam, Macedonia and Bosnia and Herzegovina* in the "Labour Mobility for Foreigners"¹⁰⁴ section of their website. The leaflet contains basic information on whom the foreigners can approach if their employers do not adhere to regulations concerning work contracts or labour legislation. The informational leaflet for the citizens of Serbia is available also at the websites of diplomatic missions of the SR in Serbia¹⁰⁵ and of Serbia in the SR^{106, 107}.

International Organizations and Civic Sector

In 2018, the *Danube Compass* international website was launched. It provides foreigners with the information on work, arrival and residence, education, everyday life, health and local language courses in the Czech Republic, Croatia, Hungary, Germany, Austria, Slovak Republic, Slovenia and Serbia. For Slovakia¹⁰⁸ it is available in Slovak, English, Ukrainian, Serbian and Vietnamese.¹⁰⁹

In 2018, the IOM Migration Information Centre (MIC)¹¹⁰ continued to provide information on the options and conditions of legal migration for both TCNs and the Slovak institutions coming into contact with them.¹¹¹ In 2018, the MIC offices in Bratislava and Košice provided 6,763 *personal, phone or e-mail consultations* on residence, family, employment, entrepreneurship, education and citizenship within its comprehensive integration counselling. The services were used by a total of 4,550 clients mainly from Ukraine, Russian Federation, Serbia, India, Iran and USA. After six years of organizing the *One-Stop Shops* counselling days for foreigners in the IOM premises, in 2018, MIC IOM piloted a new format of four One-Stop Shop counselling days directly in the Bratislava Foreign Police Department. More than 80 visitors used the possibility to obtain counselling from Foreign Police officers, workers of Labour Offices, Trade Licensing Offices and MIC IOM consultants – all present in one place.¹¹²

Up to date information for foreigners on living in Slovakia are available in Slovak, English and Russian also at the *MIC IOM website* www.mic.iom.sk. More than 216,083 persons visited the website in 2018 as compared with 125,193 persons in 2017. *Visa Check* web application services¹¹³ launched by MIC IOM in May 2017 were used by 3,392 clients from 159 countries in 2018. The application provides information to foreigners from any country who want to come to Slovakia and find out if a visa is needed to enter Slovakia and what kind of residence permit is required to study, work or engage in business in Slovakia.¹¹⁴

MIC IOM issued new *fact sheets on residence of foreigners* containing up to date information on how to proceed when submitting a residence application and on the duties stemming from particular types of temporary and permanent residence of foreigners in Slovakia.¹¹⁵ They also updated the *Welcome to Slovakia 2018* booklet which offers a brief overview of basic information on Slovakia. It contains practical advice and information on the duties and obligations for TCNs arising from the legislation of the SR. It provides basic information on residence and employment of foreigners, educational system, healthcare, social security and other important areas of living in Slovakia. It is available in Slovak, English and Russian.¹¹⁶

101 Information provided by the BBFP PFP. Available at: <https://www.facebook.com/watch/?v=1886064688090411> (consulted on 04/02/2019).

102 Available at: <https://www.employment.gov.sk/sk/informacie-cudzincov/> (consulted on 04/02/2019).

103 Information provided by MoLSAF SR.

104 Available at: <https://www.employment.gov.sk/sk/informacie-cudzincov/zamestnavanie-cudzincov/> (consulted on 04/02/2019).

105 Available at: <https://www.mzv.sk/web/belehrad> (consulted on 04/02/2019).

106 Available at: http://www.bratislava.mfa.gov.rs/newstext.php?subaction=showfull&id=1529497215&ucat=19&template=Headlines&#disqus_thread (consulted on 04/02/2019).

107 Information provided by DFEA MIO.

108 Available at: <http://sk.danubecompass.org/?lang=sk> (consulted on 04/02/2019).

109 Source: <http://sk.danubecompass.org/?lang=sk> (consulted on 30/01/2019).

110 Within the IOM Migration Information Centre to Support Integration of Migrants in Slovakia (phase IX) project which is funded by the Asylum, Migration and Integration Fund (AMIF).

111 Information provided by the FAD EPS Mol SR

112 Source: <https://iom.sk/sk/novinky-a-podujatia/1175-iom-activities-and-achievements-2018.html> (consulted on 02/04/2019).

113 Available at: <http://mic.iom.sk/visacheck/en/home/> (consulted on 02/04/2019).

114 Source: <https://iom.sk/sk/novinky-a-podujatia/1175-iom-activities-and-achievements-2018.html> (consulted on 02/04/2019).

115 Source: <https://www.mic.iom.sk/sk/na-stiahnutie/info-karty.html> (consulted on 02/04/2019).

116 Source: <https://www.mic.iom.sk/sk/na-stiahnutie/brozury-a-letaky/item/245-nove-vydanie-brozury-vitajte-na-slovensku.html> (consulted on 30/01/2019).



International Protection Including Asylum

The number of asylum seekers in Slovakia remained low in 2018. The Slovak asylum system therefore did not face any challenges in that period. The SR amended the Act on Asylum especially due to the transposition of Art. 31 Par. 3 – 5 of the recast “procedural directive” which are related to the process of assessment of the international protection application. In 2018, the SR also prepared an amendment to *Act on Financial Compensation of Serious Physical Disablement*. Based on the amendment those persons with granted subsidiary protection (not only persons granted asylum) can fulfil the legal requirements for individual financial benefits to compensate for serious physical disability.

The SR did not conduct any relocations, resettlement programmes or humanitarian reception programmes for TCN refugees. However, it continued to allow for a special humanitarian refugee transfer through the territory of the SR which has been conducted in cooperation with UNHCR and IOM since 2009.

4.1 Statistics and Trends

In 2018, the number of asylum seekers in the SR remained low. A total of 178 asylum applications was submitted in the SR in that year (155 first-time and 23 repeated applications) as compared to 166 applications submitted in 2017 and 146 applications submitted in 2016. Asylum was granted to 5 persons from Afghanistan, Iraq and Syria and subsidiary protection to 37 persons. The SR decided to stop proceedings in 69 cases, to not grant asylum in 128 cases and to not grant subsidiary protection in 23 cases. In 2018, the most prominent group of asylum seekers

were applicants from Afghanistan (31), Iraq (23) and Yemen (20).¹¹⁷

4.2 National Legislation and Common European Asylum System (CEAS)

The Amendment to Act on Asylum came into effect on 20 July 2018¹¹⁸. The reason for amending it was mainly the transposition of Art. 31 Par. 3 – 5 of the recast “procedural directive”¹¹⁹ related to the international protection application evaluation procedure.¹²⁰ Another reason was the need to modify certain provisions of the Act based on practical experience and needs.¹²¹

4.2.1 Accessing Asylum Procedure and Receiving Asylum Seekers

The amendment to *Act on Asylum*¹²² effective from 20 July 2018, among other things determined that a participant in a procedure, his/her legal representative or guardian can also be represented in an administrative procedure by a non-governmental organisation which provides foreigners with legal aid. An authorized employee or member of such an organisation with a second level law degree can act on its behalf. This amendment enabled the non-governmental organizations to represent in administrative procedures as legal entities. Before the amendment, the employees or members of non-governmental organisations acted as individuals while representing foreigners in administrative procedures.¹²³

In 2018, the Slovak Humanitarian Council non-governmental organization continued to implement the project *Effective Services to Asylum Seekers in the SR II*. in cooperation with Rovné Municipality.¹²⁴ Within the project which is supported by the AMIF fund all asylum seekers are provided with various services such as Slovak language teaching, psychological counselling, social work, subsidiary healthcare services, leisure time activities, art therapy, musical therapy etc. Special attention is given to the needs of vulnerable persons.¹²⁵

117 Source: Statistical Report of the Migration Office of the Ministry of Interior SR 2018. Available at: <http://www.minv.sk/?statistiky-20> (consulted on 28/3/2019).

118 Act No. 198/2018 Coll. on changing and amending Act No. 480/2002 Coll. on Asylum and on changes and amendments to some acts, as amended.

119 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).

120 Paragraph 3 (incomplete wording): “Member States shall ensure that the examination procedure is concluded within six months of the lodging of the application. (...) Member States may extend the time limit of six months set out in this paragraph for a period not exceeding a further nine months.”

Paragraph 4 (incomplete wording): “Member States 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.”

Paragraph 5 (incomplete wording): “In any event, Member States shall conclude the examination procedure within a maximum time limit of 21 months from the lodging of the application.”

121 Information provided by the MO MoI SR.

122 By Act No. 198/2018 Coll. on changing and amending Act No. 480/2002 Coll. on Asylum and on changes and amendments to some acts, as amended. Available at: <http://www.minv.sk/?tlacove-spravy-6&sprava=poslanci-schvalili-nove-pravidla-azyloveho-konania> (consulted on 2/4/2019).

123 Information provided by the MO MoI SR.

124 Project SK 2016 AMIF SC1.2/1.

125 Information provided by the FAD EPS MoI SR.

4.2.2 Asylum Procedure Including Dublin Procedure

First-Degree Procedures and Special Procedures

The Amendment to the *Act on Asylum*¹²⁶ effective from 20 July 2018 modified the deadlines for deciding on asylum which is related to the process of assessment of applications for international protection. It is the following transposition of Art. 31 Par. 3 – 5 of the recast “procedural directive”¹²⁷:

- a 6-month period was determined for decisions in the asylum procedure and the conditions of extension were defined;
- a possibility to interrupt the asylum procedure was introduced, if it is impossible to provide a decision within the regular deadline due to the uncertain situation in the country of origin of the seeker (the procedure might be interrupted for 6 months at the most and might be interrupted repeatedly but the total time of the interruptions cannot exceed 15 months);
- the maximum possible deadline for decisions in asylum procedure of 21 months was modified in cases when the procedure was interrupted due to the uncertain situation in the country of origin of the asylum seeker. In other cases, the maximum possible deadline for decisions is 18 months (transposition of the deadline from Art. 31). Before the amendment came into effect, the maximum deadline for reaching a decision was not determined.

It was also determined that when assessing asylum applications the MOI SR must request a position on the asylum application not only from the Slovak Information Service but also from Military Intelligence, whereas only applications of asylum seekers older than 14 are assessed. The position (before “the statement”) contains agreement/disagreement with granting asylum or subsidiary protection. In preparing their positions, both intelligence services assess the degree of danger the applicant poses to the interests of the SR, of which protection is in their competence. Also, the deadline for sending such position was modified from 10 to 20 days. An unfavourable position is a valid reason for not granting asylum for the purposes of family reunification as well as a reason for not granting subsidiary protection.¹²⁸

In 2018, there were no changes in special procedures in Slovakia.¹²⁹

Court Proceedings and Decisions on National and European Level

The SR has not recorded any new judgments of national courts or ECHR which would create an asylum-related precedent significantly impacting national policies. As for the decisions issued by the Court of Justice of the EU, the MOI SR takes into consideration the case law in application and practice; however, no specialized policies were adopted.¹³⁰

¹²⁶ By Act No. 198/2018 Coll. on changing and amending Act No. 480/2002 Coll. on Asylum and on changes and amendments to some acts, as amended. The Act came into effect on 20 July 2018.

¹²⁷ 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).

¹²⁸ Information provided by the MOI SR.

¹²⁹ Information provided by the MOI SR.

¹³⁰ Information provided by the MOI SR and BBFP PFP.

Dublin Proceedings and Transfers

In 2018, the Dublin Centre successfully migrated to new DubliNet domain (electronic communications tool) under the instructions and deadlines of EU LISA (European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice) including new certificates installation.¹³¹

In 2018, the SR did not stop any transfers from any of the states implementing the Dublin Regulation, if the applications of the SR were accepted by the given EU MS and decisions on handover were executable in compliance with valid Slovak legislation.

In 2018, the Dublin Centre in the SR processed a total of 466 applications for determination of responsibility for the assessment of applications for international protection from the MS implementing the Dublin Regulation. There were 47 cases of receiving TCNs to the territory of the SR as the Member State responsible for further proceedings. The Dublin Centre sent 69 applications for taking over the responsibility to other EU Member States and 15 persons were handed over from the territory of the Slovak Republic. The Dublin Centre continued to act also in the cases of TCNs without residence permit allowing the residence in the SR in which case it was possible to apply the Dublin Regulation.¹³²

Safe Countries and Countries of Origin Information

In 2018, there were no changes in national legislation related to the concept of safe countries. However, MOI SR employees participated in preparing chapters of the EASO COI chapters on Iraq and in reviewing the following EASO reports: Afghanistan (Security Report), Iraq (Actors of Protection), Pakistan a Ukraine (MedCoi).¹³³

The *Instruction of MOI SR director* was prepared and came into effect in 2018. It specifies the procedure for processing the information on country of origin of the asylum/subsidiary protection applicants as well as mutual cooperation between individual MOI SR departments. It was written in compliance with relevant EU acquis on asylum and refers to the current EASO Country of Origin Information report methodology and EASO COI guides.¹³⁴

In 2018, MOI SR employees continued to participate in preparing the new *EASO COI Methodology* as members of the working group. They also participated in updating the *EASO COI training module*. Once the updating has been finalized, the MOI SR plans to organize a national training event for COI analysts, decision makers and legal representatives.¹³⁵

In 2018, the SR processed for MOI SR procedural department employees almost 100 national COI requests for information on COI which amounts to approx. 450 individual COI questions for decision makers.¹³⁶

¹³¹ Information provided by the MOI SR.

¹³² Information provided by the MOI SR.

¹³³ Information provided by the MOI SR.

¹³⁴ Information provided by the MOI SR.

¹³⁵ Information provided by the MOI SR.

¹³⁶ Information provided by the MOI SR.

