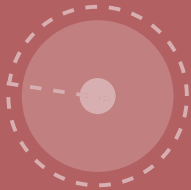




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IMMIGRATION OF INTERNATIONAL STUDENTS TO THE SLOVAK REPUBLIC



Immigration of International Students to the Slovak Republic

National Study of the European Migration Network

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Preface

This study has been compiled in 2012 by IOM International Organization for Migration Bratislava as the National Contact Point of the European Migration Network in the Slovak Republic. The study has been prepared in accordance with the common content structure and methodology defined by the European Migration Network.

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List of Abbreviations

ACA	– Academic Cooperation Association
ARRA	– Academic Ranking and Rating Agency
APD PF	– Aliens Police Department of the Police Force
BBAP PFP	– Bureau of the Border and Aliens Police of the Police Force Presidium
Coll.	– Collection of Laws
CoLSAF	– Central Office of Labour, Social Affairs and Family
COM	– European Commission
EAIE	– European Association for International Education
EEA	– European Economic Area
EMN	– European Migration Network
EC	– European Community
EU	– European Union
FM SR	– Foreign Mission of the SR
GDP	– Gross Domestic Product
IIFE	– Institute of Information and Prognoses of Education
ILAP CCE CU	– Institute for Language and Academic Preparation for Foreign Students of the Centre for Continuing Education of the Comenius University
IOM	– International Organization for Migration
ISCED	– International Standard Classification of Education
LLP	– Lifelong Learning Programme
MIC	– Migration Information Centre of IOM International Organization for Migration in the SR
MoE SR	– Ministry of Economy of the SR
MoLSAF SR	– Ministry of Labour, Social Affairs and Family of the Slovak Republic
MoESRS SR	– Ministry of Education, Science, Research and Sports of the Slovak Republic
Mol SR	– Ministry of Interior of the Slovak Republic
MoH SR	– Ministry of Healthcare of the SR
MoFEA SR	– Ministry of Foreign and European Affairs of the Slovak Republic
MS	– Member State
NSP	– National Scholarship Programme
ODA	– Official Development Aid
PF	– Police Force
PFP	– Police Force Presidium
SAAIC	– Slovak Academic Association for International Cooperation
SAIA / SAIA, n.o.	– Slovak Academic Information Agency
SAS	– Slovak Academy of Sciences
SR	– Slovak Republic
SRC	– Slovak Rectors' Conference

Executive Summary

The current times of globalisation are accompanied by a growing internationalisation of higher education. More and more students try to obtain international experience, and many of them consider studying at a foreign university an important step for their future career. Students from third countries can also obtain legal residence in the country of their interest, which can lead to employment within the EU following the completion of their studies.

International students represent a significant part of the population migrating to the EU. The Eurostat data on residence permits published in 2010 indicate that migration for education reasons represents the third most common reason for immigration to EU countries.

International students constitute a specific group of migrants with their own needs, but also rules and conditions of migration. Their migration can be highly beneficial both for the hosting country and the home country, either with regard to the development of their knowledge and skills, and to the impacts on the labour market. On the other hand, student migration can bring along certain risks in the form of misuse of the student status in the hosting countries or the risk of brain-drain from students' home countries. This means that student migration has a large influence on other areas of life, such as the economy, labour market, education system, migration policies, development policy, etc. The demographic aspects and the impacts on the public opinion should also be taken into consideration.

The European Union, aware of this situation, has adopted several legislative measures concerning the immigration of international students – third-country nationals to the EU. Since it is a comprehensive issue, including many measures and policies at the national level of the Member States, the European Union seeks to come, on the basis of information on international students' migration from the Member States, with new proposals for actions that would contribute to the improvement of the situation in this area – either in winning and supporting the best students, or preventing the misuse of the student status when applying for a residence permit in EU countries.

Statistics show that the Slovak Republic has only been of marginal interest to international students. Just as the total number of migrants to the SR is relatively low, the influx of international students – third-country nationals to the SR is low, too. The causes can be various, such as unattractiveness of Slovakia as a target country for students, poor promotion of Slovak higher educa-

tion institutions abroad, low number of fields of study, and last but not least, a relatively demanding administrative procedure to obtain a residence permit, as well as difficulties in obtaining a work permit and related residence permit after completion of studies.

No complex research on the migration of international students – third-country nationals has been conducted in the Slovak Republic so far. This study is the first of its kind, and can therefore represent a good basis for the development of this topic and its different aspects, and can also serve as a support document for further wider public discussions.

The individual chapters of this study deal with the political and legal framework of the migration of international students – third-country nationals and with the conditions of entry and stay, and also provides an overview of agreements on cooperation with third countries in the field of education and an overview of scholarship programmes for third-country nationals. The chapters are supplemented with available statistical data.

Chapter 1 is an introduction to the topic, giving information about the main aims of the study, the methodology used to compile it, and the main definitions.

Chapter 2 describes the higher education system in the SR and provides an overview of the strategic documents of the SR concerning migration of international students. This chapter also informs about the public discussions and media coverage of the topic. As this information suggests, the SR does not dispose of a single comprehensive strategic document exclusively on migration of international students; this issue forms part of other strategies, e.g. the Migration Policy Strategy or the Minerva 2.0 document. In spite of the fact that these documents and the Government Manifesto emphasise the need to promote the migration of international students, actions remain at the declaratory level. As far as public discussion is concerned, it is only conducted at the expert level, and not at the political level. The media also pay just a marginal attention to this topic.

Chapter 3 of the study gives an overview of the legal and practical conditions of the Slovak Republic regarding international students before, during and after the completion of their studies, and is divided into three sub-chapters accordingly. From the point of view of legislation, the migration of international students enjoys comprehensive regulation. At present¹, however,

¹ September 2012.

the introduction of the new Act on Residence of Aliens (effective since 01 January 2012) and the failure to update the related legislation caused legal inconsistency in some areas, which should be eliminated by amending the relevant legislation in the near future. The first sub-chapter analyses the implementation of measures related to the promotion of Slovak higher education institutions abroad and activities aimed to attract international students.

For the moment, these activities seem to be not very systematic and not targeted sufficiently in order to reach synergic and multiplicative effects. It would be desirable to prepare and implement a marketing strategy aimed to attract international students. The sub-chapter also deals with the recognition of qualifications, provides an overview of scholarship programmes, and describes the actions and procedures that international students must follow at the stage of entry to and stay in the SR. The analysis of available statistical data about the numbers of international students and residence permits for education reasons also constitutes a part of this sub-chapter, and completes the picture about this phenomenon.

The second sub-chapter is an overview of the legal possibilities of employment and business for international students during their study, and about the migration of family members of international students and the conditions of their stay in Slovakia.

The third sub-chapters deals with the period following the completion of study in the SR describing the possibilities for international students regarding employment in the SR, and analyses the statistics on graduates – international students. This sub-chapter is also about the potential misuse of residence permits for education reasons by international students.

The SR has not yet applied preferential treatment of international students in the fulfilment of their administrative obligations related to their entry to and stay in the SR to a larger extent. The relevant legislation includes a reduced period for making a decision on (non-)granting of the residence permit and an exemption from the payment of administrative fees for submitting the application for temporary residence. Also, in some categories and under certain conditions, an employment permit is not required, though students are not allowed to stay in the SR and seek a job after the completion of their study for the moment. Such a measure is planned to be adopted in the future.

Chapter 4 gives an overview of the multilateral and bilateral cooperation regarding the mobility of international students and enhancement of the mi-

gration of students from selected countries, as well as cooperation within the EU and under European programmes. This chapter specifically analyses the transposition and implementation of the Council Directive 2004/114/EC concerning actions to facilitate the procedures for admission of third-country nationals who participate in Community programmes aimed to enhance mobility towards or in the framework of membership. The information contained in this chapter suggests that the SR assesses all applicants for the residence permit for the purpose of study or special activity in the SR in the same way, i.e. the country does not treat specifically the participants to EU mobility programmes, but grants the same conditions to all applicants.

Chapter 5 analyses from different angles the various aspects and possible impacts of the migration of international students to the SR. However, since the SR does not dispose of analysis and statistics on this topic due to the very low number of international students studying in the country, it has not been possible to evaluate the impacts and influence of such migration in a representative way.

Chapter 6 summarizes main findings of the study. Bibliography including references to publications, documents, legislation and internet is located at the end of the study.



Introduction

In the framework of its Work Programme 2012, the Steering Board of the European Migration Network approved the compilation of a study on the immigration of international students to EU countries. In this connection, the SR – just like other EU Member States – prepared the study under the title *Immigration of International Students to the Slovak Republic*. The contents and the focus of the chapters are based on the specifications common to all EU countries. A summary study with the same focus will be compiled at the EU level on the basis of the national studies, including the Slovak one, analysing the main findings from the studies prepared by the EU Member States.

Due to the scope and nature of the migration of international students, the study will only focus on the migration trends of students studying according to the International Standard Classification of Education at levels 5 and 6, which means university studies at the first, second and third level in the Slovak Republic. With a view to the focus of the European Migration Network, the study only describes the migration of third-country nationals, and not that of EU and EEA nationals².

² For the purposes of data comparison, some parts of the study (especially statistical parts) also contain information about EU and EEA nationals.

The main objective of the study at the level of EU Member States and of the summary report is to obtain and summarise information from the individual EU countries on, in particular, two basic aspects of the migration of international students:

- policies and actions influencing the decision of a student–third-country national to study in a particular EU Member State,
- the extent to which the residence permit for education reason is misused by third-country nationals as one of the possibilities to obtain a legal status in a specific EU country.

Another objective is to get an overview of available statistical data in EU Member States supporting the different aspects of the migration of international students and identify the need to collect further statistical data.

On the basis of this information the European Union will work on further actions in the field of mobility of international students from third countries with the aim to promote the EU as the centre of study excellence, and also with the aim to prevent the misuse of the student status for irregular migration to EU countries.

It is the first study at the national level describing the migration of international students –third-country nationals to the SR in a comprehensive way, and the study can therefore represent a good basis for further, wider specification of the topic and its individual aspects, and can serve as a background document for expert discussions in the future.

1.1 Methodology

From the point of view of methodology, the study is based on the analysis of available background documents, expert consultations, a questionnaire survey and available statistical data collected in the period January–September 2012, with the following main sources:

- Available publications on the internationalisation of university education, publications for international students, or general publications on migration in the SR and abroad, compiled by different organisations in the framework of their expert work, projects, activities, etc.;
- Laws and related subordinate legal standards valid in the SR;
- Strategic documents of the SR on migration, education and knowledge-based society;

- EU legal acts regulating the migration of international students and other related legal acts and strategic documents;
- Statistical databases and websites of relevant authorities, e.g. the Ministry of Education, Science, Research and Sports of the SR, Ministry of Interior of the SR, Ministry of Labour, Social Affairs and Family of the SR, Ministry of Foreign and European Affairs of the SR, as well as organizations working in the field of education, e.g. SAIA (Slovak Academic Information Agency), Slovak Academic Association for International Cooperation, etc.;
- Websites of higher education institutions in the SR;
- Previous studies and ad-hoc questions of the European Migration Network;
- Information from experts and professionals working in the field of education and migration, and from different universities, collected by means of questionnaires and guided interviews.