4.2.3 Rights of Beneficiaries of International Protection

MO MoI SR created a new guidance for persons granted asylum and persons granted subsidiary protection. New guidance contains updated and extended information on integration and on processes which are obligatory for beneficiaries of asylum or subsidiary protection after having been granted a form of international protection (e.g. after birth of a baby).¹³⁷

The 2018 Amendment to the *Act on Financial Compensation of Serious Physical Disablement*¹³⁸ included the persons with granted subsidiary protection into the pool of participants to the legal relations. Based on the amendment persons with granted subsidiary protection (not only persons granted asylum) now also fulfil the legal requirements for individual financial benefits to compensate for serious physical disability.¹³⁹

In 2018, the *Act on Social Economy and Social Enterprises*¹⁴⁰ was adopted which considers a person granted asylum or foreigner granted subsidiary protection to be a vulnerable person.¹⁴¹

The 2018 Amendment to *Act on Asylum*¹⁴² contributed to better personal data protection for foreigners in the following ways:

- a prohibition on providing the COI with information about a foreigner applying for asylum and about the grounds for this application was extended to those foreigners whose asylum or subsidiary protection in the SR had terminated as well as to former applicants;
- the prohibition on providing the COI with information without consent was extended to all public administration authorities.¹⁴³

4.2.4 Withdrawal of International Protection

By the Amendment to *Act on Asylum*¹⁴⁴ new reasons for withdrawal or cessation of international protection were introduced in the SR as of 20 July 2018. For asylum the following applies:

- the person granted asylum obtains citizenship of another EU MS or if another EU MS grants asylum to the person based on persecution;
- person granted asylum on humanitarian grounds or for the purposes of family reunification, was granted time-unrestricted residence by another state.

For subsidiary protection the following applies:

- if a TCN who had been granted subsidiary protection in the territory of the SR obtains citizen-

¹³⁷ Information provided by the MO MoI SR.

¹³⁸ By Act No. 191/2018 Coll. changing and amending Act No. 447/2008 Coll. on Financial Compensation of Serious Physical Disablement and on changes and amendments to some acts, as amended, and on changes and amendments to Act No. 461/2003 Coll. on Social Insurance as amended.

¹³⁹ Information provided by the MO MoI SR.

¹⁴⁰ Act No. 112/2018 Coll. on Social Economy and Social Enterprises and on changes and amendments to some acts.

¹⁴¹ Information provided by the MO MoI SR.

¹⁴² By Act No. 198/2018 Coll. on changing and amending Act No. 480/2002 Coll. on Asylum and on changes and amendments to some acts, as amended. The Act came into effect on 20 July 2018.

¹⁴³ Information provided by the MO MoI SR.

¹⁴⁴ By Act No. 198/2018 Coll. on changing and amending Act No. 480/2002 Coll. on Asylum and on changes and amendments to some acts, as amended. The Act came into effect on 20 July 2018.

ship of another EU MS and if another EU MS grants them asylum based on persecution or subsidiary protection based on serious harm;

- person granted subsidiary protection for the purposes of family reunification was granted time-unrestricted residence by another state.¹⁴⁵

4.2.5 Cooperation with Third Countries

Assistance Through EU and V4 Mechanisms

Within the *Mobilaze* project under the Mobility Partnership between the EU and Azerbaijan a study visit of experts from Azerbaijan on security of documents was organized in Bratislava on 4 – 8 June 2018. The project was being implemented from mid-January 2016 to mid-January 2019 (see 9.3.2).¹⁴⁶

The SR continued to focus on the causes of migration and contributed into the EU trust funds in 2018: EUTF Africa (€10.25 mil.), EU Regional Trust Fund in Response to the Syrian Crisis – Madad (€3 mil.), FRIT - EU Facility for Refugees in Turkey (€10,51 mil.). It also participates in the activities funded by these funds.¹⁴⁷

Regarding development aid, the SR in cooperation with V4 countries implemented the projects funded by the *European Union Emergency Trust Fund for stability and addressing root causes of irregular migration and displaced persons in Africa* (EUTF for Africa) in 2018. The Libya borders integrated management project (€45 mil.) is a new project in this respect.¹⁴⁸

Bilateral Cooperation and Assistance of the SR in Third Countries

Peace building through practical skills in Kenya is a development project by the SAVIO civic association implemented through the ODA (SlovakAid) since 2017 (€249,190). Educational courses for refugees and local community were opened near Kakuma refugee camp in the Turkana region. The project aims to increase the number of young people with practical skills in the region. It provides entrepreneurship training to the students, helps graduates with finding jobs and thus improves their possibility to succeed in the labour market. Joint education is to help deescalate tension in the region.¹⁴⁹

Regarding humanitarian aid, the SR in 2018 approved 5 projects in Syria and neighbouring Near and Middle East countries in the overall amount of €1,049,281. The call was launched by the Slovak Agency for International Development Cooperation (SAMRS) aiming to contribute to stabilizing and improving the living conditions especially of children and young generation living in refugee communities, internally displaced people and those returning to their countries of origin.¹⁵⁰

¹⁴⁵ Information provided by the MO MoI SR.

¹⁴⁶ Source: <http://www.minv.sk/?tlacove-spravy-6&sprava=experti-z-azerbajdzanu-sa-pocas-studijnej-navstevy-na-slovensku-zaujimali-o-bezpecnost-dokladov-vydavanych-policiou> (consulted on 15/1/2019).

¹⁴⁷ Information provided by MoFEA SR.

¹⁴⁸ Information provided by MoFEA SR.

¹⁴⁹ Information provided by MoFEA SR.

¹⁵⁰ Information provided by MoFEA SR.

One-Time Contributions through UN Organizations and Non-Governmental Organizations

In 2018, the SR provided several one-time financial contributions to UN organisations and non-governmental organisations for humanitarian aid or direct aid to migrant activities in (third) countries:

- financial contribution for the International Committee of the Red Cross (ICRC) to provide humanitarian aid in Syria (€ 100,000),
- financial contribution for UNRWA for basic humanitarian needs of Palestinian refugees in Syria (€50,000),
- financial contribution for the UNHCR Voluntary Funds to provide humanitarian aid in Lebanon (€ 100,000),
- financial contribution to the UNDP to support the efforts of the Global Coalition against Daesh by means of renewing the areas liberated from Daesh in Iraq (€50,000),
- humanitarian financial contribution for Metadrasi-Action for Migration and Development - non-governmental organisation to protect refugees, especially UAMs and to support the reception and integration of migrants in Greece (€5,000).¹⁵¹

4.2.6 Asylum System of the Slovak Republic

Institutional Safeguards

In 2018, MO Mol SR employees participated in a joint training in Prague organized by Mol of the Czech Republic using the EASO Evidence Assessment Modul. For 2019 the continuation of bilateral cooperation with the Czech Republic is planned and the following part section of the training will be organized in the SR.¹⁵²

By 2018 amendment to *Act on Asylum*¹⁵³ it was determined that when assessing the asylum applications the Mol SR has to ask for a position on the asylum application not only the Slovak Information Service but also from Military Intelligence as another intelligence service, whereas only applications of asylum seekers older than 14 are assessed (see 4.2.2).¹⁵⁴

Effectiveness, Quality and Capacity Building

The “*Nový Horizont 2018*” military exercise took place in the Biela hora military training grounds near the city of Michalovce in the Eastern Slovakia between 10 and 12 July 2018. MO Mol SR representatives who are responsible for international protection in Slovakia tested their level of preparedness to deal with refugee crisis situations – registration of refugees, health checks, crisis accommodation – in cooperation with all the other units. The *Nový Horizont* military exercise has been regularly organized since 2015 by the Ministry of Defense of the SR in cooperation with the Fire and Rescue Force, BBFP PFP, MO Mol SR, Slovak Red Cross and other public administration and self-government authorities. It is a joint training activity for 270 participants who test in practice the cooperation and preparedness to protect and defend the state borders at a war

¹⁵¹ Information provided by MoFEA SR.

¹⁵² Information provided by the MO Mol SR.

¹⁵³ By Act No. 198/2018 Coll. on changing and amending Act No. 480/2002 Coll. on Asylum and on changes and amendments to some acts, as amended. The Act came into effect on 20 July 2018.

¹⁵⁴ Information provided by the MO Mol SR.

time or a state of war.¹⁵⁵

In 2018, three SR national trainers were trained for the following EASO modules: Interview Techniques and Resettlement.¹⁵⁶

In July 2018, within the regular *EASO Informational Day* the MO Mol SR employees were informed about various EASO guidelines and materials which they can use in their work to improve the quality of the tasks they fulfil.¹⁵⁷

The internal decision-making quality control at the MO Mol SR procedural department has continued.¹⁵⁸

4.3 Relocation and Resettlement Programmes

4.3.1 Intra-EU Relocation Mechanism and Bilateral Activities

In 2018, the SR did not join any European or bilateral relocation activities (see **Table 7** in Annex).¹⁵⁹

4.3.2 Resettlement and Humanitarian Admission Programmes

The SR did not conduct any resettlement programmes or TCN refugee’s humanitarian admission programmes (see **Table 8** in Annex) apart from a special humanitarian refugee transfer through the territory of the SR which has been conducted in cooperation with UNHCR and IOM since 2009.¹⁶⁰

Two national trainers (MO Mol SR employees) were trained for the field of “Resettlement” within the EASO Module.¹⁶¹

¹⁵⁵ Source: <http://www.minv.sk/?tlacove-spravy-6&sprava=zlozky-ministerstva-vnutra-sa-zucastnili-na-vojenskom-cviceni-novy-horizont-2018> (consulted on 15/1/2019).

¹⁵⁶ Information provided by the MO Mol SR.

¹⁵⁷ Information provided by the MO Mol SR. More information at: <http://www.minv.sk/?tlacove-spravy-6&sprava=informacny-den-easo-europsky-podporny-urad-pre-azyl-chce-zosuladovat-azylovu-a-navratovu-politiku> (consulted on 15/1/2019).

¹⁵⁸ Information provided by the MO Mol SR.

¹⁵⁹ Information provided by the MO Mol SR.

¹⁶⁰ The last valid trilateral Agreement between the Government of The Slovak Republic, the Office of the United Nations High Commissioner for Refugees and the International Organization for Migration concerning humanitarian transfer of Refugees in need of international protection through the Slovak Republic was concluded on 18 November 2015.

¹⁶¹ Information provided by the MO Mol SR.

05

Unaccompanied Minors and Other Vulnerable Groups

In 2018, Amendment to the *Act on Social and Legal Protection of Children and on Social Guardianship* came into force. The amendment brought about a whole range of changes aiming to improve the quality of delivery of the measures within the socio-legal protection of children and social guardianship (SPCSG) as well as conditions in the SPCSG facilities.

The number of registered unaccompanied minors in Slovakia in 2018 remained low. Escapes/disappearances of UAMs remain a pertaining challenge in 2018. The practice also showed the need to build the capacities of the expert team in the Foster Home for UAMs in Medzilaborce, as well as the need for their further education.

5.1 Unaccompanied Minors¹⁶²

5.1.1 Statistics and Trends

The Slovak Republic did not register an important increase in the number of UAMs in 2018, similarly to 2017 (see **Table 9** in Annex). 17 UAMs (most prominently of Afghan nationality followed by Pakistani) were intercepted during illegal state border or residing illegally in the SR.¹⁶³

¹⁶² According to the Act on SPCSG, an unaccompanied is a child who "is not a Slovak citizen and is present in the territory of the SR without their parent or other major individual into whose custody the child might be placed" (this category therefore does not only apply to minor TCNs).

¹⁶³ Source: Statistical Overview of Legal and Illegal Migration in the SR, BBFP PFP; https://www.minv.sk/swift_data/source/policia/hranicna_a_cudzinecka_policia/rocnky/rok_2018/2018-rocenka-UHCP-SK.pdf (consulted on 22/3/2019).

In 2018, the SPCSG bodies registered a total of 27 UAMs (2 of them girls). Based on court decisions on urgent measures, 19 new UAMs were placed in the FH for UAMs in Medzilaborce in 2018. In 2018, 10 UAMs applied for asylum¹⁶⁴, as compared with 11 UAMs in 2017, 2 UAMs in 2016, 3 in 2015 and 11 in 2014.¹⁶⁵ The FH for UAMs in Medzilaborce cared mainly for UAMs from Afghanistan (10), Pakistan (4), Vietnam (2), Belarus (1), Lithuania (1) and Germany (1) in 2018. The FH provided care to a total of 26 UAMs (2 of them girls). However, 9 of them voluntarily left the FH to an unknown location.¹⁶⁶

The number of UAMs not seeking asylum in the FH Medzilaborce decreased to 16 in 2018¹⁶⁷ as compared to 19 in 2017, 31 in 2016, 23 in 2015 and 10 in 2014¹⁶⁸ (see **Table 9** in Annex).

5.1.2 Policies, Legislation and Measures

The Amendment¹⁶⁹ to the Act on SPCSG¹⁷⁰ brought a transformation of the foster homes, crisis centres and resocialization facilities into the Children and Family Centres which will provide care according to the clearly specified programme of the centre in question. These changes concern also the Foster Home for UAMs in Medzilaborce which changed to a *Children and Family Centre with specialized groups for UAMs*¹⁷¹ as of 1 January 2019. Fewer children in individual groups, more staff and better professional capacity will contribute to improved protection and care of the UAMs.

The abovementioned legislative and organizational changes alongside the previous legislation¹⁷² created suitable conditions for further improvement and extension of caring for UAMs. The mentioned legislation means that after entering the asylum procedure an UAM is not transferred into a MoI MO SR reception centre or accommodation centre in which all the asylum seekers remain and receive care during their asylum procedure but will now stay in the FH for UAMs. If an UAM becomes an adult during the asylum procedure, s/he continues to be processed as a minor. An UAM after reaching adulthood can request to remain in the FH after the end of institutional care until they aged 25 while the contribution towards becoming independent is also provided to an UAM who was placed into the FH and attained adulthood there.¹⁷³

One of the persisting challenges for the SR is the high escape rate of UAMs. Despite the fact that in recent years there was a decrease in the number of UAMs absconding from the FH, this problem still persists: out of 26 UAMs placed in FH Medzilaborce in 2018, 9 UAMs (out of them 4 were asylum seekers) voluntarily left to an unknown destination.¹⁷⁴

¹⁶⁴ Information provided by the MO MoI SR.

¹⁶⁵ Source: Mészárosová, S., Oboňová, S. (2018): Annual Report on Migration and Asylum. Slovak Republic 2017. European Migration Network, IOM, Bratislava.

¹⁶⁶ Information provided by MoLSAF SR.

¹⁶⁷ Information provided by MoLSAF SR.

¹⁶⁸ Source: Mészárosová, S., Oboňová, S. Annual Report on Migration and Asylum Policies. Slovak Republic 2017. European Migration Network, IOM, Bratislava.

¹⁶⁹ Act No. 61/2018 Coll. which changes and amends the Act No. 305/2005 on Social and Legal Protection of Children and on Social Guardianship and on changes and amendments to some acts.

¹⁷⁰ Act No. 305/2005 Coll. on Social and Legal Protection of Children and on Social Guardianship and on changes and amendments to some acts.

¹⁷¹ Note: the abbreviation "FH" is used in this text to denote both Foster Home for UAMs in Medzilaborce and Children and Family Centre with specialized groups for UAMs.

¹⁷² E.g. by the Amendment to the Act No. 480/2002 Coll. on Health Insurance

¹⁷³ Information provided by the MoLSAF SR.

¹⁷⁴ Information provided by the MoLSAF SR.

The problem of placing those UAMs whose minority status is not sufficiently and clearly determined persists. In 2018, 19 new UAMs were placed into the FH for UAMs. In 6 cases it was necessary to request bone examination to determine their age. Thanks to the more effective operational cooperation with PF departments and the BBFP PFP (with whom the processes for age determination already at first capture of foreigners in the territory of the SR were agreed)¹⁷⁵ there were no cases of UAMs older than 18 placed into the FH for UAMs in 2018¹⁷⁶.

Regarding the protection of UAMs' rights, the SPCSG authority acts as carer or guardian and represents them in legal and other procedures as well as before and after entering the asylum procedure. According to data as of 31 December 2018, the SPCSG authority acted as the carer for 11 new UAMs and as guardian for 14 UAMs. They also implemented the measures related to searching for parents or other family members of UAMs in order to reunite them and the measures related to returning the UAMs into their country of origin or moving to a third country. SPCSG measures implemented for UAMs include also their protection against human trafficking. Out of the 26 UAMs, three Romanians were identified as victims of human trafficking. They were provided specific care under the Human Trafficking Victims Assistance Programme and in November 2018 their return to their country of origin was organised.¹⁷⁷

The distribution of the "*Môj život na Slovensku [My Life in Slovakia]*" brochure for UAMs continues. It contains information on their rights and duties and is available in Slovak, English, Romanian, Russian, Dari and Hindi.

MIC IOM continued to provide counselling to UAMs in SPCSG facilities in 2018. IOM MIC services included mainly the Slovak language courses and individual legal counselling for UAMs.¹⁷⁸

Regarding education, capacity building, and methodical activity related to the care for UAMs, the following activities were conducted:

- As a part of the external education, employees of the FH for UAMs in Medzilaborce participated in 2 expert education events focused on also improving the quality of work with minors and young adults (EMN Educational Seminar on Migration in Bratislava and educational training for social workers and psychologists organized in cooperation with the MO MoI SR and UNHCR in Bratislava).¹⁷⁹
- The COLSAF regularly informs the employees of various SPCSG institutions and FH for UAMs about current issues related to the provision of well-rounded care for UAMs.¹⁸⁰ In 2018, three working meetings were organized under the auspices of the COLSAF. They focused on educating the employees of Labour Offices on how to implement the SPCSG measures including the topic of UAMs.

Practical experience showed the need for strengthening the capacities of the professional team of FH for UAMs in Medzilaborce by hiring a special needs teacher and a mediator/educational activity coordinator, as well as by continuous education. Personnel and professional capacity

building are planned in relation to the conceptual intentions within the transformation process of foster homes from 1 January 2019.¹⁸¹

5.2 Other Vulnerable Groups

There was no new development of policies or legislation for vulnerable migrant groups in 2018.

Within the efforts to improve care for vulnerable groups and UAMs, an MO MoI SR employee participated in the preparation of an EASO training module focusing on vulnerable groups. The module will be a practical educational aid for people working in the field of admission of asylum seekers in EU MS. Translation of the module into Slovak is planned after its completion and the relevant employees of Slovak institutions will participate in a training session.¹⁸²

175 The processes are based on Section 111 Paragraph 6) of Act on Residence of Aliens.

176 Information provided by the MoLSAF SR.

177 Information provided by the MoLSAF SR.

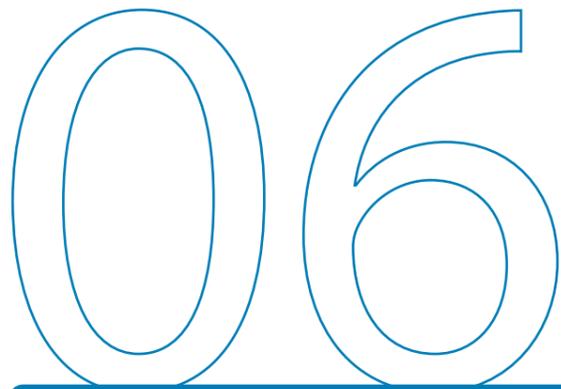
178 Source: <https://iom.sk/sk/novinky-a-podujatia/1175-iom-activities-and-achievements-2018.html> (consulted on 02/04/2019).

179 Information provided by the MoLSAF SR.

180 Information provided by the MoLSAF SR.

181 Transformation of FH is implemented based on the Amendment to Act No. 305/2005 Coll. on SPCSG effective from 1 January 2019.

182 Information provided by the MO MoI SR.



Integration

In April 2018, MoLSAF SR drafted the fourth interdepartmental *Summary Report on the Fulfilment of Objectives and Measures of the Integration Policy of the SR for 2017*. Annual evaluation of fulfilment, current challenges and problems at the Slovak labour market showed that the *Integration Policy of the SR* seems to be obsolete and in a need of a comprehensive update. The Government of the SR therefore cancelled, effective from 2018, the obligation of Ministries to submit to the Minister of Labour, Social Affairs and Family a yearly report on the fulfilment of objectives and measures of the Integration Policy as well as the obligation to submit the *Summary Report on the Fulfilment of Objectives and Measures of the Integration Policy* for review with the Government of the SR of the Minister of Labour, Social Affairs and Family. However, the Integration Policy remains a valid document. The new *Strategy of Foreigners Labour Mobility in the Slovak Republic* also contains the measures related to the integration of third-country nationals into the labour market.

The deadline for submitting the *Integration Programme for Beneficiaries of International Protection in the territory of the SR* as a systemic integration measure by the state was postponed until the end of June 2019 by the Prime Minister.

The IOM MIC continued to provide comprehensive legal and labour counselling services as well as language and professional education to foreigners in the SR. Within the *Migration Compass* project by the Human Rights League, several round table discussions were organized. Foreigners actively participated in them and discussed the status of foreigners in the city and the 2018 municipal elections. The year 2018 also saw the continuation of implementation of several other projects focused on integration on national level, integration of beneficiaries of international

protection etc. Several events with participation of both wider public and professionals were organized to support public awareness, increase migration awareness and prevent discrimination, such as a play prepared by the Nová scéna Theatre [New Stage Theatre] on the refugee topic. Several documents on how to communicate migration to the public were published.

6.1 Integration of Third Country Nationals

6.1.1 Policies and Legislation

The Government of the SR adopted the Strategy for Foreigners Labour Mobility in the Slovak Republic by the Resolution of the Government of the SR No. 473 of 10 October 2018 (see 3.3). The most important measures of the Strategy related to the integration of TCNs into the labour market are the following:

- Elaboration of local integration strategies as an important tool to preserve social coherence, prevent conflicts, segregation and ghettoization as a part of updating the “Integration Policy of the SR”,¹⁸³
- Creation of conditions to implement the integration policy on regional and local level (e.g. by organizing events, conferences and seminars).¹⁸⁴

In April 2018, MoLSAF SR drafted the fourth interdepartmental *Summary Report on the Fulfilment of Objectives and Measures of the Integration Policy of the SR for 2017*. However, yearly evaluation of fulfilment, current challenges and problems at the Slovak labour market showed that the Integration Policy of the SR¹⁸⁵ ¹⁸⁶ seems to be obsolete and in a need of a comprehensive update. The cooperation with MoLSAF SR was ensured through the MEKOMIC meetings¹⁸⁷. Representatives of all self-governing regions in the SR, Association of Slovak Towns and Cities and The Union of Towns and Cities of Slovakia were invited to the meetings. Participation was ensured via IOM, too. At MEKOMIC meetings, MoLSAF SR every year makes an appeal to all the subjects obliged to participate in the integration process to more effectively fulfil the tasks set in the Integration Policy of the SR approved by the Government of the SR. At the last MEKOMIC meeting 30 January 2018, the Ministry appealed to self-governing regions to higher rate of active participation and taking more initiative (see 2.1).

Given the abovementioned developments, the Government of the SR therefore cancelled (by the Resolution of the Government of the SR No. 405), effective from 5 September 2018, the obligation of Ministries to submit to the Minister of Labour, Social Affairs and Family a yearly report on the fulfilment of objectives and measures of the Integration Policy¹⁸⁸ as well as the obligation of the Minister of Labour, Social Affairs and Family to submit the Summary Report on the Fulfilment of Objectives and Measures of the Integration Policy for review with the Government of

¹⁸³ The entities responsible for this measure are cities, municipalities and self-government regions in cooperation with the MoLSAF SR.

¹⁸⁴ Ibid.

¹⁸⁵ Adopted by the Resolution of Government of the Slovak Republic No. 45 from 2014. The Integration Policy of the SR was adopted by Resolution of Government of the Slovak Republic No. 45 from 29 January 2014 to Proposal of the Integration Policy of the SR. The Resolution obliges the Minister of Labour, Social Affairs and Family to submit the Summary Report on the Fulfilment of Objectives and Measures of the Integration Policy for review by the Government of the SR every year after 2015 by 30 April.

¹⁸⁶ Source: <https://www.employment.gov.sk/sk/ministerstvo/integracia-cudzincov/zameranie-integracnej-politiky-sr.html> (consulted on 11/1/2019).

¹⁸⁷ By the Inter-Departmental Expert Commission on Labour Migration and Integration of MoLSAF SR.

¹⁸⁸ Under the Resolution of Government of the Slovak Republic No. 45 from 2014.

the SR. However, the Integration Policy of the SR remains a valid document. Given the above, MoLSAF SR did not prepare the Summary Report on the Fulfilment of Objectives and Measures of the Integration Policy of the SR for 2018 – not even for the internal use of the Ministry.¹⁸⁹

In 2018, the *National programme for the development of education (2018 – 2027)* was adopted. One of the measures within the part on “Internationalization” is to create a strategy for higher education internationalization which includes the support of (foreign students) integration in higher education environment (see 3.3.1).¹⁹⁰

6.1.2 Measures to Support TCNs Integration

In 2018, the implementation of the 2018 IOM's project *Migration Information Centre to Support Integration of Migrants in Slovakia (phase IX)* continued¹⁹¹. Within the project, the following services are provided: comprehensive legal, work, social and cultural counselling, support of language and vocational education of foreigners and ensures the protection of the rights of the UAMs as well as the support for their integration (see 3.6)¹⁹².

Regarding the support of foreigners in integration into the labour market in Slovakia, the IOM MIC provided counselling to 368 clients in various areas such as labour market orientation, preparation of CVs, preparing for interviews, communication with employers, searching for job offers and mediating employment. In order to increase the chances for success in the labour market, the IOM MIC provided financial support which helped 50 clients take part in a retraining course.

The centre cooperates with 15 cultural mediators (representatives of foreigners' associations and communities in Slovakia. In 2018, 15 *Welcoming Slovakia* meetings were organized for more than 493 participants. These meetings help foreigners obtain practical and useful information on living in Slovakia.¹⁹³

Slovak language teaching is not systemic yet in Slovakia. Foreigners can take part in Slovak language courses organized by various private institutions. In this regard, the IOM MIC¹⁹⁴ continued to provide free of charge Slovak language courses in Bratislava and Košice in 2018 for TCNs including Slovak language courses for UAMs.¹⁹⁵ In 2018, 2,103 persons attended the courses. The interest in these courses has been increasing year-on-year.¹⁹⁶

In 2018, the implementation of the *Creation of recommended and standard processes for the prevention and timely intervention related to the migration of third country nationals in Slovakia* project started. It is funded by AMIF and Ministry of Health of the SR.¹⁹⁷ The main goal of the project is to create recommended and standard procedures for the prevention (of disease outbreak and transmission) and (crisis and timely) intervention in order to early enough detect, diagnose and treat the diseases related to the migration of TCNs. The project gives increased attention to the

189 Information provided by the MoLSAF SR within the ad hoc EC question on integration monitoring which was submitted in December 2018.

190 Source: Drozd, P., Sásóvá, M. (2018): *Prilákánie a udržánie zahraničných študentov v Slovenskej republike – dotazníková verzia*. [Attracting and Retaining International Students in the Slovak Republic – questionnaire version]. European Migration Network, IOM, Bratislava.