No comprehensive research or analysis of the migration of international students–third-country nationals has been conducted in the SR so far. The authors of the study were therefore forced to conduct not only secondary research, but also primary research. On the basis of the study specifications, a questionnaire was prepared and delivered to universities, specifically to the departments working with international students, and to relevant central state administration authorities. Much information has been obtained through personal meetings and guided interviews with the representatives of the Ministry of Education, Science, Research and Sports of the SR, the Ministry of Interior of the SR, the Slovak Academic Information Agency (SAIA, n. o.) working in the field of international student mobility in the SR, and the Slovak Rectors' Conference (SRC).

The statistical data in this study is presented either in the same form as collected by the relevant institutions of the SR, or, if required and possible, the data has been abstracted according to the study specifications. It should be noted in this regard that much of the statistical data required by the study assignment has not been collected in the SR; it is therefore not available and cannot be abstracted from the existing data. This means that no data or information has been collected about the motivations of international students to come to the SR or about the students' further steps following the completion of their study.

Besides the above-mentioned facts on statistical data, no significant difficulties have occurred during the compilation of this study that would complicate the drafting of this document. All contacted experts and institutions have provided the available information to ensure a comprehensive view of the topic in the SR.

1.2 Definitions

This chapter provides the definitions of the main terms concerning immigration of international students to the European Union countries. The definitions are based on the legislation of the SR, and the terms not defined in the Slovak legislation comply with the Glossary of Terms published by the European Migration Network (EMN)³.

As mentioned above, the target group of this study are international students–third-country nationals who came to the EU for the purpose of higher education study⁴. Since the legislation of the SR does not contain a legal definition of an international student, the following definition of that term has been chosen for the purpose of this study⁵:

International student – a third-country national who has obtained some type of temporary residence that the SR grants to applicants whose primary purpose in the territory of the SR is to study.

For higher education institutions in the SR, international students are all aliens – EU/EEA nationals and third-country nationals who study at an institution, including persons who have been granted the status of a Slovak living abroad, or students who have not arrived in Slovakia with the primary purpose to study (e.g. family members of Slovak citizens with permanent residence or of persons with a temporary residence permit for the purpose of employment or business who are also entitled to study in the territory of the SR without other special permit for education reasons).

A third-country national and a foreign national/alien are related terms, defined by the Slovak legislation as follows:

Third-country national⁶ – is everybody who is neither the state citizen of the

³ Available at http://www.emn.sk/phocadownload/glossary/emn_glossary_v-jan2012.pdf

⁴ In the context of migration, the EMN Glossary defines a third-country "student" in the context of migration as follows, in accordance with the definition of student under Article 2 of the Council Directive 2004/114/EC: "Student" means a third-country national accepted by an establishment of higher education and admitted to the territory of a Member State to pursue as his/her main activity a full-time course of study leading to a higher education qualification recognised by the Member State, including diplomas, certificates or doctoral degrees in an establishment of higher education, which may cover a preparatory course prior to such education according to its national legislation."

⁵ This definition can be derived from Section 1, Chapter 1, Part 3 of the Act on Residence of Aliens, which defines the different types of temporary residence granted by the SR to third-country nationals. Unlike Council Directive 2004/114/EC which defines the international student on the basis of the main activity to be performed during his/her stay in the territory of a Member State, the legislation of the SR rather puts emphasis on the type of temporary residence obtained by the third-country national.

⁶ Act No. 404/2011 Coll. on Residence of Aliens and on Changes and Amendments to Some Acts.

Slovak Republic nor the citizen of any EU Member State⁷ or of any contracting state of the EEA Agreement or of the Swiss Confederation; a third country national is also understood as a person without any citizenship.

Foreign national/alien⁸ – is everybody who is not the state citizen of the SR.

Slovak legislation defines higher education institution as follows:

Higher education institution⁹ – is a superior educational, scientific or artistic establishment the mission of which is to develop a harmonious personality, knowledge, wisdom, goodness and creativity in man and to contribute to the development of education, science, culture and health for the welfare of the whole society, and hence to the development of a knowledge society.

The Slovak Republic, in line with the Bologna Declaration, distinguishes between three levels of study programmes¹⁰ at higher education institutions which correspond to the international classification ISCED 5 and ISCED 6 and relate to the topic of this study:

First-level higher education study programme (ISCED 5) – bachelor study programme: a programme which focuses on obtaining theoretical and practical knowledge based on the current state of science or art and on mastering the use of such knowledge in pursuing an occupation or in the continuation of related university study.

Second-level higher education study programme (ISCED 5) – master, engineer and doctor study programme: a study programme which focuses on obtaining theoretical and practical knowledge based on the current state of science or art and on developing the ability of the creative application of such knowledge in pursuing an occupation or in the continuation of higher education studies in line with the doctor's study programme. The second-level higher education includes the following types of study programmes:

Engineer study programme – a programme focusing on the development of creativity in the creation of engineering works or processes, including economic ones, with design works as an important component.

Doctor study programme – a programme focusing on study in the field of human, veterinary or dental medicine.

⁷ Pursuant to the Act on Residence of Aliens, a Member State is an EU Member State with the exception of the SR, other contracting state of the EEA Agreement and the Swiss Confederation.

⁸ Act No. 404/2011 Coll. on Residence of Aliens and on Changes and Amendments to Some Acts.

⁹ Act No. 131/2002 Coll. on Higher Education and on Changes and Amendments to Some Acts.

¹⁰ Ibidem.

Master study programme – a programme which does not belong to the category of engineer or doctor study programme.

Third-level higher education study programme (ISCED 6) – PhD study programme: a study programme which focuses on obtaining knowledge based on the current state of scientific and artistic knowledge, and in particular on the student's own contribution to such knowledge as a result of scientific research and independent creative activities in the field of science, engineering or independent theoretical and creative work in art.

The following types of study fall under the category of international students studying under ISCED 4 international classification within the Slovak Republic:

Specialised study – study through which pupils obtain special knowledge and skills, including scientific and technical knowledge for the performance of specific work activities and work positions whose work-scope and special focus correspond to the field of study completed at the secondary vocational school.

Higher vocational study – study through which pupils obtain general education and special knowledge and skills, including new scientific and technical knowledge for the performance of specific work activities and work positions.

Both cases refer to post-secondary forms of study designed for pupils who have already obtained full secondary vocational education or full secondary general education, and the completion of which leads to obtaining higher vocational qualification. The numbers of international students or pupils with this form of vocational study in the SR are negligible, because secondary vocational schools which organise post-secondary study do not carry out study programmes in a language other than Slovak. This group will therefore not be taken into consideration for the purposes of this study.

Post-secondary language education at a language school represents a special category of study according to ISCED 4 classification (for more details refer to sub-chapter 3.2.5.4).

Language school¹¹ – a school which provides pupils of elementary and secondary schools, students of higher education institutions and adults with language training in foreign languages in line with the education programme, organises teaching of foreign languages with a special focus, and prepares for translation and interpreting work.

¹¹ Act No. 245/2008 Coll. on Upbringing and Education (School Act) and on Changes and Amendments to Some Acts.

Foreign researchers from third countries who conduct research activities do not constitute the target group of this study. For information purposes, we provide the definition and the conditions under which they can live and work in the SR in order to distinguish them from PhD (postgraduate) students admitted to research under higher education study.

Third-country researcher – a person who conducts research or development in the territory of the SR on the basis of a hosting agreement¹² and who has been granted the temporary residence permit for this purpose by the police department¹³.

Besides activities based on the hosting agreement, a third-country national who has been granted the temporary residence permit for the purpose of research and development is entitled to conduct business in the territory of the Slovak Republic. Without the need to obtain an employment permit, such foreign national is also entitled to conduct pedagogical work for a maximum of 50 days within a calendar year in an employment relation or other similar work relation.

¹² The conclusion of hosting agreements is governed by Act No. 172/2005 Coll. on the Organisation of State Support for Research and Development and on the Supplementation of Act No. 575/2001 Coll. on the Organisation of Government Activities and Organisation of Central State Administration As Amended, which transposed Council Directive 2005/71/EC on a specific procedure for admitting third-country nationals for the purpose of scientific research to the legislation of the Slovak Republic.

Under this Act, a hosting agreement may only be concluded by a legal entity conducting research and development which is authorised by the Ministry of Education of the Slovak Republic to admit third-country nationals for the purpose of research and development.

A hosting agreement shall contain the following information:

- a) name and surname of the third-country national, and name of the hosting organisation;
- b) specification of the research position in which the foreign national will perform his/her activity;
- c) specification of the work conditions;
- d) purpose, duration, focus and financing of the research and development project;
- e) certified copy of the document on the foreign national's qualifications;
- f) declaration of liability of the hosting organisation related to the costs of stay and possible costs of expulsion of the foreign national in case it is proven that he/she stays illegally in the Slovak Republic;
- g) declaration of the hosting organisation or of the foreign national that he/she disposes of sufficient funds per month to cover the costs of the stay and the travel costs for the return journey at a minimum amount corresponding to the minimum wage;
- h) declaration of the hosting organisation or of the foreign national of having paid for health insurance during the stay.

¹³ In the study, a police department refers to Aliens Police Department of the Police Force (APD PF).

02

The National Education System and International Students

2.1 Structure of the National Higher Education System

The school system in the Slovak Republic consists of three levels of educational institutions – primary, secondary and tertiary. Higher education is part of the third, tertiary level and is composed of educational, scientific and artistic institutions with the exclusive right to provide higher education. Students can attend a daily or external form of study. According to the Act on Higher Education, the daily form of study is characterised by daily participation of students in educational activities. Most study programmes require lecturing with a direct contact between university teachers and students with a minimum of 18 hours per week during the teaching period throughout the academic year; this shall not apply to the period of practical training and study-related internship. The external form of study is mainly characterised by independent study and consultations.

As has already been mentioned in sub-chapter 1.2, higher education runs at three levels in compliance with the Bologna Declaration. The first level repre-

sents bachelor study programmes, which normally take three¹⁴ to four years, and graduates receive a bachelor degree (Bc.) after completing their studies. Having obtained this degree, students can continue with second-level studies represented by master, engineer or doctor programmes. These kinds of programmes take a minimum of one year and a maximum of three years. In special cases, level 1 and level 2 are combined in a single study programme, which normally takes a minimum of four years and a maximum of six years. The graduates of the second level or of the combined first and second level of higher education study programme obtain the “master’s” degree (Mgr., Mgr. art.); or the “engineer’s” degree (Ing., Ing. arch.) in the technical, agricultural and economic fields of the engineer programme; or the “doctor of medicine” degree (MUDr.) in the field of general humane medicine; or the “doctor of dental medicine” degree (MDDr.) in the field of dental humane medicine, or the “doctor of veterinary medicine” degree (MVDr.) for veterinary medicine. The third level of higher education is constituted by post-graduate study (PhD., ArtD., ThLic., ThDr.) The post-graduate study programme takes a minimum of three and a maximum of four years in daily form, and a maximum of five years in the case of external study.¹⁵

With regard to the ISCED classification, the bachelor and master studies correspond to ISCED 5 level, and PhD study corresponds to ISCED 6 level.

According to the focus and scope of activities under the law, the institutions providing higher education in Slovakia can be divided as follows:

- **University types of higher education institutions** providing study programmes at all three levels and conducting mainly basic research. The term “university” can be used in the title of only this type of institutions providing higher education.
- **Professional higher education institutions** providing study programmes mainly at the first level of “bachelor” course and conducting applied research.
- **(Other) higher education institutions** providing higher education mainly in first-level and second-level study programmes and in study programmes where the MoESRS SR has allowed the combination of the first and second level of higher education into a single programme with regard to the specific features of the study programme, and mainly conducting basic research.¹⁶

¹⁴ Conservatorium provides two-year Bachelor study programme after high school graduation.

¹⁵ Source: Higher Education System in the SR, MoESRS SR. Available at: <http://www.minedu.sk/index.php?lang=sk&rootId=664> (consulted on 13/06/2012).

¹⁶ For the purposes of this study, we shall not distinguish between the individual types of higher education institutions, and we shall use the common term “higher education institution” for all three types (unless pro-

Depending on the way of establishment and financing, there are four types of higher education institutions in the SR:

- 1) **Public higher education institutions** are established by law and are mainly financed from the state budget. They are statutory and self-governing institutions. At present¹⁷, there are 20 public higher education institutions in Slovakia.
- 2) **State higher education institutions** are also established by law, and are fully financed from the state budget (as state budget organisations). They specialise on military, police and medicine study programmes and are managed by the respective ministries (Ministry of Defence of the SR, Ministry of Interior of the SR, and Ministry of Healthcare of the SR). At present¹⁸, there are three state higher education institutions in Slovakia.
- 3) **Private higher education institutions** must be approved by the Government of the SR on behalf of the State¹⁹. They are established and financed by their own activities, and can have various legal forms (commercial company or non-profit organization). At present²⁰, there are 13 private higher education institutions in Slovakia.
- 4) **Foreign higher education institutions** are higher education institutions with a domicile in the territory of a European Union Member State or a contracting state to the Agreement on the European Economic Area and the Swiss Confederation, providing education on the basis of a permit to provide higher education in the territory of the Slovak Republic under the laws of the state where they have their domicile granted by the Ministry of Education, Science, Research and Sports. At present, there are four higher education institutions²¹ from the Czech Republic²² in Slovakia.

Higher education institutions may only provide accredited study programmes²³. The principal teaching language is Slovak, but there are also

vided otherwise).

¹⁷ Source: Higher Education System in the SR, MoESRS SR. Available at: <http://www.minedu.sk/index.php?lang=sk&rootId=664> (consulted on 13/06/2012).

¹⁸ Ibidem.

¹⁹ A legal entity with its domicile in the Slovak Republic or in the territory of a European Union Member State or in the contracting states of the European Economic Area Agreement or the Swiss Confederation that was established for education and research is authorised to act as a private higher education institution, provided it has been granted an approval by the Government of the Slovak Republic on behalf of the State. <http://www.minedu.sk/index.php?lang=sk&rootId=414> (consulted on 13/06/2012).

²⁰ Available at: <http://www.minedu.sk/index.php?lang=sk&rootId=414> (consulted on 10/09/2012).

²¹ Ibidem.

²² The data about international students studying at foreign universities within the SR is not available, and has not been analysed in this study.

²³ The list of approved and suspended rights in first-, second- and third-level higher education is available at: <http://www.minedu.sk/index.php?lang=sk&rootId=45>
http://www.minedu.sk/data/USERDATA/MSpolupraca/STIPVSR/2010/Sustava_studijnych_odborov_na_

programmes in other languages (especially English), mainly destined for international students. The academic year starts on 01 September and ends on 31 August of the next calendar year. It consists of the winter semester (September–January) and summer semester (February–June). The detailed organisation of the academic year is defined by the internal regulations of the higher education institution or its faculty²⁴.

2.2 Policy of the Slovak Republic Regarding International Students

2.2.1 National Policy Framework

The Slovak Republic does not dispose of a comprehensive national policy focused exclusively on the migration of international students to Slovakia or on the internationalisation of higher education within a wider scope. The conditions of admission, stay and extension of stay – for example, to advance to a higher level of education – are laid down in specific legislative measures, mainly defined in the Act on Residence of Aliens and in the Act on Higher Education the contents of which is described in the next chapter. This chapter presents the key documents with a wider political and strategic focus which deal with the topic at the national level either in a wider political and declaratory level determining the policy orientation, or in a narrower, political implementation level determining specific actions and tasks to be fulfilled.

The principal political document of the SR of the past period has been the **Manifesto of the Government of the Slovak Republic 2012–16**, in which the Government of the SR declares among its priorities the support for the *“mobility of students, university teachers and researchers”*; as well as its support for legislative changes that would create the conditions to ensure that *“high-quality students and researchers from third countries come to study and work in Slovakia.”*²⁵

The executive body implementing the education policy in the SR is the Ministry of Education, Science, Research and Sports of the SR. According to the Act on Higher Education, the MoESRS SR prepares, updates on an annual basis and publishes the **Long-Term Strategy of Educational, Research, Development, Artistic and Other Creative Activities for Higher Educa-**

vysokych_skolach_v_SR.xls (consulted on 29/06/2012).

24 Source: Study in Slovakia: Study Programmes Offered in Foreign Languages. Bratislava: SAIA, n.o., 2011.

25 Source: Manifesto of the Government of the Slovak Republic 2012–16. Available at: <http://www.vlada.gov.sk/znalostna-spolocnost-vzdelavanie-a-kultura/> (consulted on 25/06/2012).

tion Institutions (hereinafter referred to as the “Long-Term Strategy of the Ministry”). The Long-Term Strategy of the Ministry is produced for a period of five to ten years, and is discussed by the Government of the SR. At present²⁶, the Long-Term Strategy of the Ministry until 2014 is in place which, in relation to the topic of this study, indicates the plan to increase the attractiveness of Slovak higher education institutions through, among other things, intensified cooperation with foreign universities, implementation of joint study programmes, and increased mobility of students and university teachers between Slovak and foreign higher education institutions. The document also states that *“attractive study programmes in English or in other foreign language have a positive impact on student mobility in both directions”*²⁷.

2.2.2 Strategic Documents with a Wider Scope

In the past period, the SR adopted and started implementing three strategic documents which have a wider focus, but which – with regard to the topic of this study – detail the political strategy for the internationalisation of higher education and promotion of the mobility of students and researchers in the form of tasks. Some of these tasks have already been partly or fully implemented or are at the stage of implementation. The documents are: **Minerva 2.0 – Slovakia into the First League**; **Migration Policy of the Slovak Republic: Perspective until the Year 2020**; and **Middle-Term Strategy of Development Aid for the Period 2009–13** and related annual National Development Aid Programmes.

Minerva 2.0 – Slovakia into the First League²⁸ represents the general conceptual document which interconnects the individual sectoral initiatives related to the knowledge-based society, such as: education, research and development, and innovative business. The document defines concrete actions and long-term development steps required to ensure an innovative ecosystem. It repeatedly points out the problem of very low mobility of international students (PhD students/researchers) to Slovakia, the weak international cooperation and promotion of higher education institutions to attract international students, as well as the barriers related to the restrictive visa policy, the policy concerning the stay of foreign nationals in the SR, and many other administrative obstacles on the side of the aliens police, ministries and

26 As of 30 June 2012.

27 Source: Long-Term Plan of Educational, Research, Development, Artistic and Other Creative Activities for Higher Education Institutions until the Year 2014. Available at: <http://www.minedu.sk/index.php?lang=sk&rootId=6559> (consulted on 28/06/2012).

28 The schedule of tasks of the Minerva 2.0 strategy was approved by the Government of the SR on 30 November 2011. Due to the early elections and the new government the mandate of which started in April 2012, it was not clear whether this strategy would continue to be implemented when this study was in preparation.

foreign missions of the SR abroad. These problematic areas constitute one of the factors influencing the weaknesses of the economic and social development, such as lack of top-quality persons as a result of departure of the best students to other countries, insufficient transfer of modern education methods to other countries, and the weak penetration of the most modern foreign trends. The document proposes two key measures to minimise or eliminate these impacts: first, the creation of an active migration policy that would form the basis, among other things, for the arrival of highly qualified persons, including international students, researchers and scientists who could *“largely contribute to the revival of the working, scientific and educational environment and to the fluctuation of new ideas and processes and creation of new jobs”*²⁹.

Under this measure, the document also proposes the establishment of a permanent working group³⁰ composed of representatives of the *“Ministry of Interior of the SR, Aliens Police, Ministry of Labour, Social Affairs and Family of the SR, Ministry of Education, Science, Research and Sports of the SR, Ministry of Foreign and European Affairs of the SR, Ministry of Economy of the SR, higher education institutions, the SAS, students and organisations dealing with the mobility of students and researchers, which would regularly monitor the obstacles in mobility and international cooperation, and present proposals for the elimination of such obstacles to the competent authorities which would subsequently be implemented in practice”*³¹.

Another key measure is to create a strategy for the internationalisation of education in Slovakia in the framework of which the SR would, among others:

- promote the coordination of the presentation of Slovak higher education institutions abroad with the aim to make the Slovak higher education space more attractive for international students, and create the conditions for making the services of higher education institutions in the field of internationalisation more professional;
- stabilise the financing of the National Scholarship Programme for the Promotion of Mobility;
- support the creation of study programmes in foreign languages and joint study programmes³².

29 Source: Minerva 2.0 Slovakia into the First League. Available at: <http://www.vedomostna-ekonomika.gov.sk/data/files/8240.pdf> (consulted on 02/07/2012).

30 The working group has not been officially established yet. Data as of 30 September 2012.

31 Source: Minerva 2.0 Slovakia into the First League. Available at: <http://www.vedomostna-ekonomika.gov.sk/data/files/8240.pdf>, p. 28 (consulted on 02/07/2012).