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

192 Information provided by IOM MIC.

193 Information provided by the IOM Office in the SR.

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

195 The courses are organized in the FH for UAMs in Medzilaborce.

196 Information provided by the IOM Office in the SR.

197 (SK 2018 AMIF SC2.1) project.

health needs of vulnerable groups of people such as minors, pregnant women and trafficking and torture and violence victims^{198,199}

6.2 Integration of Beneficiaries of International Protection

6.2.1 Policies and Legislation

As far as legislation is concerned, as of 1 July 2018, the Amendment to the Act on Financial Compensation of Serious Physical Disability²⁰⁰ was adopted which extended the pool of participants to the legal proceedings to also persons granted subsidiary protection based on the Act on Asylum^{201,202}.

The deadline for submitting the Integration Programme for Beneficiaries of International Protection in the territory of the SR as a systemic integration measure by the state was postponed until the end of June 2019 by the Prime Minister.

6.2.2 Measures to Support Integration

In 2018, the civic association Marginal in cooperation with the civic association Adra continued to implement the *STEP 3* project with the main aim of supporting the integration of beneficiaries of international protection in the SR. The project ensures the access of the target group to integration services such as counselling, legal and social aid, help with finding housing etc. In 2018 support was provided to clients in 398 cases.²⁰³ The project ensures that the target group has access to education (including Slovak language courses and retraining courses) including the education of children²⁰⁴. In 2018, 75 persons received such help. The number of children included in education at elementary, secondary and tertiary education institutions was 31.²⁰⁵

The IOM as the coordinator of the EMN National Contact Point in the SR in cooperation with the MO MoI SR organized an EMN small-scale meeting on “*Prevention of the Unsuccessful Integration of Persons Granted International Protection*” on 19 – 20 April 2018. The meeting was attended by representatives of selected bodies working with asylum seekers and beneficiaries of international protection in the SR. The main aim was to present the activities, experience and challenges from the work of the MO which its employees encounter when working with beneficiaries of international protection. The event also aimed to discuss and open cooperation among representatives of public administration, educational institutions, non-governmental organisations and other competent players in the prevention of unsuccessful integration.²⁰⁶

198 The project will end on 30 September 2019.

199 Information provided by FAD EPS MoI SR.

200 Act No. 447/2008 Coll. on Financial Compensation of Serious Physical Disablement and on changes and amendments to some acts, as amended (Section 3 Paragraph 1, Point 3d).

201 Section 27a Paragraph 1 of Act No. 480/2002 Coll. on Asylum and on changes and amendments to some acts.

202 Information provided by the MoLSAF SR.

203 Information provided by FAD EPS MoI SR.

204 (SK 2016 AMIF SC2.1/1) project. The project will continue until 31 December 2019.

205 Information provided by FAD EPS MoI SR.

206 Available at: www.emn.sk/sk/aktivity-emn/stretnutia-a-konferencie/319-tematicke-stretnutie-emn-na-temu-predchadzanie-neuspesnej-integracie-osob-s-udelenou-medzinarodnou-ochranou-piestany-april-2018 (consulted on 25/3/2019).

6.3 Integration on Local Level and Civic Participation of Foreigners

In November 2018, municipal elections took place in Slovakia. Foreigners with permanent or temporary residence in the SR can vote for representatives in self-governing bodies of towns and cities. In this regard, the Slovak Spectator²⁰⁷ published an article on how foreigners can participate in the elections²⁰⁸.

RTVS (Radio and Television of Slovakia)'s informed via its website and the international channel Slovak International about the municipal elections, the possibility to vote for foreigners, the competences of individual self-government bodies in municipalities and other practical information in several episodes.²⁰⁹

Within the *Migration Compass* project, the Human Rights League prepared a mobilization campaign for foreigners within which the *Foreigners' guide to voting in Bratislava* video guide was published. It explains how foreigners can vote in municipal elections in Slovakia.²¹⁰

As a part of the same project the Human Rights League also organised two round table discussions in Bratislava on civic participation of foreigners. The participants of the first meeting discussed living and needs of foreigners in Bratislava as well as municipal elections. Outputs are published at the Human Rights League website²¹¹. The participants of the second meeting shared their ideas and proposals as to more effective integration of foreigners in Bratislava. The meeting resulted in recommendations of participants summarized in three areas: making foreigners in the city more visible, expectations of foreigners from the city/self-government regarding language education and the services beneficial to foreigners living in the city²¹².

Within the INTEGRA project in which five EU countries (Bulgaria, Czech Republic, Croatia, Slovakia, Italy) participate, the ETP Slovakia non-profit organisation which is active in the city of Košice published the City Integration Audit Toolkit²¹³ which contains the tools for the self-assessment of the city and for recording the progress in long-term integration of foreigners in the city.²¹⁴

In 2018, the implementation of the *KapaCITY* project – *the support of migrant integration on the local level* – continued. It is implemented by the Human Rights League and the Centre for the Research of Ethnicity and Culture, civic association Marginal, Milan Šimečka foundation and 4 self-governing regions. The main goal of the project is to develop professional, networking, coordination, advocacy and communication capacities of local players in the integration of TCNs, to ensure the transfer of good practice on local, regional, national and international level and to develop the communication skills of local self-governments. In 2018, the following activities were specifically conducted within the project: research, intercultural trainings for the representatives of self-governments, preparation of training materials, legal training, social work training and

service provision for TCNs. The project will also continue in 2019.²¹⁵

In March 2018, the city quarter of Bratislava – Rača organised a seminar within the *YOUMIG* (Youth Migration) project funded by the *INTERREG Danube Transnational Programme*²¹⁶ which focuses on improving institutional capacities and strengthening cooperation during dealing with the impact of youth migration from the Danube region. During the seminar, the results of local demographic development analysis focusing on migration trends on the local level as well as a qualitative research of migration trends were presented. Proposals of pilot activities and measures to support the integration of foreigners in the Rača city quarter (such as the creation of One Stop Shops – single contact points for foreigners in Rača) were also presented.²¹⁷

In December 2018, the Nitra municipality approved a project plan of the Nitra Community Foundation which concerns the establishment of the Integration and Community Centre in Nitra aiming to create the first contact point for economic migrants with permanent residence outside of the city. Nitra will thus become the first county town in Slovakia providing comprehensive integration services to foreigners on the local self-government level.²¹⁸

6.4 Improving Awareness on Migration and Non-Discrimination

Regarding the improvement of professional and general public awareness on migration in the SR and the prevention of discrimination, several events were organised, and publications/documents published.

The IOM as the coordinator of the EMN National Contact Point in the SR organized the *Migration Caused by Climate Change*²¹⁹ discussion evening within the EMN Educational Seminar on Migration 2018. The discussion was preceded by a screening of the documentary film *Anote's Ark*. The discussion participants included Kanta Kumari Rigaud, environmental expert from the World Bank Group, Jeffrey Labovitz from the IOM Regional Office for East and Horn of Africa in Kenya, and researcher Alexander Ač from the Global Change Research Institute of the Czech Academy of Sciences^{220, 221}.

The New Stage Theatre in Bratislava in cooperation with the MO Mol SR prepared a play called *Domov, kde je ten tvoj?* [*Home, where is yours?*] about refugees. The play is based on the successful novel by Danish author Janne Teller which was translated into several languages and modified into theatre plays for young people in several countries. The aim of the adaptation is to educate and the main, although not exclusive target groups are the students of elementary and secondary schools in Slovakia. The play is followed by a discussion with the audience and the MO Mol SR representatives about various topics related to asylum and migration.²²²

207 The only periodical published in English in the SR.

208 Available at: <https://spectator.sme.sk/c/20906990/faq-how-can-foreigners-vote-in-municipal-elections-in-slovakia.html> (consulted on 26/03/2019).

209 Source: Local elections guide for foreigners: Episode 1: <http://enrsi.rtv.slovakia.sk/articles/economics-and-politics/175502/local-elections-guide-for-foreigners-episode-1> (consulted on 26/3/2019).

210 Available at: <https://www.youtube.com/watch?v=8p05-hYEIfA> (consulted on 25/03/2019).

211 Source: <https://www.hrl.sk/sk/o-nas/aktuality/1st-roundtable-on-foreigners-civic-participation-in-bratislava> (consulted on 25/3/2019).

212 Source: <https://www.hrl.sk/sk/o-nas/aktuality/2nd-roundtable-of-foreigners-goals-of-integration> (consulted on 25/3/2019).

213 Available at: <http://etp.sk/metodicka-prirucka-hodnotenia-strategie-mesta-v-oblasti-integracie-cudzincov/> (consulted on 12/2/2019).

214 Available at: www.etp.sk (consulted on 12/2/2019).

215 Information provided by the FAD EPS Mol SR.

216 Source: Interreg Danube Transnational Programme: <http://www.interreg-danube.eu/approved-projects/youmig> (consulted on 27/3/2019)

217 Available at: <http://uet.sav.sk/?q=sk/participacia-tematickej-expertky-na-otvorenom-seminari-v-ramci-projektu-youmig> (consulted on 12/2/2019).

218 Source: <https://mynitra.sme.sk/c/22008507/v-nitre-vznikne-integracne-centrum-pre-ekonomickych-migrantov.html> a <https://www.webnoviny.sk/v-nitre-vznikne-integracne-centrum-pre-cudzincov-prichadzajucich-za-pracou/> (consulted on 27/3/2019)

219 Discussion evening was organised as a part of the 6th EMN Educational Seminar on migration entitled Causes and Consequences of Forced Migration.

220 The outputs of the EMN Educational Seminar on Migration 2018 and the discussion evening are available at www.emnconference.sk

221 Information provided by the IOM Office in the SR.

222 Source: Mol press reports: <https://www.minv.sk/?tlacove-spravy-6&sprava=utecenecke-temy-na-doskach-divadla-nova-scena> (consulted on 27/3/2019).

The MIC IOM organised two public discussions in Žilina and Trnava titled *Aj my sme tu doma [This is our home, too]*. The guests from Afghanistan, Iraq and Somalia helped the public to understand the cultures of people from various parts of the world. Short movies about stories of foreigners living in Slovakia were also a part of the event.²²³

In order to build capacities and better prepare the public administration representatives to communicate with the public, the IOM as the coordinator of the EMN National Contact Point in the SR in cooperation with the MO Mol SR organized a *small-scale meeting on addressing the topic of migration to the public*. The aim of the meeting was to discuss the possibilities, methods and strategies of communication with the public when there is hate, aggression or the emergence of conspiracy theories related to migration and refugees. The meeting was organized for the public administration representatives.^{224 225}

As a reaction to the current topics related to asylum and migration which resulted from public discussions, the MO Mol SR published the *Utečenci, migranti, azylanti [Refugees, migrants, persons granted asylum]* informational leaflet. It is for both professional and general public and provides the information necessary for understanding basic migration related terms. Mol SR wants to prevent the misinterpretation of terms such as refugee, asylum seeker or migrant. Apart from the lay public, journalists are one of the target groups as well.²²⁶

The IOM in cooperation with MoLSAF SR and the Human Rights League drafted the *“Migration and integration in media – recommendations for journalists”* document aimed at a responsible formation of public opinions on migration and integration. The recommendations for journalists were presented in May 2018 in Bratislava during the EMN working breakfast. Representatives of the MO Mol SR and the Mol SR Committee to prevent and eliminate racism, xenophobia and antisemitism attended the event. The meeting also contained a discussion on the needs and obstacles when communicating these topics and the importance of using correct terms. The recommendations for journalists are available at the EMN in the SR website^{227 228}.

The *Uletenci* comic book published by the Human Rights League is another interesting publication intended especially for children (from approx. 10 years of age), young people and their parents, teachers and the public. The book contains five stories of young people from various countries (Syria, Afghanistan, Somalia, Ethiopia and Iraq) who despite obstacles want to build a new home for themselves in Slovakia.²²⁹

In order to fight disinformation, the Slovak Security Policy Institute published the *Teachers against disinformation II*. methodical guidance which loosely follows up on the 2017 *Teachers against disinformation I*. The experts address issues such as myths and facts about migration and basic migration related terms.²³⁰

223 Information provided by IOM Office in the SR.

224 Source: <https://emn.sk/sk/aktivita-emn/stretnutia-a-konferencie/328-tematicke-stretnutie-emn-na-temu-komunikacia-temy-migracie-s-verejnostou-bratislava-november-2018> (consulted on 27/3/2019).

225 Information provided by the IOM Office in the SR.

226 Available at: https://www.minv.sk/?tlacove-spravy-6&sprava=k-problematike-migracie-a-azylu-vydal-migracny-urad-zaujimavy-infoletak&subor_spravy=305696 (consulted on 12/2/2019).

227 Source: <https://emn.sk/images/Migracia-a-integracia-v-mdich.pdf> (consulted on 27/3/2019).

228 Source: <https://emn.sk/sk/aktivita-emn/stretnutia-a-konferencie/315-pracovne-ranajky-emn-s-novinarimi-2> (consulted on 27/3/2019).

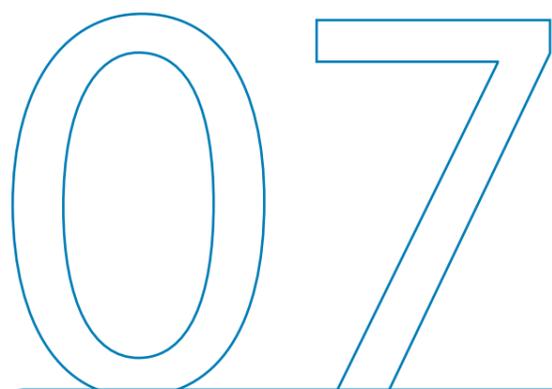
229 Source: <https://www.hrl.sk/sk/iniciativa-a-kampane/ukoncene-kampane/ukoncene-kampane/kampan-na-vydanie-komiksu-%5culetenci%5c> (consulted on 28/3/2019).