32 Source: Minerva 2.0 Slovakia into the First League. Available at: <http://www.vedomostna-ekonomika.gov.sk/data/files/8240.pdf>, p. 31 (consulted on 02/07/2012).

The following bodies are responsible for the implementation of these two key measures of Minerva 2.0: MoI SR and MoESRS SR in cooperation with the MoE SR, MoLSAF SR, MoFEA SR and Office of the Government Plenipotentiary of the SR for Knowledge Economy.

Migration Policy of the Slovak Republic: Perspective until the Year 2020³³ (hereinafter referred to as the “Migration Policy of the SR”) is the basic document defining the migration policy orientation of the SR until 2020. This document was prepared in compliance with the conceptual objectives of the Minerva 2.0 programme (see above) and its implementation is based on coordination and cooperation between all relevant state administration bodies, self-governments, NGOs and other organisations. The specific tasks are detailed in action plans (for the period 2012-2013 so far); relevant to this study are the action plans produced by the MoESRS SR and the MoLSAF SR.

The action plans for the period 2012–13 define the following tasks and relevant measures:

With regard to the objective of migration policy to update the legal conditions with the aim to create more flexible forms of entry and stay for migrants to study or perform economic activities for the present and also newly-defined groups of economic migrants, the MoLSAF SR proposes a measure until the end of 2012 under which *“international students who have successfully completed their studies at secondary school or university accredited within the education system in the territory of the SR have the possibility to stay in the SR for a minimum of three months to be able to find employment. This group of foreign nationals would fall under the group of foreigners who are not required to have an employment permit, and would thus have the possibility of employment without restrictions”*³⁴. In relation to the above-mentioned Migration Policy objective, the MoESRS SR defined the measure *“to ensure the possibility for foreign nationals to access higher education in the SR. The Ministry also plans to increase the number of hours during which higher education students can work*

33 The Migration Policy of the SR was approved by Government Resolution No. 574 of 31 August 2011. In accordance with the national interests of the Slovak Republic, the aim of the migration policy is to create suitable conditions mainly in the field of legal migration, taking into consideration the priorities, needs and abilities related to the admission of migrants, including their integration into the society; to increase the effectiveness of border controls concerning the movement of persons, and the fight against illegal migration; to contribute to the adoption of a common European asylum system; to participate in the building of a global partnership with the countries of origin and transit countries with the aim to promote concurrence between migration and development; and, hence, contribute to increasing the quality of life of the citizens of the Slovak Republic. Source: Migration Policy of the Slovak Republic: Perspective until the Year 2020. Available at: http://www.emn.sk/phocadownload/documents/migracna_politika_sr_2020_sk.pdf, p. 3 (consulted on 02/07/2012).

34 Source: Action Plan of the Migration Policy of the Slovak Republic: Perspective until the Year 2020. Available at: http://www.rokovania.sk/html/m_Mater-Dokum-144306.html (consulted on 05/07/2012).

along their study to at least the double of the current amount³⁵. Both measures are expected to be implemented in 2012 and 2013 by incorporating them into the relevant laws.³⁶ The bodies responsible for the implementation of the first measure are the MoLSAF SR, MoH SR, MoESRS SR, OLSAF SR and Mol SR. The second measure is sponsored by the MoESRS SR, Mol SR and MoLSAF SR.

The Middle-Term Strategy of Development Aid of the Period 2009–13, sponsored by the MoFEA SR, specifies the provision of development aid by the Slovak Republic. This document defines the concrete plans, basic rules, principles, aims, tools and partners of the Slovak development aid, as well as sectoral and territorial priorities of aid. In line with the Middle-Term Strategy, a **National Development Aid Programme** is prepared, which defines the programme, project and geographic priorities of the development aid of the SR for the respective year, and identifies new global challenges and responses.³⁷ An important part of the bilateral development cooperation, the content of which is linked to the topic of this study, are government scholarships to study in the SR for applicants from developing countries, which are approved under the National Development Aid Programme each year. In 2012, the Government of the SR will grant scholarships to 48 new applicants from developing countries and 178 students studying at upper years of public higher education institutions in the SR who already receive government scholarships³⁸.

A special category of the strategic document, which does not have a national, but an institutional character, covers **long-term development strategies of higher education institutions** to be prepared by each higher education institution in the SR. The questionnaire survey conducted by the authors of this study among higher education institutions showed that higher education institutions also deal, in a narrower or wider form, with internationalisation, promotion of mobility, international cooperation etc. The strategic aims that were most frequently mentioned in the long-term strategies of higher education institutions can be summarised as follows:

³⁵ Ibidem.

³⁶ According to the MoLSAF SR, the ministry proposes to implement a part of this measure through an amendment of the Act No. 5/2004 Coll. on Employment Services incorporating the following text: "employment permit will not be required in case of a third-country national who has successfully finished high school or university study in the territory of the SR". The amendment of the Act No. 5/2004 Coll. on Employment Services together with the amendment of the Act No. 404/2011 Coll. on Residence of Aliens will likely come into effect on 1 May 2013. The proposed measure of the MoESRS SR is planned to be discussed with the MoLSAF SR in 2013 with the next amendment of the act on employment services.

³⁷ Source: Slovak NDGO Platform. Available at: <http://www.mvro.sk/sk/kniznica/category/1-dokumenty> (consulted on 05/07/2012).

³⁸ Source: Slovak NDGO Platform. Available at: <http://www.mvro.sk/sk/kniznica/category/1-dokumenty> (consulted on 05/07/2012). For more details on government scholarships from development aid refer to subchapter 3.2.2.3

- increasing the number of international students and foreign-language study programmes;
- improving the conditions of mobility for international students;
- enhancing language teaching, including Slovak for international students under the preparation for study in Slovak;
- enhancing and improving the existing study programmes in English in particular;
- creation of joint study programmes with foreign universities, which would gradually lead to the introduction and recognition of common degrees through double or common diplomas; and
- development of existing and creation of new partnerships abroad, etc.

2.2.3 Public Discussions on the Migration of International Students

Public Discussions at the Political Level

The authors of the study have not observed any public discussion at top political level on migration of international students in Slovakia or internationalisation of higher education in the SR during the period 2006–11. In the process of preparation of the new Act on Residence of Aliens and of the Migration Policy: Perspective until the Year 2020, which, as already mentioned above, comprise issues concerning migration of international students, besides state authorities also non-profit organisations and other expert institutions were involved in the consultation procedure regarding the drafts of the documents. Over 600 comments were raised on the draft document, including comments aimed to facilitate the stay of students in Slovakia during and after the completion of their studies. Some of the comments were accepted and are described in the next chapters concerning legislation³⁹.

In connection with the elections in 2010, SAIA organised in May a public panel discussions with education experts of the candidate political parties⁴⁰ under the title *Internationalisation of Higher Education Institutions as a Tool for Positive Change*. This discussion forum provided the representatives of political parties with an opportunity to present their vision of the development of international cooperation of Slovak higher education institutions and scientific institutions in case they entered the government after the elections. The participants to the panel discussion agreed that "internationalisation is

³⁹ The measures proposed during the consultation process and the result of their (non-)incorporation into the draft law are available at: http://www.rokovanie.sk/File.aspx/ViewDocumentHtml/Mater-Dokum-135926?prefixFile=m_

⁴⁰ A total of eight political parties which had the chance to enter the Parliament according to public opinion polls were contacted. Six of them accepted the offer.

one of the tools to improve the quality not only of education, but also of scientific and research activities. Involvement in international projects, cooperation with foreign teachers and scientists and two-way mobility of students increase the reputation and the attractiveness of the institution in Europe and in the world⁴¹. The participants also agreed that one of the problems is the “absence of a national strategy that would help to define transparent criteria and priorities in this cross-sectional area in connection with the growth of higher education institutions in Slovakia⁴²”.

Discussions at Expert Forums

Throughout the past three years, public discussions about this topic have developed at several expert forums dealing with academic mobility and the internationalisation of higher education.

SAIA has played the role of organiser and principal facilitator in areas concerning the stay of foreign nationals–international students in Slovakia. Besides providing consulting and information services, this organisation also organises expert seminars, workshops and public discussions with the aim to develop or promote cooperation and exchange of experience among the stakeholders. We can mention, for example, its annual conferences entitled *Day of Academic Mobility and Internationalisation*⁴³. The conferences regularly discuss issues concerning the stay of international students, postgraduates, researchers and university teachers with the BBAP PFP representatives, and present the possibilities of scholarship support, and the possibilities and tools for increasing the attractiveness of Slovakia to international students and researchers. The aim of the events is to provide the employees of higher education institutions and research organisations who professionally deal with international cooperation and internationalisation of their institutions with an opportunity to get involved in discussions with the key actors of the state administration and the non-profit sector about the current problem areas of their work, and with information about new policies, legislative changes and support programmes in Slovakia.

We should also mention the expert seminar *Mobility of Researchers and Related Issues*, which formed part of the Day of Academic Mobility and Internationalisation in 2010 and focused on issues and challenges related to the mobility of postgraduate students and researchers. The seminar created the platform for discussions about the problems of Slovak researchers leaving

41 In: Annual Report of SAIA, n.o. 2010, p. 4

42 Ibidem.

43 The first conference under the title Internationalisation as a Tool to Enhance the Quality of Education and Research was held in December 2010, and the second conference on the Day of Academic Mobility and Internationalisation II was organised one year later in December 2011.

for foreign countries, and highlighted the administrative obstacles in the admission of foreign researchers which reduce Slovakia’s attractiveness to this target group.

In connection with its involvement in the EURAXESS European network, SAIA has also organised a series of seminars in university towns all over Slovakia not only for postgraduate students and researchers, but also for employees of foreign departments working with international students. Representatives of Aliens Police Departments are also invited to speak at the seminars, thus creating the possibility of direct contact between the aliens police and higher education institutions. This also develops a platform for solving practical problems in obtaining residence permits for foreign nationals.