230 Source: https://slovaksecurity.org/wp-content/uploads/2018/12/SSPI_Ucitelia_proti_dezinformaciam_II.pdf (consulted on 27/3/2019).

Mphilms - a Slovak film company which produces mainly feature and documentary films about various current social topics- prepared a series of 15 short videos about the relations between the majority and the minority and tolerance in the country. This was created within the *Menej alebo viac?* project implemented with the Ministry of Justice of the SR support.²³¹

Since 2017 MoFEA SR has been organising the campaigns #MYSMEEU/Občianske konzultácie o EÚ [#WEAREEU/Civic consultations about the EU]. They aim to inform the public about the development of the EU and Slovak membership. Migration is also among the most frequently discussed topics of the lectures. In 2018, 8 events were organised in various Slovak cities.

231 Available at: https://www.youtube.com/watch?v=Xap-Ygfwg-M&list=PLCiVOnVvNHZMzBgvDLi_pul7MarVv8rV7 (consulted on 12/2/2019).



Citizenship and Statelessness

In 2018, the SR did not adopt any changes related to citizenship for third-country nationals. From 20 July 2018, Act on Residence of Aliens reintroduced that a stateless person can obtain permanent residence for 5 years, not for an indefinite period of time as before.

7.1 Citizenship

Granting and loss of state citizenship of the SR is governed by the *Act No. 40/1993 Coll. on the Citizenship of the Slovak Republic*. The most recent amendment came into force on 1 January 2019. The decisions on granting and losing the state citizenship are made by the Mol SR.

Citizenship of the SR can be acquired in several ways. If it concerns a child, it is acquired by birth or adoption. If it concerns an adult – a foreigner who is not a Slovak citizen, the citizenship is acquired by naturalization. Citizenship of the SR can be granted to applicant who is not a citizen of the SR and whose uninterrupted permanent residence in the territory of the SR has been at least 8 years preceding the submission of the application for the citizenship of the SR. The citizenship of the SR may be granted earlier than after 8 years of residence, e.g. in cases when the applicant is a spouse of a Slovak citizen or a person granted asylum. The applications for the citizenship of the SR are submitted personally – either at the District Office in the place where the self-governing region resides (at the Department of General Internal Administration) depending on the (last) permanent residence of the applicant in the SR or at a diplomatic mission or a consular of-

fice of the SR abroad.²³² A citizen of the SR may only have one citizenship granted (apart from several exceptions). If the citizenship was acquired before 17 July 2010, the Act²³³ does not apply.²³⁴

7.2 Situation of Stateless Persons

From 20 July 2018, Act on Residence of Aliens reintroduced the law that a stateless person can obtain permanent residence for 5 years, not for an indefinite period of time as before. A stateless person may be granted permanent residence for 5 years as before without fulfilling the conditions defined in the Act if they prove that they do not have a citizenship of the state a) where they were born, b) where their previous domicile or residence was and c) whose citizenship their parents and other family members have.²³⁵

The fact that a stateless person can be administratively expelled only if their activities threaten state security or public order still applies as well as the fact that the obstacles to administrative expulsion do not apply to them.²³⁶

The SR is a signatory of the Convention relating to the Status of Stateless Persons (1954) and of the Convention on the Reduction of Statelessness (1961). According to the Convention relating to the Status of Stateless Persons, a stateless person is “a person who is not considered as a national by any State under the operation of its law”. The Slovak Act on Residence of Aliens incorporated the definition and is using it.²³⁷

232 Bachtiková, I., (2014): Organizácia azylovej a migračnej politiky v Slovenskej republike [Organisation of Asylum and Migration Policy in the Slovak Republic]. European Migration Network, IOM, Bratislava. p. 50. Available at: <https://emn.sk/sk/na-stiahnutie-emn/publikacie-emn/item/138-organizacia-azylovej-a-migracnej-politiky> (consulted on 28/3/2019).

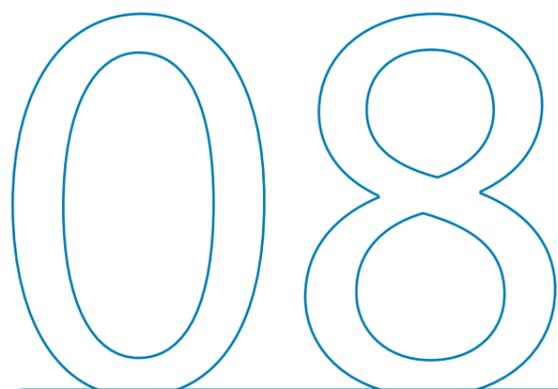
233 Act No. 250/2010 Coll. on changing and amending Act No. 40/1993 Coll. on Citizenship of the Slovak Republic as amended.

234 Source: <https://www.minv.sk/?statne-obcianstvo-1> (consulted on 28/3/2019).

235 Source: <https://www.hrl.sk/sk/co-robime/temy/osoby-bez-obcianstva> (consulted on 28/3/2019).

236 Bachtiková, I., (2014): Organizácia azylovej a migračnej politiky v Slovenskej republike [Organisation of Asylum and Migration Policy in the Slovak Republic]. European Migration Network, IOM, Bratislava. p. 58. Available at: <https://emn.sk/sk/na-stiahnutie-emn/publikacie-emn/item/138-organizacia-azylovej-a-migracnej-politiky> (consulted on 28/3/2019).

237 Source: <https://www.hrl.sk/sk/co-robime/temy/osoby-bez-obcianstva> (consulted on 28/3/2019).



Borders, Schengen and Visas

In 2018, the SR prepared a new national border control and management plan entitled “*National Strategy of Integrated Border Management for 2019 – 2022*”²³⁸. The document specifies new tasks that the SR will have to perform in the area of integrated European border management in the following period. The SR repeatedly recorded a decrease in the number of visas issued which is connected to the introduction of the visa-free regime with Ukraine effective from June 2017.

Among the measures taken for the border protection, the SR has been implementing a new national project focusing on technical equipment since 2018 and has continued to implement other projects in compliance with the Internal Security (ISF) National Programme. Several measures were adopted, and expert meetings were organized within the cooperation of the BBFP PFP and the State Border Service of Ukraine based on the *Plan of Development of Cooperation between the Bureau of Border and Foreign Police of the Presidium of Police Force and the State Border Service of Ukraine 2017 – 2018. A new Plan of Development of Cooperation between the BBFP PFP and the State Border Service of Ukraine for 2019 – 2020* was signed in 2018 to deepen the cooperation with Ukraine.

238 In terms of Regulation (EU) 2016/1624 of the European Parliament and of the Council of 14 September 2016 on the European Border and Coast Guard and amending Regulation (EU) 2016/399 of the European Parliament and of the Council and repealing Regulation (EC) No 863/2007 of the European Parliament and of the Council, Council Regulation (EC) No 2007/2004 and Council Decision 2005/267/EC.

8.1 Statistics and Trends

The SR again recorded a decrease in the number of visas issued. In 2018, it amounted to 28,343 as compared with 43,641 visas in 2017²³⁹, 63,553 visas in 2016²⁴⁰ and 76,177 visas in 2015²⁴¹ (see **Table 3** in Annex).²⁴² The ongoing recent decrease is caused in particular by the introduction of the visa-free regime with Ukraine effective from 11 June 2017 for those citizens of Ukraine who are holders of biometric passports²⁴³. All types of visas in Slovakia are issued with biometric data.²⁴⁴

8.2 Measures to Control Borders

In 2018 SR has prepared a “*National Strategy of Integrated Border Management for 2019 – 2022*”²⁴⁵ which serves as a new border control and management plan. This document sets tasks for the SR in the area of building the integrated European border management for the following period.²⁴⁶

In 2018, several measures of border control were adopted in the SR. These concerned especially the implementation of projects within the ISF and practical field measures.

In 2018, the implementation of the *Addition and replacement of automotive equipment for the performance of border surveillance at the external land border of the EU in the SR* project started²⁴⁷. Its aim is to provide conditions for a more effective performance of the tasks by the border control and border surveillance at the external borders of the Schengen Area. It is also supposed to help effective performance of specific operational, tactical, and police actions in the area of irregular migration by modernising the technical equipment at the Border Control Department of the Police Force in Sobrance (DBFP) and the Emergency Intervention Unit of the Police Force (EIU PF) DBFP Sobrance.²⁴⁸

In 2018, the implementation of the following projects continued in accordance with the National Programme (ISF), specific objective 2 Borders:

- *Development of border control capacities by helicopter purchase*²⁴⁹,
- *Purchase of the means of transport for specialized units of Financial Administration*²⁵⁰,
- *Renewal of technical equipment for the second and third lines of documents control*²⁵¹,

239 Mészárosová, S., Oboňová, S. (2018): Annual Report on Migration and Asylum. Slovak Republic 2017. European Migration Network, IOM, Bratislava.

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

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

242 Information provided by BBFP PFP.

243 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).

244 Mészárosová, S., Oboňová, S. (2018): Annual Report on Migration and Asylum. Slovak Republic 2017. European Migration Network, IOM, Bratislava.

245 Pursuant to the Regulation (EU) 2016/1624 of the European Parliament and of the Council of 14 September 2016 on the European Border and Coast Guard and amending Regulation (EU) 2016/399 of the European Parliament and of the Council and repealing Regulation (EC) No 863/2007 of the European Parliament and of the Council, Council Regulation (EC) No 2007/2004 and Council Decision 2005/267/EC.

246 Information provided by BBFP PFP.

247 Beneficiary: BBFP PFP.

248 Information provided by FAD EPS Mol SR.

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

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

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

- *Replacement of technical equipment for document examination*²⁵²,
- *Addition and replacement of automotive equipment*^{253, 254}

Further Activities

Regarding the capacity building which aims to improve the necessary level of knowledge and practical experience of BBFP PFP departments, an order of the BBFP PFP Director²⁵⁵ is issued every year to implement further education of Border and Foreign Police members.

In 2018, the implementation of the *Education of Border Control and Alien Police Members in English, Russian, and Ukrainian Languages* project under the specific objective 2 Borders also continued.²⁵⁶

BBFP PFP in cooperation with the Fire and Rescue Force, MO Mol SR, Slovak Red Cross, and other state and local government authorities participated in the military training Nový Horizont 2018 [New Horizon 2018] which was held at the Biela Hora training ground near Michalovce in the Eastern part of Slovakia between 10 and 12 July 2018 and focused on capacity building and practical field work. It has been organised by the Ministry of Defence of the SR since 2015 in cooperation with other institutions (see 4.2.6).²⁵⁷

8.3 Cooperation with Third Countries on Border Control

Operational cooperation between the operational and search border unit of Ukraine and the National Unit to Combat Irregular Migration (NUCIM BBFP PF) was ongoing in 2018 based on the *Plan of Development of Cooperation between the BBFP and the State Border Service of Ukraine for 2017 – 2018* (hereinafter the Plan 2017 – 2018).

In 2018, a meeting of chief border plenipotentiaries of Slovakia and Ukraine took place within the cooperation between the BBFP PFP and the State Border Service of Ukraine. The meeting focused on evaluating the situation along the Slovak-Ukraine state border. Fulfilling the commitments stemming from bilateral and international agreements regarding the state borders was underlined. Both countries strive to use the border and plenipotentiary activities to maintain and deepen bilateral relations in order to strengthen integrated security along the Slovak-Ukraine state border and to prevent irregular migration.

Regarding the fulfilment of measures stemming from the Plan 2017 – 2018, several expert meetings were organised in the SR and Ukraine. These focused e.g. on common evaluation of mutual information exchange regarding irregular migration statistics, joint evaluation of threats posed by irregular migration in 2018 along the Slovak-Ukraine state border as well as the exchange of statistical and analytical information. Operational cooperation of partner departments con-

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

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

254 Information provided by FAD EPS Mol SR.

255 D BBFP PFP No. 11/2018 about the implementation of further education of members of the Police Force in the Border and Foreign Police.

256 (SK 2017 ISF SC2/NC4/A1-1) project.

257 Source: <http://www.minv.sk/?tlacove-spravy-6&sprava=zlozky-ministerstva-vnutra-sa-zucastrnili-na-vojenskom-cviceni-novy-horizont-2018> (consulted on 15/1/2019).

cerned mainly the exchange of information about breaches along the Slovak-Ukraine state border and about the open cases of the crimes of smuggling and human trafficking.²⁵⁸

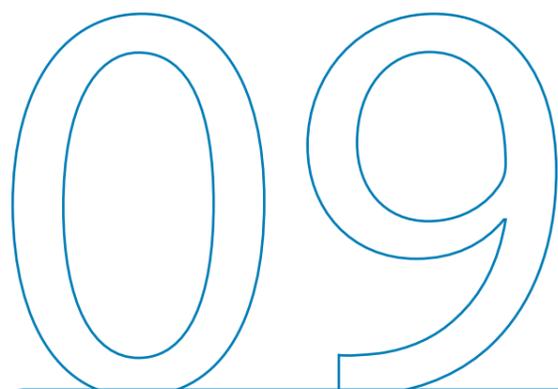
A new *Plan of Development of Cooperation between the BBFP PFP and the State Border Service of Ukraine for 2019 – 2020* was signed in 2018 to deepen the cooperation with Ukraine and intensify development.²⁵⁹

Based on the *Memorandum of Understanding between the Ministry of Interior of the Slovak Republic and the Ministry of Interior of the Republic of Macedonia on the Creation of Joint Patrols in the Republic of Macedonia Territory within the Joint Operations* and *Memorandum of Understanding between the Ministry of Interior of the Slovak Republic and the Ministry of Interior of the Serb Republic on Joint Patrols in the Serb Republic Territory within the Joint Operations* concluded in 2016, the SR deployed 60 police officers to Macedonia and 40 police officers to Serbia in 2018.²⁶⁰

258 Information provided by BBFP PFP.

259 Information provided by BBFP PFP.

260 Source: https://www.minv.sk/?tlacove-spravy-2&sprava=o-bezpecnosti-slovenska-sa-rozhoduje-aj-na-balkane_ (consulted on 15/1/2019).