Another place for expert public discussion about the topic was a thematic workshop about the Youth in Movement initiative. This workshop was a part of the series of conferences and workshops organised on the adopted Europe 2020 strategy. The main organiser was the Slovak Governance Institute in cooperation with the EC Representation in Slovakia. The principal aim of the events on the Europe 2020 strategy was to create “a platform for discussion that would enable the representatives of the academic, governmental and private sectors to review the current policies and propose improvements⁴⁴”. The thematic workshop Youth in Movement thus created a room for discussions between key actors from various state and non-state institutions, including representatives of the European Commission, on the internationalisation of higher education institutions as a tool to improve their quality. The workshop presentations⁴⁵ and the subsequent conclusions pointed out the problems in enhancing the quality of the Slovak higher education system, in particular the massification of education, weak interconnection with practice, low emphasis on own quality, poor student mobility rather focused on departure of Slovak students than on arrival of international students, as well as insufficient openness of higher education institutions. The conclusions and proposed actions resulting from the discussion were summarised by a representative of SAIA as sponsor of the event. This contribution highlights the need to create a strategy of internationalisation at the local and institutional levels; the elimination of barriers in the mobility of international students at the level of legislation and also at the level of higher education institutions; active marketing and coordination, i.e. preparation of a common presentation of Slovak higher education institutions abroad; building of

44 Source: <http://www.governance.sk/index.php?id=1739> (consulted on 07/07/2012).

45 Compiled according to the contribution to the workshop which was published in the final publication after the end of all workshops and conferences: Fedák, M.: Ako ďalej so slovenským vysokým školstvom. In Európa 2020 – inteligentná, udržateľná a inkluzívna Európa – odporúčania pre Slovensko. Available at: <http://www.refernet.sk/images/news/files/europa-2020-inteligentna-udrzatelna-a-inkluzivna-europa.pdf>

a professional background at higher education institutions; and building of professionally equipped foreign departments and permanent contacts without changing the management of such institutions, which is the prerequisite of success of a higher education institution within the international education space⁴⁶.

The Slovak Academic Association for International Cooperation (SAAIC), which is, among other things, the National Agency for the EU Life-Long Learning Programme and the Office of the Erasmus Mundus programme, also deals with the internationalisation of higher education. Although the SAAIC activities mainly focus on mobility within the EU, its activities marginally concern third-country nationals. Among its past activities, we should mention, for the purposes of this study, the national seminar *Internationalisation of Higher Education in Slovakia*, held on 13 May 2010, which largely dealt with higher education institutions and international students from third countries. The conclusions and recommendations of the national seminar for activities at the national and institutional levels are topical even today, such as the need to prepare a strategy of development and promotion of the internationalisation of higher education and involvement of Slovak higher education institutions in international cooperation; the need to work out a methodology for the assessment of the quality of internationalisation of higher education institutions⁴⁷ and to take it into consideration in the assessment of activities of higher education institutions and accreditations (not only with regard to involvement in research activities, but also in international educational activities); to work out a methodology of preparation and accreditation of common study programmes; the need to create and fix the institutional and financial conditions for student mobility; and the need to solve the administrative and visa problems related to the stay of students from countries outside of the EU in the SR.

2.2.4 Media Coverage of the Topic

Press releases on the topic are sporadically published in dailies and professional printed media, and at web portals. Their focus usually has a descriptive nature observing the state and reasons of the very low number of international students in Slovakia. The most frequent reasons according to the media

⁴⁶ Compiled according to <http://www.refernet.sk/images/news/files/europa-2020-inteligentna-udrzatelna-inkluzivna-europa.pdf> (consulted on 07/07/2012).

⁴⁷ Assessment is partly carried out by the ARRA whose activities are aimed at quality assessment of education and research at higher education as well as scientific institutions in the Slovak Republic. When assessing higher education institutions, ARRA uses two criteria related to mobility: proportion of international students enrolled in a higher education institution and since 2012 number of students enrolled abroad through selected mobility programmes.

are the poor ranking of Slovak higher education institutions, low number of study programmes in foreign languages, low flexibility of study programmes and their openness towards students, poor promotion of higher education institutions and communication with the public.

* * *

This information suggests that the political and strategic documents of the SR produced at the national level mainly define the policy direction and subsequent measures to help the implementation of better conditions for the immigration of international students and internationalisation of higher education and science in the SR. The strategies of higher education institutions in this area are broken down, to various extents, to objectives and actions depending on the possibilities and experience of higher education institutions in the study of international students, international cooperation, etc. According to the information by the MoESRS SR⁴⁸, the SR is not yet planning to prepare a national policy on the immigration of international students or internationalisation of higher education and science covering this area. However, it plans to prepare a new concept of higher education strategy in the first half of 2013, comprising issues regarding internationalisation of higher education.⁴⁹

These facts also suggest that the migration of international students is rather a sporadic topic of expert discussions in Slovakia which are mainly developed by engaged experts (from higher education institutions, agencies administering mobility, or MoESRS SR). According to the available information, SAIA and SAAIC were particularly active in the initiation and facilitation of expert public discussions. The media coverage of this topic is very poor, which is caused by the very low number of international students in Slovakia. However, all these press releases correspond in the opinion that student mobility is one of the important factors of further personal, institutional and economic growth of individuals and society, and should therefore be an integral part of the strategic and implementation documents produced both at the national and institutional levels.

⁴⁸ Guided interview with representatives of the Higher Education Department and International Cooperation Section of the MoESRS SR.

⁴⁹ Information was provided by the MoESRS SR.

03

Legal and Practical Conditions of the Slovak Republic that Apply to International Students

This chapter deals with the legislation and implementation of measures applying to international students – third-country nationals before, during and after completion of their studies with a view to the conditions of admission of international students to higher education study; measures aimed to increase their motivation to study in the SR; tuition fees; procedures related to the issuance of visas and residence permits; employment possibilities; access to the social security system; and the possibilities for students to stay in the territory of the SR after the completion of their studies. This chapter also describes the conditions of entry and stay of family members of international students, deals with the misuse of residence permits for education reasons, and presents available statistics analysing the numbers and flows of international students in the SR.

Since the majority of these measures is based on the legislative and political environment in this field, the introduction to this chapter describes the legislative framework with an overview of the legal regulations governing this area in the SR.

3.1 Legislative Framework

The key law governing the migration of international students is Act No. 404/2011 Coll. on Residence of Aliens and on Changes and Amendments to Some Acts (“Act on Residence of Aliens”), which replaced on 01 January 2011 the original law on migration in the SR – Act No. 48/2002 Coll. on Stay of Aliens and on Changes and Amendments to Some Acts.

In connection with international students, the act governs among others entry, stay and exit requirements for international students and their family members in the territory of the SR, their obligations concerning stay, as well as potential sanctions in the case of breach. Besides that, the act also defines the obligations of persons providing accommodation connected with the reporting of the stay of foreign nationals and the obligation of schools to cooperate in the avoidance of a possible misuse of the student status for irregular migration by reporting every interruption, abandonment or termination of study or expulsion from study of a foreign student to the respective police department.

In addition, the Act on Residence of Aliens regulates issuance of entry visas for the foreigners and by that supplements an important legal regulation governing the entry of foreign nationals into the territory of the SR – Regulation (EC) No. 810/2009 of the European Parliament and of the Council establishing a Community Code on Visas (Visa Code), first and foremost in connection with the process of issuing Schengen visas and especially national visas (“D” type), which in some cases represent the simplest way to begin studies in the SR.

The second key act related to the topic of this study is Act No. 131/2002 Coll. on Higher Education and on Changes and Amendments to Some Acts (hereinafter referred to as the “Act on Higher Education”). It defines the conditions of admission to higher education institutions in the SR, the individual study programmes, levels of higher education, and the conditions for the recognition of qualifications of international students. The Act on Higher Education together with the Act No. 245/2008 Coll. on Upbringing and Education (hereinafter referred to as the “School Act”) and on Changes and Amendments to Some Acts establish principles, goals, conditions, scope, content, types and organization of upbringing and education in schools and school facilities in Slovakia.

Important questions concerning employment of third-country nationals are governed by Act No. 5/2004 Coll. on Employment Services and on Changes and Amendments to Some Acts (hereinafter referred to as the “Act on Employment Services”). The act precisely defines the conditions under which the different categories of foreign nationals (depending on the type of residence permit) can enter the labour market in the SR.

It should be mentioned that the Act on Employment Services is linked to the original regulation of the stay of aliens, i.e. Act No. 48/2002 Coll. which governed the conditions of aliens’ employment in more detail compared to the new Act on Residence of Aliens. The philosophy of the new regulation has been based on the intention to only regulate the conditions of entry and stay of aliens in the territory of the SR, while the issues concerning employment of foreign nationals have been left to a special legal regulation prepared at that time. The legislative process accompanying the preparation of this act in the field of employment of foreign nationals have not been completed by the time of compiling this study, as a result of which the current legal state concerning employment of foreign nationals, as described in this study, contains some deficiencies. It can be assumed that this legal state will change with the passing of a new law – amendment to the Act on Employment Services⁵⁰. The impacts of the inconsistencies in the legal regulation of the employment of third-country students and their family members are described in sub-chapter 3.3.3.

The Act on Employment Services together with Act No. 82/2005 Coll. on Illegal Work and Illegal Employment and on Changes and Amendments to Some Acts and Act No. 125/2006 Coll. on Labour Inspection and on Changes and Amendments to Some Acts represent the legal basis for combatting irregular work as one of the possible reasons for the misuse of irregular migration to EU countries.

These acts define the terms “illegal work” and “illegal employment”, specify the obligations of foreign nationals and their employers upon entry of a foreign national to the labour market, the control mechanisms and the sanctions in the case of violation of the laws governing the employment of foreign nationals.

The access of international students and their family members to healthcare and social security in the SR is governed by Act No. 580/2004 Coll. on Health Insurance and on Changes and Amendments to Act No. 95/2002 Coll. on

⁵⁰ According to the information from MoLSAF SR, an amendment to the Act on Employment Services is being prepared.

Insurance and Changes and Amendments to Some Acts, and Act No. 599/2003 Coll. on Assistance in Material Need and on Changes and Amendments to Some Acts, as well as many other acts governing state social benefits through which the state compensates for certain life events that can have a negative impact on the applicant’s social situation. The prevention, solution or mitigation of an adverse situation of a physical person or family, the solution of a critical social situation, and the conditions for satisfying the basic living needs of persons who have temporarily found themselves in social need are ensured through social services governed by Act No. 448/2008 Coll. on Social Services and Changes and Amendments to Act No. 455/1991 Coll. on Trade Licensing (Trade Licence Act) as Amended.

3.2 Legal and Practical Conditions in the SR that Apply to International Students Prior to the Beginning of Their Study

The measures aimed at international students and implemented prior to the beginning of their studies include, besides measures aimed to increase the motivation of international students to study in the SR, the provision of information about the conditions of study in the SR and about their stay, tuition fees, and legal procedures related to the issuance of visas and residence permits for international students – third-country nationals. The implementation of such measures is reflected in the statistical data on the state and flows of international students in the SR, which is presented in the final part of this sub-chapter.

3.2.1 The Conditions of Admission of International Students to Higher Education Study in the SR

The right to study a selected study programme at a public higher education institution in the SR pertains without exception to the nationals of the SR, nationals of other EU Member States, as well as third-country nationals irrespective of their age, sex, sexual orientation, marital status and family status, race, colour of skin, handicap, language, political or other thinking, belonging to a national minority, religious views or beliefs, trade union activity, national or social background, property, descent or other status.

In line with the principle of prohibition of discrimination, all applicants for study are required to fulfil identical conditions for admission to study.

Depending on the study programme level, the following basic conditions of admission apply:

- a) for bachelor study programme ISCED 5 (or a programme combining the first-level and second-level study programmes), the obtaining of full secondary qualification or full secondary vocational qualification;
- b) for engineer, master and doctor study programme ISCED 5, the completion of first-level study programme; and
- c) for postgraduate (PhD) study programme ISCED 6, the completion of second-level study programme.

The document on qualifications obtained abroad must be recognised by the respective institutions in Slovakia. (The recognition of foreign documents is dealt in more details in the sub-chapter 3.2.2.2)

The other conditions of admission to study are defined by higher education institutions. In most cases, it is the verification of the applicant's competences through an entry test. Attending the entry test is mandatory for applicants for postgraduate study. Higher education institutions and their faculties define the method of checking the applicants' competences through their internal regulations. Special conditions of admission to study can be laid down by agreement between higher education institutions organising joint study programmes.⁵¹

In the case of academic mobility, international students from third countries coming to study to Slovakia are required to present, together with the application for study, documents proving their studies at the dispatching higher education institution.

3.2.2 Measures to Encourage the Motivation of International Students to Study in the SR

With regard to mobility, the SR is characterised by disproportions between departing Slovak students and arriving international students to the detriment of arriving international students. The fact that the SR does not have a single higher education institution among top-ranked world universities does not encourage the interest of international students to study in the SR

⁵¹ A higher education institution can organise study programmes in cooperation with other higher education institutions, including those abroad. Students admitted to such study programmes attend a comparable part of the study at the individual higher education institutions. The cooperating institutions participate in the creation of the joint study programme, and in the decision-making within the admission procedure and on the fulfilment of conditions for standard completion of studies.

either⁵². Moreover, the number of Slovak students in the SR has been gradually declining since the academic year 2008/2009, which suggests that higher education institutions and universities will have to strive for students and make efforts to attract students from abroad⁵³.

This is one of the reasons why the strategic document Minerva 2.0 was adopted in 2011. This document defines as one of the main solutions needed for the development of a knowledge economy the creation of a strategy of internationalisation of education in the SR to promote the openness and attractiveness of Slovak education institutions through measures focused, among others, on the coordination of the presentation of Slovak higher education institutions abroad, on the provision of more information about grants at various portals, including Study In, stabilisation of the National Scholarship Programme to Promote Mobility, increasing the Slovak contribution to the CEEPUS international programme, and support for the creation of study programmes in foreign languages and joint study programmes⁵⁴.

The principal actions aimed to increase and promote the interest of international students in studying in the SR, which can also encourage their interest, are:

- promotion of higher education institutions and targeted campaigns;
- recognition of documents needed for the admission of international students to higher education institutions in the SR;
- scholarships, grants and other financial support of international students from third countries.

These measures are mainly implemented at the level of the MoESRS SR, higher education institutions, academic agencies, associations and organisations promoting international mobility, etc.

3.2.2.1 Promotion of Slovak Higher Education Institutions and Targeted Campaigns

In general, Slovak higher education institutions are promoted through the participation of the representatives of different institutions at international

⁵² For the year 2011 see, for example: <http://www.shanghairanking.com/ARWU2011.html> or <http://www.timeshighereducation.co.uk/world-university-rankings/2011-2012/top-400.html>.

⁵³ Fedák, M.: Ako ďalej so slovenským vysokým školstvom? In: Kolektív autorov: EURÓPA 2020 – Inteligentná, udržateľná a inkluzívna Európa, Odporúčania pre Slovensko. Európska únia, 2011. Available at: <http://www.refernet.sk/images/news/files/europa-2020-inteligentna-udrzatelna-a-inkluzivna-europa.pdf> (consulted on 13/06/2012).

⁵⁴ For more details see sub-chapter 2.2.2 and the document Minerva 2.0, Slovakia into the First League, available at: <http://www.rokovania.sk/Rokovanie.aspx/BodRokovaniaDetail?idMaterial=20088> (consulted on 13/06/2012).

exhibitions, fairs and education congresses. Slovak higher education institutions do not systematically run concrete targeted campaigns specifically aimed at particular third countries or groups of international students. However, depending on the conditions of the grant/scholarship mobility programme, the MoESRS SR and some higher education institutions can determine priority countries of origin of international students (e.g. countries of the Western Balkans and Eastern Partnership of the EU, countries eligible for the International Visegrad Fund scholarships⁵⁵, etc.).

Slovak higher education institutions as a whole are promoted at the national level in three ways. The first way is promotion activities by the MoESRS SR.

The ministry participates at exhibitions and fairs on education and enhancement of mobility. The countries are selected according to concluded bilateral agreements in the field of education⁵⁶. The MoESRS SR management determines the priority countries for bilateral cooperation upon consultation with the MoFEA SR. In 2012, China, Turkey and Serbia were included in this category⁵⁷. The SR seeks to develop bilateral cooperation mainly with countries interested in exchange of students, lectures and experts in education, or in studying Slovak language, and with countries which can offer scholarships for study and research stays for Slovak students on a reciprocal basis. Hence, bilateral cooperation primarily focuses on countries that can be considered attractive with regard to the possibilities of cooperation in the given field⁵⁸.

For the purpose of promotion of Slovak higher education institutions, the MoESRS SR has launched the website www.studyin.sk and has published its own promotion materials (see sub-chapter 3.2.3).

The second way of promotion at the national level are activities developed by SAIA which is expected to promote, on the basis of agreements with the MoESRS SR, the Slovak higher education and research institutions, scholarships and grants and the possibilities of studying in Slovakia and abroad. In connection with this assignment, SAIA prepares information and promotion materials each year (see sub-chapter 3.2.3) and actively participates at international education fairs abroad. In 2011, upon consultation with the

⁵⁵ Albania, Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, Croatia, Georgia, Kosovo, Former Yugoslav Republic of Macedonia, Moldova, Montenegro, Russia, Serbia and Ukraine. <http://visegradfund.org/scholarships/incoming/> (consulted on 13/06/2012).

⁵⁶ In the selection of countries with which the MoESRS SR concludes bilateral agreements in the field of education, the MoESRS SR follows the document Slovakia's Foreign Policy Orientation for the given year published by the Ministry of Foreign and European Affairs of the SR, and the requirements for concluding bilateral agreements raised by partner ministries from abroad.

⁵⁷ Information provided by the MoESRS SR.

⁵⁸ Ibidem.

MoESRS SR, the following target countries outside of the EU were selected for promotion at international fairs: Turkey (Turkish international education fairs, Istanbul), Russia (*Education and Career* fair, Moscow), Ukraine (International fair *Education Abroad*, Kiev), and China (China Education Expo, Shanghai). In 2012 it was Turkey (Turkish education fairs, Istanbul), Brazil (International Education Brazil EXPO, Sao Paulo), China (China Education Expo, Beijing) and Russia (*Education and Career* fair, St. Petersburg). In the past, SAIA has also been involved in the promotion activities organised by the European Commission – series of fairs European Higher Education Fairs/Asia Link under which SAIA took active part at fairs in China, India, Indonesia and Vietnam. SAIA organises promotion campaigns also through press conferences, the media (TV, radio, daily prints, weeklies, etc.), at its website in different languages, or at various seminars, information days, international conferences at home and abroad (e.g. general assemblies and conferences of the Academic Cooperation Association/ACA a member of which SAIA is, with the participation of representatives from all over the world; or annual conferences of the European Association for International Education/EAIE).

SAIIC is also active in the promotion of the SR as a destination for higher education. Among other things, SAIIC has been engaged in three projects⁵⁹ (coordinating one of them) within Action 3 of the Erasmus Mundus programme aimed to implement actions enhancing the attractiveness of the EU as a destination for higher education.

The promotion of Slovak higher education institutions is also ensured independently by Slovak foreign missions abroad which are contacted by various organisations in the countries of their work (for example, regular activities of the Slovak embassy in FYR Macedonia which closely cooperates with the Youth Info organisation promoting study abroad; or of the Slovak embassy in Canada the representative of which was invited to the education fair in 2012). In general, such activities are not targeted and are not held regularly. In such cases, the embassies contact the MoESRS SR or SAIA with a request for cooperation and promotion materials, since the MoFEA SR does not dispose of extensive information about higher education in Slovakia.

⁵⁹ The project Enhancing Cross-regional Cooperation with Erasmus Mundus (ECCE Mundus) is available at: http://eacea.ec.europa.eu/erasmus_mundus/results_compendia/documents/projects/action_3_national_structure/a3_ns_2011_eccemundus.pdf, the project EMAP 2 – Erasmus Mundus Active Participation Vol. 2, available at: http://eacea.ec.europa.eu/erasmus_mundus/results_compendia/documents/projects/action_3_national_structure/emap2_03-2010.pdf and the project EMAP – Erasmus Mundus Active Participation, coordinated by SAIIC, is available at: http://eacea.ec.europa.eu/erasmus_mundus/results_compendia/documents/projects/action_3_national_structure/emap_ns_project_2009_final.pdf. (consulted on 05/07/2012).

Higher education institutions as such do not dispose of systematic marketing strategies focused on students from abroad, with the exception of schools with a traditionally high number of international students (e.g. higher education institutions and faculties specialised in humane medicine, pharmaceutical sciences or veterinary medicine). Some higher education institutions promote themselves at foreign education fairs through the SAIA agency, using their own promotion materials, brochures and websites in foreign language, mostly in English. Some higher education institutions use the services of agencies in the countries of origin to mediate international students.

Higher education institutions also publish the required information on their websites. The majority of the 36 higher education institutions (public state and private) provide information about the institution in English and about offered study programmes in Slovak and in foreign languages, and some institutions also have their websites in German, French and Russian. 13 higher education institutions and universities do not have a website in a language other than Slovak. Two higher education institutions have only some sections translated into English. Some higher education institutions use various foreign portals to promote their study programmes⁶⁰.

The questionnaire survey has showed that Slovak higher education institutions consider different project cooperation⁶¹, partnerships and consortiums with foreign institutions as another important way of promotion, creating networks, personal contacts between students and teachers of partner institutions, thus increasing overall awareness about the school. The “good reputation” of schools is also spread by successful graduates from third countries, who inform about their experience in their countries of origin.

3.2.2.2 Scholarships, Grants and Other Financial Support for International Students from Third Countries

The recognition of documents required for admission of international students to higher education institutions can also be motivational for international students, unless it is associated with lengthy or unclear procedures or with higher administrative fees.