Irregular Migration and Migrant Smuggling

In 2018, the SR did not record a significant increase in the number of irregular migration cases. As in 2017, the development of irregular migration in the territory of the SR was influenced especially by irregular migration of the nationals of the closest third countries – Ukraine and Serbia again in 2018. Regarding the efforts to increase the level and effectivity of detecting forged and altered documents, the SR adopted several measures related especially to capacity building. The SR strengthened the cooperation with Czech Republic in combatting smuggling; negotiations about the new agreement on police cooperation took place. In order to make prevention and capacity building in cooperation with third countries more effective, the SR hosted the experts from Azerbaijan within the *Mobilaze* project.

9.1 Statistics and Trends

The SR again recorded a relatively low irregular migration rate. In 2018, the number of cases of irregular migration increased only slightly (2,819 as compared to 2,706 in 2017). Regarding the number of cases of unauthorized state border crossing: the percentage ratio as compared to previous year increased by 40% but the total number of cases in 2018 was 348 (as compared to 248 in 2017). These mostly concerned the nationals of Vietnam (168), Ukraine (60) and Turkey (27). Unauthorized residence in the territory of the SR was detected in 2,471 cases of which 1,873 were Ukrainian nationals. Out of the overall number of detected irregular migration cases in 2018 (2,819), 1,934 concerned Ukrainian nationals, 207 Serbian nationals and 201 Vietnamese nationals. In 2018, the law enforcement authorities detained 152 persons on suspicion of smuggling.

(See **Tables 4** and **5** in Annex for smuggling related statistical data).²⁶¹

9.2 Measures to Prevent Misuse of Legal Migration Channels

9.2.1 Forged or Altered Travel Documents

During 2018, new measures in order to increase the effectiveness of identifying false and altered documents were prepared for the year 2019. These were related to replacement of technical equipment for document examination. New measures also included enhancing theoretical and practical knowledge in the area of forged and altered document identification. These were especially profiling courses, pre-dispatch preparation for document consultants, specialised training focused on current trends in document forging and alteration, specialised internships for second-line police officers in the specialised workplace of the BBFP PFP.²⁶²

9.3 The Fight Against Smuggling and Prevention of Irregular Migration

9.3.1 The Fight Against Smuggling

In 2018, negotiations between the SR and the Czech Republic on concluding a new agreement regarding police cooperation took place; this cooperation would focus on the response to the new phenomena in cross-border criminal activity, mainly in the areas of irregular migration and combating property and drug crime. As part of this cooperation, information exchange between the SR and the Czech Republic is to be enhanced along with capacity building and common educational activities for the Slovak and Czech Police.²⁶³

9.3.2 Cooperation with Third Countries in the Prevention of Irregular Migration

In 2018, SR within the Mobilaze²⁶⁴ project focused on the implementation of mobility partnership with Azerbaijan, welcomed in Bratislava in June 2018 experts from Azerbaijan coming for a study visit regarding document security. The MO Mol SR as the partner of the MOBILAZE project organised the study visit in cooperation with the International Centre for Migration Policy Development (ICMPD).²⁶⁵

9.3.3 Monitoring and Identification of Irregular Migration Routes

In 2018, BBFP PFP did not introduce any new forms or methods of monitoring or identifying irregular migration routes. In terms of irregular migration route monitoring and trafficking at

²⁶¹ Information provided by BBFP PFP and DFEA MIO.

²⁶² Information provided by BBFP PFP.

²⁶³ Source: <https://www.minv.sk/?tlacove-spravy-2&sprava=s-ceskou-republikou-uzatvorime-zmluvu-o-policialnej-spolupraci> (consulted on 15/1/2019).

²⁶⁴ The implementation partner of the project is the MO Mol SR.

²⁶⁵ Source: <https://www.minv.sk/?tlacove-spravy-2&sprava=experti-z-azerbajdzanu-sa-pocas-studijnej-navstevy-na-slovensku-zaujimali-o-bezpecnost-dokladov-vydavanych-policiou> (consulted on 15/01/2019).

the territory of the SR, a significant decrease in irregular migration pressure at the crossing from Hungary to Slovakia was observed in 2018. Other routes of irregular migration and trafficking at the territory of the SR remain unchanged.²⁶⁶

10

Trafficking in Human Beings

In November 2018, the Government of the SR approved the fifth *National Programme to Combat Trafficking in Human Beings 2019 – 2023*. Its main aim is to introduce a coordinated system to limit the trafficking in human beings. The national programme includes the *Action Plan to Combat Trafficking in Human Beings 2019 – 2023* specifying 21 tasks for the individual stakeholders in the areas of prevention, protection, investigation, and cooperation. In December 2018, the new *regulation of the Ministry of Interior of the Slovak Republic No. 144/2018 on the Provision of Support and Protection of Victims of Human Trafficking Programme* came into force. In relation to third-country nationals or stateless persons, it specifies the processes of aiding assisted voluntary return of human trafficking victims and unaccompanied minors who were placed into the human trafficking victims support and protection programme.

From December 2018, the SR also created the conditions for non-problematic healthcare provision to human trafficking victims with unpaid public health insurance. In 2018, the SR cooperated with Serbia in the prevention of labour exploitation and human trafficking of their citizens in Slovakia. Since September 2018, there was a change in the provider of the free-of-charge *National Human Trafficking Victims Helpline 0800 800 818*, which became the Slovak Catholic Charity non-governmental organisation. The Ministry of Interior of the Slovak Republic updated the leaflet for self-identification by human trafficking victims which is available in 6 languages (Slovak, Ukrainian, Romanian, Roma, Chinese, English). In 2018, there were no human trafficking victims from abroad, i.e. from third countries, identified in Slovakia.

²⁶⁶ Information provided by BBFP PFP.

10.1 Statistics and Trends

There was one TCN²⁶⁷ identified as a human trafficking victim in Slovakia in 2018 (see **Table 10** in Annex).²⁶⁸ In 2018, the members of NUCIM BBFP PFP in cooperation with the National Labour Inspectorate and COLSAF continued in their regular common inspections of business entities to identify illegal labour, illegal employment, and potential human trafficking victims (see 3.4).²⁶⁹

In 2018, based on the statistical data of the ISAD PFP, General Prosecutor's Office of the SR and MJ SR, a total of 53 persons were arrested as suspicious in relation to the crime of human trafficking²⁷⁰. 8 persons were sentenced (see **Table 11** in Annex).²⁷¹

10.2 Legislation, Policies and International Monitoring

On 6 November 2018, the Government of the SR²⁷² approved the fifth *National Programme to Combat Trafficking in Human Beings 2019 – 2023*. Its main aim is to introduce a coordinated system to limit the trafficking in human beings. Its focus is to enhance the existing tools verified by years of practice and to introduce new tools to combat human trafficking, which will respond to the new trends in this type of criminal activity²⁷³.

The national programme includes the *Action Plan to Combat Trafficking in Human Beings 2019 – 2023* specifying the tasks for the individual stakeholders in the areas of prevention, protection, investigation, and cooperation.²⁷⁴ It includes a total of 21 tasks whose necessity resulted from practice as well as the relevant EU standards. They also reflect the recommendations of the monitoring mechanisms pertaining to the Council of Europe (Council of Europe Convention on Action against Trafficking in Human Beings) or the US (TIP – Trafficking in Persons Report).²⁷⁵ According to the last TIP Report published annually by the US Department of State the SR is eight time among the Tier 1 states; i.e. among countries which fully meet the minimum standards for elimination of human trafficking in 2018. The US Department of State recommends in the Report to enhance investigation, prosecution, and conviction of traffickers. It points to insufficient identification of foreign human trafficking victims, inadequate legal assistance for human trafficking victims and lack of their protection from prosecution for crimes which they committed as a result of being subjected to trafficking.²⁷⁶

On 10 December 2018 the new *regulation of the Ministry of Interior of the Slovak Republic No. 144/2018 on the Provision of Support and Protection of Victims of Human Trafficking Programme* came into force. In relation to TCNs or stateless persons, it specifies the processes of aiding assisted voluntary return of human trafficking victims and unaccompanied minors who were placed into the human trafficking victims support and protection programme.²⁷⁷

267 Summary statistical data on human trafficking victims in Slovakia for 2018 were not available at the time of drafting this report.

268 Information provided by IC Mol SR.

269 Information provided by NUCIM BBFP PFP.

270 Under Section 179 of Act 300/2005 Coll. Criminal Code, as amended.

271 Information provided by DFEA MIO.

272 By Resolution No. 465/2018, available at: <https://rokovania.gov.sk/RVL/Material/23297/1> (consulted on 17/01/2019).

273 Information provided by NUCIM BBFP PFP. Available at: <http://www.minv.sk/?aktuality-obchodovanie-s-ludmi&sprava=vlada-slovenskej-republiky-schvalila-narodny-program-boja-proti-obchodovaniu-s-ludmi> (consulted on 17/01/2019). English version available at: <http://www.minv.sk/?information-centre-for-combating-trafficking-in-human-beings-and-for-crime-prevention&subor=247264> (consulted on 17/01/2019).

274 Information provided by NUCIM BBFP PFP and IC Mol SR.

275 Source: <http://www.minv.sk/?aktuality-obchodovanie-s-ludmi&sprava=vlada-slovenskej-republiky-schvalila-narodny-program-boja-proti-obchodovaniu-s-ludmi> (consulted on 17/01/2019).

276 Source: <https://www.state.gov/j/tip/rls/tiprpt/2018/> (consulted on 28/3/2019).

277 Information provided by IC Mol SR.

The amendments²⁷⁸ to the Acts on social insurance²⁷⁹, health insurance²⁸⁰, and insurance²⁸¹ effective as of 30 December 2018 provide conditions for seamless provision of healthcare funded by public health insurance for all victims of human trafficking included in the Human Trafficking Victims Support and Protection Programme.²⁸² The debts of the human trafficking victims generated by the public health insurance fees previously limited healthcare provision to inevitable intervention and urgent health care. Now the victims will gain full access to health care without any limitations.²⁸³ The amendment was created in cooperation between IC Mol SR, Mol SR, Ministry of Health of the SR, Health Care Surveillance Authority, and individual health insurance companies.²⁸⁴

10.3 Identification of Third-Country Victims, Provision of Information and Support

In 2018, IC Mol SR updated the leaflet on self-identification for human trafficking victims in six languages (Slovak, Ukrainian, Romanian, Roma, Chinese, English)²⁸⁵, which was distributed among workers and foreigners in reception, accommodation, and detention centres. It was also distributed in places where they come into contact with authorities, specifically the FPDs.²⁸⁶

In cooperation with the Serbian national coordinator for combating human trafficking, the SR distributed information materials (in the Serbian language) regarding employing Serbian nationals in Slovakia to the Serbian national institutions in 2018^{287, 288}.

Further activities (including those in 10.4) did not focus specifically on the target group of human trafficking victims who are TCNs. As some of them are of a general nature/can be applied and used for all victims of human trafficking regardless of their nationality, a summary of some of them follows:

Since September 2018, there was a change in the provider of the free-of-charge *National Human Trafficking Victims Helpline 0800 800 818* which became the Slovak Catholic Charity non-governmental organisation.²⁸⁹ Information helpline on human trafficking and safe travel was provided in 2018 also by IOM.²⁹⁰

In 2018, the IC Mol SR continued the campaign entitled *Dobré rady pred vycestovaním za prácou do zahraničia [Good advice before travelling abroad for work]* in cooperation with regional European Employment Services (EURES) posts at labour offices across Slovakia.²⁹¹ The IC Mol SR

278 By Act No. 366/2018 Coll. that amends Act No. 461/2003 Coll. on Social Insurance as amended, which amended Act No. 580/2004 on Health Insurance and Act No. 36/2005 on Family and on changes and amendments to some acts as amended.

279 Act No. 461/2003 Coll. on Social Insurance as amended.

280 Act No. 580/2004 on Health Insurance.

281 Act No. 95/2002 Coll. on Insurance and on changes and amendments to some acts as amended.

282 Information provided by IC Mol SR.

283 Source: <https://www.minv.sk/?aktuality-obchodovanie-s-ludmi&sprava=prelomove-riesenie-pre-obete-obchodovania-s-ludmi> (consulted on 22/1/2019).

284 Information provided by IC Mol SR.

285 Available at: <http://www.minv.sk/?obchodovanie-s-ludmi-a-slovenska-republika&subor=322803> (consulted on 12/02/2019).

286 Information provided by IC Mol SR.

287 Available at: <https://www.employment.gov.sk/files/slovensky/uvod/informacie-cudzinci/srbsko.pdf> (consulted on 12/02/2019).

288 Information provided by IC Mol SR.

289 Source: <https://obchodsludmi.sk/od-1-septembra-prevadzujeme-narodnu-linku-pomoci-obetiam-obchodovania-s-ludmi-0800-800-818/> (consulted on 28/03/2019).

290 Source: <https://iom.sk/sk/novinky-a-podujatia/1175-iom-activities-and-achievements-2018.html> (consulted on 28/03/2019).

291 Source: <http://www.minv.sk/?dobre-rady-pred-vycestovanim> (consulted on 28/03/2019).

provided the regional EURES posts with informational materials which can help EURES counsellors to inform those interested in working abroad about the risks related to human trafficking when searching for jobs and travelling for work abroad and advise them on how to prevent such risks.²⁹² In June 2018 a preventive campaign was launched in cooperation with the Slovak Lines bus company – at Bratislava and Malacky bus stations and selected regular bus lines abroad (to Schwechat airport and Vienna). The passengers get leaflets written in simple and understandable language. They learn basic information on human trafficking, find out about what options human trafficking victims have, get some useful advice for their job search and for the period before their travel as well as the current contact information of Slovak embassies, consular offices abroad and the National Human Trafficking Victims Helpline 0800 800 818. The leaflets are available in stands at bus stations and inside of the selected bus lines.²⁹³ The IC Mol SR has opened a cooperation with the Youth Information Centres across Slovakia and provided them with promotional materials containing basic information on human trafficking and advice on what to look out for when arranging a job abroad and before travelling there.²⁹⁴

10.4 Raising Awareness and Improving Professional Skills

In March 2018 in a short film competition on the topic of modern slavery (Unchosen Modern Slavery Film Competition), the Slovak film entitled *Ivan* received the “Best international film on modern slavery” award.²⁹⁵ The film, created by a non-governmental organisation connected to the Slovak Catholic Charity, presents the authentic testimony of Ivan, a victim of human trafficking. After terrible experiences in Slovenia where he was exploited for forced labour, he was liberated and returned home to Slovakia.²⁹⁶

In 2018, also marketing students from Nitra highlighted the topic of modern slavery. They used a guerrilla marketing campaign to communicate this serious problem. They pretended to be an agency which was using a poster to lure students from Žilina to work abroad for the summer. The campaign copied the practices of slavers: an advantageous offer targeted at vulnerable group. In two hours they handed out 74 pre-completed work agreements.²⁹⁷

Courses, Trainings and Manuals

In 2018, BBFP PFP organised a specialised re-qualification course for the NUCIM BBFP PFP members from the operational and search unit with the aim of learning how to apply the generally binding legal regulations, internal regulations, professional procedures and interventions to tackle human trafficking in practice.²⁹⁸

Within cooperation with BBFP PFP in 2018, IC Mol SR re-trained employees of the individual

292 Source: <http://www.minv.sk/?aktuality-obchodovanie-s-ludmi&sprava=kampan-dobre-rady-pred-vycestovanim-za-pracou-do-zahranicia-pokrakuje-s-pracoviskami-eures> (consulted on 28/03/2019).

293 Source: <http://www.minv.sk/?aktuality-obchodovanie-s-ludmi&sprava=spolocnost-slovak-lines-pomaha-v-prevencii-obchodovania-s-ludmi> (consulted on 28/03/2019).

294 Source: <http://www.minv.sk/?aktuality-obchodovanie-s-ludmi&sprava=prevencia-obchodovania-s-ludmi-pre-informacne-centra-mladych> (consulted on 28/03/2019).

295 Available at: <https://www.youtube.com/watch?v=LGEX9dPwQtU&feature=youtu.be> (consulted on 22/01/2019).

296 Source: <https://www.minv.sk/?aktuality-obchodovanie-s-ludmi&sprava=hrozive-svedectvo-o-obchodovani-s-ludmi-v-kratkom-filme-ivan> (consulted on 22/01/2019).

297 Source: <https://sketcher.startup.sk/studentky-marketingu-vytvorili-kampan-ktorou-poukazali-na-novodobe-otroctvo/> (consulted on 22/01/2019).

298 Information provided by NUCIM BBFP PFP.

DBFPs in Bratislava, Banská Bystrica, and Sobrance²⁹⁹, who come into contact with TCNs, about identification of human trafficking victims, and about an obligation to inform them on the assistance possibilities and following procedures.³⁰⁰

In 2018, IC Mol SR organised training sessions for several professional groups as a part of national reference mechanism development. Their aim was to deepen the knowledge and build capacity regarding human trafficking and to develop a national reference mechanism in such a way as to adequately help the victims and efficiently facilitate detecting crimes of human trafficking. To achieve this aim, teachers from elementary, special needs, vocational and grammar schools and employees from re-education centres and centres for educational-psychological counselling and prevention who are responsible for the prevention of crime at schools were present at the training sessions (a total of 90 people).³⁰¹

In March 2018, the IOM organised five basic and advanced teacher trainings in Trnava, Liptovský Mikuláš, Piešťany, Poprad and Banská Bystrica. A further 96 experts were trained who work with groups at risk in their practice: prevention staff from the Police Force, social workers, EURES counsellors, professional employees of foster homes, educational-psychological counselling and prevention centres and other employees from various Slovak cities. Using the information obtained in the training, the updated training manual *Human Trafficking Prevention*³⁰² and updated *SAFE Travel & Work Abroad* smartphone application they can now better prevent human trafficking of individuals or groups. The application is available at Google Play³⁰³ and App Store³⁰⁴ as well as on the www.safe.iom.sk website.³⁰⁵

Publications

In 2018, the *Victims of labour exploitation or “illegal” migrants? Ukrainian workers’ labour rights protection in Slovakia* publication by CVEK non-governmental organisation was concerned with the rights of labour migrants. It presents the results of pilot research of practices of employing Ukrainian labour migrants in Slovakia in the last four years (2013 – 2017). It focuses mainly on emerging trends in employing Ukrainian nationals especially in the low-qualification professions.³⁰⁶ A round table discussion was organised on the topic of labour migration from Ukraine and the results of the above research in January 2018.³⁰⁷

10.5 International Cooperation

10.5.1 Cooperation with EU Member States

In terms of international police cooperation in 2018, NUCIM BBFP PFP attended multiple operational meetings with police forces of neighbouring and third countries (Czech Republic, Hun-

299 Source: <https://www.minv.sk/?aktuality-obchodovanie-s-ludmi&sprava=instruktazno-metodicke-zamestnanie-zamerane-na-problematiku-obchodovania-s-ludmi> (consulted on 22/01/2019).

300 Information provided by IC Mol SR.

301 Information provided by IC Mol SR.

302 Available at: <https://itunes.apple.com/us/app/safe-travel-work-abroad/id1163826719?mt=8> (consulted on 12/2/2019).

303 Available at: <https://play.google.com/store/apps/details?id=com.beesafe.ios.safe> (consulted on 12/2/2019).

304 Available at: <https://itunes.apple.com/us/app/safe-travel-work-abroad/id1163826719?mt=8> (consulted on 12/2/2019).

305 Source: <https://iom.sk/sk/novinky-a-podujatia/1175-iom-activities-and-achievements-2018.html> (consulted on 28/03/2019).

306 Source: <https://iom.sk/sk/novinky-a-podujatia/1175-iom-activities-and-achievements-2018.html> (consulted on 28/03/2019).

307 Source: <http://cvek.sk/okruhly-stol-k-teme-pracovnej-migracie-z-ukrajiny/> (consulted on 28/03/2019).

gary, Ukraine) when operational information potentially leading to identification of human trafficking was available.³⁰⁸

During 2018, MO Mol SR regularly participated in posting national experts to EASO Asylum Support Teams with the aim to provide information to persons applying for asylum in EU MS. While informing them, vulnerable persons were also identified i.e. also persons who might have been human trafficking victims.³⁰⁹

Through NUCIM BBFP PFP, the SR also participated in the EUROPOL Joint Action Days held in May 2018 on labour exploitation, in July 2018 on sexual exploitation of children and in September 2018 on sexual exploitation as such. The action days focus on individual forms of exploitation and their aim is also to conduct checks of business entities in Slovakia in order to detect crimes of human trafficking and identify the victims of such trafficking.³¹⁰

10.5.2 Cooperation with Third Countries

In 2018, the SR cooperated with the Republic of Serbia in the prevention of labour exploitation and human trafficking of their citizens in Slovakia (see 10.3).

In May 2018 in Belgrade, the SR participated in a multidisciplinary seminar organised by the Council of Europe on supranational cooperation in prevention of and combating human trafficking. Five experts from the countries of origin pertaining to the foreign victims identified in Serbia and possible exploitation countries of Serbian victims, specifically Albania, Austria, SR, Slovenia, and Macedonia, informed the participants about specific cases and verified procedures in the area.³¹¹ The participants heard about the cooperation of the SR with the Republic of Serbia and they were also notified about the information materials published by the Slovak and Serbian embassies with the aim of preventing possible illegal employment of TCNs in Slovakia.³¹² The seminar was attended by representatives of state authorities including police, diplomatic, and consular officers, social workers as well as civic society stakeholders, and international organisations.³¹³

The Embassy of the US in cooperation with the Judicial Academy of the Slovak Republic organised a training session on *Tackling the crime of human trafficking* in May 2018. The topics included the categorisation of human trafficking cases, their severity, working with victims during the criminal proceedings, and investigation of human trafficking in the context of joint investigation teams creation. The training session was intended for judges, higher court officers, prosecutors and investigators investigating the crimes of human trafficking. The session was led by a US judge and prosecutor.³¹⁴

In 2018, the SR did not participate in any joint investigation teams with third countries.³¹⁵

³⁰⁸ Information provided by NUCIM BBFP PFP.

³⁰⁹ Information provided by MO Mol SR.

³¹⁰ Information provided by NUCIM BBFP PFP.

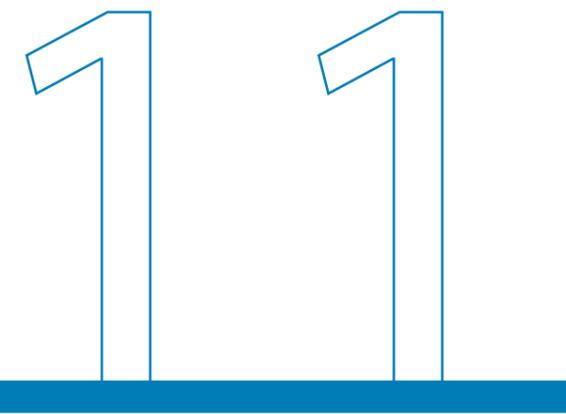
³¹¹ Source: <https://www.minv.sk/?aktuality-obchodovanie-s-ludmi&sprava=multidisciplinarny-seminar-o-nadnarodnej-spolupraci-v-preven-cii-a-boji-proti-obchodovaniu-s-ludmi> (consulted on 22/01/2019).

³¹² Information provided by IC Mol SR.

³¹³ Source: <https://www.minv.sk/?aktuality-obchodovanie-s-ludmi&sprava=multidisciplinarny-seminar-o-nadnarodnej-spolupraci-v-preven-cii-a-boji-proti-obchodovaniu-s-ludmi> (consulted on 22/01/2019).

³¹⁴ Information provided by NUCIM BBFP PFP.

³¹⁵ Information provided by DFEA MIO, MO Mol SR and BBFP PFP.



Return and Readmissions

In 2018, the number of returns from the territory of the SR slightly increased but there was no significant change in trends. Regarding forced returns, the implementation of the project in compliance with the *National AMIF Programme* continued. Since 2018, the SR has started to systematically send fingerprints to SIS II after removing initial technical obstacles. Regarding the assisted voluntary returns and reintegration programme implemented by IOM a new website for those interested and for applicants for assisted voluntary returns was prepared.

11.1 Statistics and Trends

In 2018, the SR recorded a slight increase of the number of returns from the SR. However, it is not a change in the trend yet. In 2018, the SR returned 430 persons within the forced return measures, 1,667 persons chose voluntary return (especially Ukrainians) while 80 migrants used assisted voluntary return through IOM (see **Table 6** in Annex).³¹⁶

11.2 Forced Returns

In accordance with the National AMIF Programme and its specific objective 3 Return, implementation of the following projects focused on quick, sustainable, and effective return continued in 2018:³¹⁷

³¹⁶ Information provided by BBFP PFP and the IOM Office in the SR.

³¹⁷ Information provided by FAD EPS Mol SR.

- *Forced Return – AMIF II*,³¹⁸
- *Capacity Building in the Field of Returns II*,³¹⁹
- *The Slovak Humanitarian Council KOMPAS II project*.³²⁰

In 2018 monitoring of forced returns was performed in the same way as before, however, from 1 March 2018, a change in financing of the monitoring-related costs was made. Persons performing monitoring do so based on a “performance contract” and the costs are funded from the MoI SR budget.³²¹

Since 2017, the SR has been preparing to systematically send fingerprints to SIS II. Before they were provided on an ad hoc basis. However, after creating technical conditions for inserting data on a national level sending of data was postponed to 2018 due to technical issues in the SIS II central system (related to inserting the NIST format). After removing the technical issues in the SIS II central system and based on the agreement with the SIRENE national central office, systematic sending of fingerprints into SIS II started on 24 April 2018.³²²

11.3 Assisted Voluntary Returns and Reintegration

In 2018, the SR again implemented assisted voluntary returns (AVR) through the IOM project entitled *Voluntary return and reintegration in the country of origin* following the previous projects (see **Table 6** in Annex).³²³

In 2018, IOM Bratislava began developing a new website for persons interested in and applying for AVR into their country of origin. The website will provide contacts, information on return services provided, target groups, and frequently asked questions regarding voluntary return. Within the project an increase in the percentage of migrants who were not detected by the Foreign Police or stayed outside of the MoI SR centres was detected. From 2010 to 2017, this number represented 20% of the total number of migrants returned at maximum. In 2018, the number rose to 51%.³²⁴

318 Project No. SK 2016 AMIF SC3.2 implemented by BBFP PFP between 01/01/2017 and 31/12/2019. The project, continually following the BBFP PFP projects implemented in the previous periods, focuses on improving the effectiveness of managing the return operations and facilitating the sustainable, safe, and dignified return of TCNs.

319 Project No. SK 2017 AMIF SC3.1 implemented by BBFP PFP between 01/05/2017 and 28/02/2018. The project focused on building capacities of the employees directly involved in the return policy – by training the police officers involved in the return process and employees of the selected diplomatic missions of the SR abroad.

320 Information provided by FAD EPS MoI SR.

321 Information provided by BBFP PFP.

322 Information provided by BBFP PFP.

323 The main objective of the project was to contribute to the implementation of the migration policy of the SR by implementing the AVRR programme providing migrants with the opportunity for a humane and dignified return, including their integration in the labour market and society in their country of origin. The project will continue until 31 December 2019.