As already mentioned in Chapter 3.2.1, the basic condition for admission to study at a higher education institution in the SR, depending on the type and

60 For example, www.studyportals.eu, www.bachelorsportal.eu and others.

61 For example, foreign visits, exchanges, scientific projects, or hosting. Some universities also participated in Action 4 of Erasmus Mundus (2004–2008), which focused on actions promoting the attractiveness of the EU in the field of international mobility. The projects involved the Slovak Technological University in Bratislava, the University of Žilina, the Slovak Agricultural University in Nitra and SAIA.

form of study, is either:

- the obtaining of full secondary qualification or full secondary vocational qualification (for bachelor study programme);
- graduation from a first-level higher education study programme (in the case of interest in studying at a second-level study programme); or
- graduation from a second-level study programme (in the case of interest in post-graduate studies)⁶².

Prior to their admission to a selected level of study at a higher education institution, international students must present a document on completed secondary school studies or prove the necessary qualification level of higher education (first or second). Unless a bilateral agreement between the SR and a third country abolishes the legalisation of official documents, an apostil must be affixed to the document to be able to verify its authenticity, i.e. it must be legalised by the competent authority of the country issuing the document⁶³, or it must be superlegalised by a consular office⁶⁴ and recognised by the SR.

Information about the recognition of qualifications of international students is mainly provided by the Centre for Recognition of Qualifications, which constitutes part of the UNESCO ENIC international network and EU–NARIC international network. This centres serves as a contact point and is in charge of performing the following activities⁶⁵:

- assessment of study abroad;
- equivalence or conversion of marks to comply with the Slovak grading scale;
- equalisation of the study abroad with the respective year of elementary or secondary school in the SR;
- recognition of completed qualifications for the purpose of pursuing an occupation or continuing studies in the SR;
- confirmation of the pedagogical competence of pedagogues with qualifications obtained in the SR for foreign authorities;
- issuing apostils for Slovak public documents issued within the competence of the MoESRS SR for foreign authorities.

62 Act on Higher Education. Available at: <http://www.minedu.sk/data/USERDATA/Legislativa/Zakony/131-2002-56-2012.pdf> (consulted on 13/06/2012).

63 Applies only in case the country is signatory to the Hague Convention Abolishing the Requirement for Legalisation for Foreign Public Documents.

64 Applies in case the country issuing the document is not a signatory to the Hague Convention Abolishing the Requirement for Legalisation for Foreign Public Documents.

65 Source: <http://www.minedu.sk/index.php?rootId=415> (consulted on 13/06/2012).

Recognition of Foreign Documents on Completed Secondary School Education

The recognition of foreign documents on completed secondary school education for the purpose of continuing studies is governed by Act No. 596/2003 Coll. on State Administration in Education and on School Self-Government⁶⁶. The validity of a document on the secondary school exit exam (matura), final exam, absolutorium exam or other vocational exam or of a final school certificate issued by a foreign school in the SR (nostrification) can only be recognised in the case of documents on completed education issued by a foreign school whose focus and contents of study is comparable or corresponds to the study of identical or related field of study or curriculum at secondary school. The regional school office competent according to the place of residence decides on the recognition of foreign documents on regularly completed secondary school education. Upon request by the regional school office, the MoESRS SR issues an opinion on the level of qualification which has the nature of recommendation, and converts the study evaluation into the Slovak grading scale⁶⁷.

The foreign school graduate shall attach to the application for recognition of a document on completed education a certified copy of the document on the secondary school exit exam (maturita) or final exam or absolutorium or other similar exam⁶⁸. If it is not obvious from these documents that the international student successfully completed the entire study, he/she shall attach to the application for recognition a certified study curriculum (list of subjects, specifying the number of classes per year of study). If practical training is a significant part of the study and is not specified in the study curriculum, the certification of the scope of practical training issued by the foreign schools must also be attached to the application. In addition to that, the applicant must enclose to the application for nostrification a certified Slovak translation of the document on completed education issued by the foreign school and of the other documents issued by the foreign school mentioned above. The nostrified document shall become valid on the day the decision on nostrification enters into force.

66 Available at: <http://www.minedu.sk/data/USERDATA/Legislativa/Zakony/596-2003.pdf> (consulted on 13/06/2012).

67 Source: <http://www.minedu.sk/index.php?lang=sk&rootId=8351> (consulted on 13/06/2012).

68 The authenticity of signatures and school stamp on the original documents must be certified by authority of the state competent to certify the authenticity thereof or by the notarial office in the respective state with a stamp of the foreign mission of the Slovak Republic in that country unless the international agreement provides otherwise.

In case a foreign school graduate was not graded at the foreign school from subjects or parts of subjects that have a direct relation to the graduate's profile or to the field of study or curriculum, or if the study at the foreign school corresponds only partly to the study of the similar study field or curriculum at secondary school and/or the graduate failed to attach a certified study plan or statement of the foreign school about the extent of practical training, the graduate's knowledge and skills shall be verified through an additional exam. The regional school office shall determine the contents and date of the exam and the secondary school in which the graduate would take the additional exam. The graduate who is not a citizen of the SR shall not take the additional exam for Slovak language and literature. The additional exam is performed before the examining board which decides on the result of the exam by voting and drafts a protocol thereof⁶⁹.

The regional school office shall issue a certificate by 15 days following the delivery of the application specifying to what qualification document the presented document is equivalent.

Recognition of Foreign Documents of Higher Education for Academic Purposes

The recognition of foreign documents of higher education for academic purposes is governed by the Act on Higher Education⁷⁰. Under this act, the recognition of diplomas for academic purposes means recognition of a diploma issued by a foreign higher education institution, or by a higher education institution from a third country, or by other authorised body according to regulations of the respective State in order to fulfil the basic conditions of admission to second-level or third-level higher education study in the SR⁷¹.

The respective higher education institution shall take a decision on the recognition of diplomas in case it carries out study programmes identical or related to those indicated in the submitted documents of education. If the contents of the studies are only partly identical, the higher education institution may invite the applicant to take additional examinations or to complete and defend his bachelor thesis, diploma thesis, or dissertation thesis. The higher education institution may also request the Centre for the Recognition of Qualifications under the MoESRS SR for an opinion on the submitted document. Higher education institutions may charge a separate fee for the recognition of the document of education (EUR 50.00 in average).

69 Act No. 596/2003 Coll. on State Administration in Education and School Self-Government. Available at: <http://www.minedu.sk/data/USERDATA/Legislativa/Zakony/596-2003.pdf> (consulted on 13/06/2012).

70 Available at: <http://www.minedu.sk/data/USERDATA/Legislativa/Zakony/131-2002-56-2012.pdf> (consulted on 13/06/2012).

71 Source: http://migracia.euroiuris.sk/?q=sk/akademick_uznavanie_spu (consulted on 13/03/2012).

The MoESRS SR as such (Centre for the Recognition of Qualifications)⁷² takes decisions on the recognition of documents in case there is no such higher education institution in the Slovak Republic which would carry out study programmes identical or related to the fields of study indicated in the submitted document. Unless the international agreement provides otherwise, the authenticity of signatures and of the school stamp on the original documents must be certified by the competent body of the State or by the notarial office in the given country with a stamp of the foreign mission of the SR in that state⁷³. The details of the procedures related to recognition of diplomas are laid down in the generally binding regulations issued by the MoESRS SR⁷⁴. Under this decree, a diploma issued by a foreign higher education institution can be recognised on the basis of an official written application form submitted by the graduate from that foreign higher education by mail or in person⁷⁵. The graduate shall attach to the application the original or certified copy of the diploma issued by the foreign higher education institution and a certified copy of the list of completed subjects and exams, or a certified copy of the annex to the diploma. All documents must be officially translated to Slovak language. The MoESRS SR shall decide on the recognition within 30 days following the submission of the application, and in particularly complicated cases within 60 days. An administrative fee is charged for the nostrification of the document of education issued by a foreign school⁷⁶.

Mutual Recognition of Equivalence of Secondary School and Higher Education Qualifications for Academic Purposes on the Basis of Bilateral Agreements

In case the foreign student submits a document of education issued by a foreign school in the state with which the SR concluded an agreement on mutual recognition of equivalence of qualifications, such document shall be recognised automatically without nostrification (with a recommendation by the MoESRS SR). The SR concluded such bilateral agreements with the Czech

⁷² And the Ministry of Defence of the SR in specific cases (recognition of foreign higher education and qualification obtained at military higher education institutions abroad) or the Ministry of Interior of the SR (recognition of foreign higher education and qualification in the field of security services).

⁷³ Act No. 131/2002 Coll. on Universities and on Changes and Amendments to Some Acts. Available at: <http://www.minedu.sk/data/USERDATA/Legislativa/Zakony/131-2002-56-2012.pdf> (consulted on 13/06/2012).

⁷⁴ Decree of the Ministry of Education of the SR 238/2005 Coll. on the Procedures in the Recognition of Documents of Education. Available at:

http://www.minedu.sk/data/USERDATA/Legislativa/Vyhlasaky/2005_238.pdf (consulted on 13/06/2012).

⁷⁵ Source: <http://www.minedu.sk/index.php?lang=sk&rootId=8351> (consulted on 13/06/2012).

⁷⁶ For the recognition of documents of education for purposes other than for the purpose of pursuing regulated occupations and regulated professional activities in the Slovak Republic (EUR 6.50). For the recognition of documents of education obtained outside of the EU, Norway, Lichtenstein, Iceland and Switzerland which had already been recognised in another EU Member State, Norway, Lichtenstein, Iceland or Switzerland, and for the recognition of achieved qualification (EUR 33). Pursuant to Act No. 145/1995 Coll. on Administrative Fees.

Republic, Germany, Hungary, Poland, Romania, and with Croatia from among third countries.

Pursuant to the Agreement between the Government of the Slovak Republic and the Government of the Republic of Croatia on the Recognition of Equivalence of Qualifications Issued in the Slovak Republic and in the Republic of Croatia, certificates of final exams issued upon graduation from four-year secondary vocational schools and four-year secondary general education schools in the Republic of Croatia shall be equivalent to Slovak certificates. These certificates enable students to apply for study at higher education institutions in the SR. Diplomas issued in the Republic of Croatia upon graduation from four-year university studies shall be equivalent to Slovak diplomas; the same applies to diplomas issued by higher education institutions in the Republic of Croatia upon completion of a minimum of five-year pre-gradual university studies, while the holders of such diplomas have access to PhD study in the SR. Diplomas issued by higher education institutions in the Republic of Croatia after completion of post-gradual scientific studies with the awarding of the “doctor of sciences” academic degree (dr.sc.) shall also be considered equivalent. Parts of the study completed at higher education institution in the Republic of Croatia shall be mutually recognised under the condition that no substantial differences occur in the contents of the respective parts of the study⁷⁷.