324 Information provided by the IOM Office in the SR.

Bibliography

Publications

Asylum and Migration Glossary 6.0 – a Tool for Better Comparability (2018). European Migration Network.

Bachtíková, I. (2014): Organisation of Asylum and Migration Policies in the Slovak Republic. European Migration Network, IOM Bratislava.

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

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

Drozd, P., Sásová, M. (2018): Prilákanie a udržanie zahraničných študentov v Slovenskej republike – dotazníková verzia. [Attracting and Retaining International Students in the Slovak Republic – questionnaire version]. European Migration Network, IOM, Bratislava.

Mészárosová, S., Oboňová, S. (2018): Annual Report on Migration and Asylum in the Slovak Republic in 2017. European Migration Network, IOM, Bratislava.

Trafficking in Persons Report 2018 (2019). U.S. Department of State.

Documents and materials

Agreement between the Government of the Slovak Republic, the United Nations High Commissioner for Refugees and the International Organization for Migration concerning Humanitarian Transfer of Refugees in Need of International Protection through the Slovak Republic (current version).

Questionnaire filled by the Bureau of Border and Foreign Police of the Police Force Presidium.

Questionnaire filled by the Department of International Relations and European Affairs of the Office of the Minister of Interior.

Questionnaire filled by the IOM Office in the Slovak Republic.

Questionnaire filled by the Migration Office of the Ministry of Interior of the Slovak Republic.

Questionnaire filled by the Ministry of Labour, Social Affairs and Family of the Slovak Republic.

Questionnaire filled by the Ministry of Foreign and European Affairs of the Slovak Republic.

Questionnaire filled by the Statistical Office of the Slovak Republic.

Integration Policy of the Slovak Republic.

Media monitoring by IOM for 2018.

National Programme for the Development of Education 2018 – 2027.

Statistical Overview of Legal and Irregular Migration in the Slovak Republic in 2018.

Statistical Report of Migration Office of the Ministry of Interior of the Slovak Republic – year 2018.

Strategy on Labour Mobility of Foreigners in the Slovak Republic.

Summary Report on the Fulfilment of Objectives and Measures of the Integration Policy of the Slovak Republic for 2017.

Legislation

Act No. 5/2004 Coll. on Employment Services and on changes and amendments to some acts, as amended.

Act No. 40/1993 Coll. on Citizenship of the Slovak Republic, as amended.

Act No. 64/2018 Coll. on changing and amending Act No. 5/2004 Coll. on Employment Services and on changes and amendments to some acts, as amended.

Act No. 112/2018 Coll. on Social Economy and Social Enterprises and on changes and amendments to some acts.

Act No. 191/2018 Coll. on changing and amending Act No. 447/2008 Coll. on Financial Benefits for Serious Health Disability Compensation and on changes and amendments to some acts, as amended and on changing and amending Act No. 461/2003 Coll. on Social Insurance, as amended.

Act No. 198/2018 Coll. on changing and amending Act No. 480/2002 Coll. on Asylum and on changes and amendments to some acts, as amended.

Act No. 250/2010 Coll. on changing Act No. 40/1993 Coll. on Citizenship of the Slovak Republic, as amended.

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

Act No. 376/2018 Coll. on changing and amending Act No. 5/2004 Coll. on Employment Services and on changes and amendments to some acts, as amended.

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

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

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). (OJ EU L 180, 29.6.2013).

Judgement of the Constitutional Court in the Slovak Republic Case PL. ÚS 8/2016 of 12 December 2018.

Resolution of the Government of the Slovak Republic No. 473 of 10 October 2018.

Internet

www.aktuality.sk

www.bratislava.mfa.gov.rs

www.cas.sk

www.cvek.sk

www.danubecompass.org

www.dennikn.sk

www.domov.sme.sk

www.easo.europa.eu

www.ec.europa.eu

www.ekonomika.sme.sk

www.emn.sk

www.emnconference.sk

www.employment.gov.sk

www.enrsi.rtvsk

www.etp.sk

www.etrend.sk

www.euractiv.sk

www.facebook.com (Police Website)

www.finwebonline.hnonline.sk

www.focusonline.sk

www.frontex.europa.eu

www.hrl.sk

www.interreg-danube.eu

www.iom.sk

www.itunes.apple.com

www.mic.iom.sk

www.minedu.sk

www.minv.sk

www.mynitra.sme.sk

www.mzv.sk

www.noviny.sk

www.nrsr.sk

www.obchodsludmi.sk

www.play.google.com

www.pravda.sk

www.rokovania.gov.sk

www.rokovania.sk

www.slovaksecurity.org

www.sme.sk

www.spectator.sme.sk
www.spravy.pravda.sk
www.sketcher.startitup.sk
www.state.gov
www.slovak.statistics.sk
www.svet.sme.sk
www.ta3.com
www.topky.sk
www.tyzden.sk
www.uet.sav.sk
www.upsvar.sk
www.upsvr.gov.sk
www.webnoviny.sk
www.youtube.com

Annex: National Statistics

The Annex contains selected migration and international protection statistics for 2018 which are not collected at EU level through Eurostat³²⁵ or Frontex agency³²⁶.

National statistics for Slovakia are available mainly in the annual statistical overviews of BBFP PFP³²⁷ (legal and irregular migration, returns), annual statistical reports of MO Mol SR³²⁸ (international protection including UAMs applying for asylum), statistics of COLSAF³²⁹ (employment of foreigners, UAMs not applying for asylum), MoFEA SR³³⁰ (visa) and SO SR³³¹ (demographic data and international migration). Summary of the basic statistical data on migration and international protection in Slovakia provide annual EMN Country Factsheet³³² or the website of the IOM Office in the SR³³³.

Table 1: First residence permits issued by the Slovak Republic to third-country nationals in 2018 by reason³³⁴ and gender

Gender	Total	Reason of Residence			
		Family formation and reunification (family reasons)	Education and study	Remunerated activities	Other ³³⁵
Total	20 989	2 902	2 324	13 956	1 807
Male	:	:	:	:	:
Female	:	:	:	:	:

Source: BBFP PFP. Note: Data are processed in a way and in line with subdivision as provided to Eurostat according to Regulation (EC) No.

325 Available at: https://ec.europa.eu/eurostat/statistics-explained/index.php/Migration_and_migrant_population_statistics (consulted on 28/3/2019).

326 Available at: <http://frontex.europa.eu/publications/> (consulted on 28/3/2019).

327 Available at: <http://www.minv.sk/?rocnky> (consulted on 28/3/2019).

328 Available at: <http://www.minv.sk/?statistiky-20> (consulted on 28/3/2019).

329 Available at: http://www.upsvar.sk/statistiky/zamestnavanie-cudzincov-statistiky.html?page_id=10803 (consulted on 28/3/2019).

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

331 Available at: https://slovak.statistics.sk/wps/portal/ext/themes/demography/population/news/tut/p/b1/jdDRColwFABgZ-kF3HFb-c7ucRnMl5jTLdhMWEVJqUBS9fRbeZp27A9__wznlogLZprxXx_JWtU15fu-WbY2nue-7Eri_wqC9OHXnxqi5Szuw6UCgZEi9CIBHagxahnkqD-CegyX95-DISfuVnyFa72nnsawccAEKx4IJQzoCxsSBojexgRe71YJolWAqqgk6mJJeBphnEcOg2A8Abg-GnvABA1fGYVsfUHY9oUudF89MV8lR-jl5AKltdl4/d5/L2dBISvZ0FBIS9nQSEh/ (consulted on 28/3/2019).

332 Available at: <https://emn.sk/sk/na-stiahnutie-emn/publikacie-emn/itemlist/category/5-vyrocnne-spravy-emn> (consulted on 28/3/2019).

333 Available at: <http://www.iom.sk/sk/migracia/migracia-na-slovensku> (consulted on 28/3/2019).

334 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.

335 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 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.

862/2007 as well as in line with current Eurostat instructions. This data can, however, slightly differ from official data for 2018 to be processed and validated in April/May 2019 and subsequently provided to Eurostat.

Table 2: Administrative fees of applications for residence permits in the SR in 2018 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
Temporary residence for the purpose of highly qualified employment (EU Blue Card) (Directive 2009/50)	36	165.50 EUR	170 EUR	4.50 EUR

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 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: BBFP 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 (FPD PF or diplomatic mission of the Slovak Republic). The cost is in both cases paid at the FPD PF.

Table 3: Visas issued by the Slovak Republic to third-country nationals in 2018 by type

Visa	Total	(Schengen) short stay visas (A and C and LTV types of visa)	National visas (D type of visa)*
Total	28 343	25 681	2 662

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

* Out of the total number, Mol SR issued 26 visas.

Note: Number of visas issued may differ from data contained in the BBFP PFP's publication Statistical Overview of Regular and Irregular Migration in the Slovak Republic in 2018. 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 2018³³⁶

Indicator	Total	Male	Female
Third-country nationals identified as smuggled persons	584	:	:
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: BBFP PFP.

(:) Unavailable data (in the cases documented by the NUCIM BBFP 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.

Table 5: Smugglers in the SR – selected indicators in 2018

Indicator	Smugglers	
	Arrested as suspects / criminally prosecuted	Convicted
Total	152*/99**	71
Convicted under Art. 355 of new Criminal Code No. 300/2005 Coll.	-	26
Convicted under Art. 356 of new Criminal Code No. 300/2005 Coll.	-	32
Convicted under Art. 171a of old Criminal Code No. 140/1961 Coll. (by nature of criminal offence)	-	13

Source: BBFP 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). In 2018, 82 persons were prosecuted in custody.

³³⁶ 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 6: Third-country nationals returned from the SR in 2018 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	430	368	62	0	1 667	1 262	399	6	80	59	15	6***	37	29	6	2
Top Nationalities	1. Ukraine (155) 2. Vietnam (163) 3. Serbia (25) 4. Turkey (18) 5. Afghanistan/Iraq (10) The indicated list of countries is not exhaustive.				1. Ukraine (1 564) 2. Moldova (20) 3. Vietnam (17) 4. Serbia (10) 5. Azerbaijan (8)				1. Vietnam (17) 2. Ukraine (14) 3. Azerbaijan/Serbia (8) 4. Iraq (7) 5. Iran/Philippines (4)				1. Vietnam (12) 2. Azerbaijan (6) 3. Ukraine (5) 4. Serbia (2) 5. Iraq (2) 6. Bosnia and Herzegovina, China, Ethiopia, Georgia, Macedonia, Moldova, Nigeria, Pakistan, Tunisia, Turkey (1)			
Top Countries of Return	1. Ukraine 2. Serbia 3. Macedonia 4. Albania/Afghanistan/Moldova 5. Georgia The indicated list of countries is not exhaustive.				1. Ukraine 2. Vietnam 3. Serbia 4. Azerbaijan 5. Iraq				1. Vietnam 2. Ukraine 3. Azerbaijan/Serbia 4. Iraq 5. Iran/Philippines				1. Vietnam 2. Azerbaijan 3. Ukraine 4. Serbia 5. Iraq 6. Bosnia and Herzegovina, China, Ethiopia, Georgia, Macedonia, Moldova, Nigeria, Pakistan, Tunisia, Turkey			

Source: BBFP PFP³³⁷ and IOM Office in the SR³³⁸.

* 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 AVR programme, after issuance of decision on administrative expulsion. One person is included only once (that means one person is only issued one decision on expulsion).

*** There was no unaccompanied minor among minors

Explanations: AVR – assisted voluntary returns

F – female
M – male
Min – minor

337 BBFP PFP provided return statistics based on data provided to Eurostat for 2018. BBFP 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).

338 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 2018 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	0	0	0	0	–	–

Source: MO Mol SR.

Table 8: Third-country nationals resettled to the Slovak Republic in 2018 by original hosting country and gender

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

Source: MO Mol SR.

Note: SR carries out through its territory resettlement activities to other third countries (see 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 2018 by legal status and gender

Indicator	Total	Male	Female
Unaccompanied minors not applying for asylum	27	25	2
Unaccompanied minors applying for asylum	10	10	0
Total	37	35	2

Source: MO Mol SR and COLSAF.

Table 10: Human trafficking victims from third countries in the SR – selected indicators in 2018

Indicator		Total	Male	Female
TCNs presumed to be victims of trafficking in human beings (identified victims)³³⁹		1	0	1
Age	18 years of age or more	1	0	1
	Under 18 years of age	0	0	0
Form of exploitation ³⁴⁰	Sexual exploitation	1	0	1
	Labour exploitation	0	0	0
	Other	0	0	0
Citizenship (top 3 countries)		Confidential data	Confidential data	Confidential data
TCNs identified as victims of trafficking in human beings (presumed victims)³⁴¹		0	0	0
Age	18 years of age or more	0	0	0
	Under 18 years of age	0	0	0
Form of exploitation ³⁴²	Sexual exploitation	0	0	0
	Labour exploitation	0	0	0
	Other	0	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: BBFP PFP and Information Centre for Combating Trafficking in Human Beings and Crime Prevention of the MoI SR.

* Victim was identified outside of the territory of the SR. Therefore, the SR did not grant reflection period nor residence permit in the SR.

Table 11: Traffickers of human beings in the SR – selected indicators in 2018

Indicator	Traffickers of human beings	
	Arrested as suspects/prosecuted in custody	Convicted
Total	53/26*	8**

Sources: BBFP PFP, General Prosecutor's Office of the SR and Ministry of Justice of the SR.

* 53 persons were listed as arrested as suspected of given criminal charges in 2018; 26 persons were prosecuted for trafficking in human beings in custody in 2018.

** According to the § 179 of the Criminal Code No. 300/2005 Coll. According to the old Criminal Code there was no person convicted in 2018.

339 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.

340 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.

341 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).

342 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.



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