* * *

Hence, it can be concluded that in spite of the fact that the recognition of qualifications in the SR in general follows precise procedures and rules, it cannot be perceived as a direct measure aimed to increase the motivation of international students to study in the SR, since it does not represent direct preferential treatment. On the other hand, the Agreement between the Government of the Slovak Republic and the Government of the Republic of Croatia on the Recognition of Equivalence of Qualifications Issued in the Slovak Republic and in the Republic of Croatia does have an impact on the motivation of international students to study in the SR, since students who acquired part of their qualification in Croatia are subject to partial preferential treatment in the SR through automatic recognition of qualifications.

⁷⁷ Agreement between the Government of the Slovak Republic and the Government of the Republic of Croatia on the Recognition of Equivalence of Qualifications Issued in the Slovak Republic and in the Republic of Croatia. Notice of the Ministry of Foreign Affairs of the Slovak Republic No. 123. Available at: http://www.google.sk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=3&ved=0CFQQFjAC&url=http%3A%2F%2Fwww.zbierka.sk%2Fsk%2Fpredpisy%2F123-2000-z-z-p-5168.pdf&ei=CfR0T9e_EqeYiAfS-vxZ&usq=AFQJCNFNZzjgNjiet3IPNBqq8U2yo_8n9Q (consulted on 25/06/2012).

3.2.2.3 Scholarships, Grants and Other Financial Support for International Students from Third Countries

Daily study at Slovak state and public higher education institutions is free of charge for the citizens of the SR and for the citizens of the EU Member States, EEA and Switzerland who can study in the SR under the same conditions. The daily form of study is free of charge also for students from Belarus, Bosnia and Herzegovina, FYR Macedonia, Moldova, Montenegro, Serbia and Ukraine, as well as for the students with permanent residence in another EU Member State. For third-country nationals, the tuition fees are set by international agreements or by education institutions. The tuition fees for study in English language are between EUR 1,000 and 10,000 per academic year⁷⁸.

International students in the SR receive various forms of financial support for their study, which can encourage motivation and attract international students from third countries. The support is provided from national sources or financed on the basis of bilateral, regional and multilateral programmes or from private foundations and funds.

Scholarships by the Government of the SR to International Students in the Framework of Aid Provided to Developing Countries

Annually, the SR grants scholarships to international students from selected developing countries for the first- and second-level higher education (Bachelor, Master, Engineer and Medicine studies) as well as third-level higher education (Doctoral studies). The granting of scholarships has long been an integral part of the Official Development Aid of the SR (ODA) which is a programme and project activity of the MoFEA SR and is based on the Middle-Term Strategy of Official Development Aid of the Slovak Republic 2009–13⁷⁹ and the National Programme of Official Development Aid of the SR for the respective year. Under this strategy, the MoESRS SR provides development aid in the form of government scholarships to students from developing countries admitted to study at public higher education institutions⁸⁰. Scholars and potential applicants can consult the website⁸¹, which contains necessary contact information and documents for downloading.

The scholarship granting procedure is the following: The MoEFA SR notifies

78 International Student's Guide to Slovakia. SAIA n.o., SAAIC. 3rd Edition. Available at: http://www.saia.sk/user/documents/publikacie/Intl_students_guide_2010.pdf (consulted on 25/06/2012).

79 Available at: http://www.slovakaid.sk/uploads/2009/06/Strategia_ODA_2009_2013.rtf (consulted on 25/06/2012).

80 Source: <http://www.vladnestipendia.sk/sk/> (consulted on 25/06/2012).

81 <http://www.vladnestipendia.sk/sk/>

the foreign affairs ministry of the target country⁸² through diplomatic channels of the conditions of higher education study at accredited public higher education institutions in the SR, including the number of government scholarships and sectoral priorities focusing on the fields of study in the given academic year⁸³. The sending country shall present proposals of the scholars through the diplomatic mission of the SR in the given country.

Government scholarships for bachelor, master, engineer and doctor study programmes within higher education studies (first-level and second-level study programmes, ISCED 5) can be requested by submitting a prescribed application form with attachments by foreign nationals at age of 18 – 26 years who had completed their secondary school studies with an exit exam (maturita). The document of education must be reviewed by the Centre for the Recognition of Qualifications of the MoESRS SR⁸⁴. A foreigner submits the application electronically via web portal www.vladnestipendia.sk.

Foreign nationals can apply for government scholarship for their PhD studies (ISCED 6) offered by the Government of the SR by submitting the prescribed application form with annexes, indicating the field of the PhD study according to the current list of PhD fields of study carried out in the SR, and with a preliminary acceptance by the respective training centre in the SR. Applicants of age 23–35 years are expected to have completed higher education studies in a second-level field of study⁸⁵, and their document of education acquired abroad must be reviewed by the Centre for the Recognition of Qualifications⁸⁶.

82 Countries of origin of international scholars are divided into groups in accordance with National Programme of the Official Development Assistance of the SR that is approved by the Government of the SR each year. Based on that, scholarships are granted to the respective countries. The amount of scholarship is set for all groups of countries equally. The priority countries for the year 2012/2013 are:

Development aid: Afghanistan, Bosnia and Herzegovina, Montenegro, Kenya, Moldova, South Sudan
Technical assistance: Belarus, Georgia, Ukraine

Group 1: Angola, Burundi, Chad, Ethiopia, Yemen, Kirgizstan, Tajikistan

Group 2: Armenia, Indonesia, Iraq, Cameroon, Mongolia, Syria, Uzbekistan, Vietnam

Group 3: Albania, Azerbaijan, Ecuador, Jordan, Kazakhstan, Lebanon, Namibia, Peru, Serbia, Thailand

Group 4: Japan, Former Yugoslav Republic of Macedonia, Palestinian National Authority.

Source: MoESRS SR. Available at: http://www.minedu.sk/data/USERDATA/MSpolupraca/STIPVSR/2012/Rozpis_kraj%C3%ADn_2012_ODA_MZV_SR.xls (consulted on 25/06/2012).

83 The following priority fields of study were selected for the year 2012/2013: pedagogy; pedagogical sciences; social and behavioural sciences; economics and management; ecological and environmental sciences; construction engineering, technologies, production and communication; agriculture; forestry; veterinary sciences; water management; medical sciences; dental medicine; pharmaceutical sciences; non-medical health-care sciences; and architecture and civil engineering. Available at: http://www.minedu.sk/data/USERDATA/MSpolupraca/STIPVSR/2012/Rozpis_kraj%C3%ADn_2012_ODA_MZV_SR.xls (consulted on 25/06/2012).

84 Conditions for the granting of scholarships of the Government of the Slovak Republic. Available at: http://www.minedu.sk/data/USERDATA/MSpolupraca/STIPVSR/2012/Podmienky_poskytovania_stipendii_vlady_SR_2011_WEB.rtf (consulted on 25/06/2012).

85 „MSc.“ academic degree acquired at a foreign higher education institutions, or „Mgr.“, „Ing.“, „MUDr.“ or „MVDr.“ degree acquired at a higher education institution in the SR.

86 Conditions for the Provision of Scholarships of the Slovak Government. Available at:

In both cases, the Selection Committee of the MoESRS SR shall decide on granting the applicant with the Slovak Government Scholarship for a standard length of higher education study within the territory of the SR on the basis of the materials presented.

The MoESRS SR shall grant the Slovak Government Scholarship to the foreign national (see Table 1) throughout the standard period of study (ISCED 5 and 6)⁸⁷ and language and vocational training of stated monthly amounts. The student can also be granted a merit-based supplement of a stated amount if he/she attains a study average of 1.3 during the first and second level of higher education study in the previous academic year, or if he/she successfully completes the prescribed exams during third-level higher education study in line with the individual study plan of the PhD student. During the first, second and third level of higher education study (ISCED 5 and 6), the student can also be granted the Slovak Government Scholarship for ten-month language and vocational training at the Institute for Language and Academic Preparation for Foreign Students of the Centre for Continuing Education of the Comenius University (ILAP CCE CU) if the applicant has not completed secondary school education in the SR or secondary school education in Slovak language abroad (for students applying for the first-level higher education study ISCED 5), or if the applicant has not completed the second level of higher education study in the SR (for students applying for the third level ISCED 6).

The holders of the Slovak Government Scholarship are provided with university education and food in student canteens for payment equal to that for students with Slovak citizenship. Foreign students cover their travel costs at the commencement and at the completion of the study stay in the SR on their own, or the costs are covered by the sending party⁸⁸. Scholars are also granted a one-time allowance in the amount of €35 upon commencement of the study in the SR and €100 upon completion of the study in the SR.

http://www.minedu.sk/data/USERDATA/MSPolupraca/STIPVSR/2012/Podmienky_poskytovania_stipendii_vlady_SR_2011_WEB.rtf (consulted on 25/06/2012).

⁸⁷ For the standard period of study in the selected field of study, specified by the statute of the relevant public higher education institution.

⁸⁸ Conditions for the Provision of Scholarships of the Slovak Government. Available at: http://www.minedu.sk/data/USERDATA/MSPolupraca/STIPVSR/2012/Podmienky_poskytovania_stipendii_vlady_SR_2011_WEB.rtf (consulted on 25/06/2012).

Table 1 Amounts of Slovak Government scholarship for international students and merit-based supplements⁸⁹

Level of higher education / Slovak Government Scholarship	Scholarship	Merit-based supplement
Language and vocational training	€280 monthly	-
1st level of higher education (ISCED 5)	€280 monthly	€50 monthly
2nd level of higher education (ISCED 5)	€280 monthly	€50 monthly
3rd level of higher education (ISCED 6)	€330 monthly	€170 annually

Source: MoESRS SR
- not applicable

The Slovak Government Scholarship is provided during the standard period of study (first, second and third level of higher education) in monthly aliquots of the amount of the scholarship in compliance with the university announcement. The scholarship holder shall not be entitled to a scholarship payment if he/she, without the prior consent of the MoESRS SR:

- does not begin studies within the prescribed time period given in the notice granting the Slovak Government Scholarship;
- changes the study programme of his/her higher education study;
- exceeds the standard length of study set by the statute of the respective public higher education institution for the chosen study programme;
- ceases, for any reason, to be a student of a public higher education institution in the SR;
- does not stay in the territory of the SR for longer than 30 calendar days;
- or if the student acquires the citizenship of the SR or permanent residence in the territory of the SR with the exception of EU citizens⁹⁰.

The Sending Party or scholarship holder must notify the accepting higher education institution and the MoESRS SR on the date of arrival to the SR two weeks in advance at the latest, while the commencement of study is linked to the academic year in which it was decided to grant the scholarship⁹¹.

⁸⁹ Ibidem.

⁹⁰ Ibidem.

⁹¹ Ibidem.

The holders of the Slovak Government Scholarships are exempt from administration fees for the granting and renewal of temporary residence permit in the SR as specified by the Slovak legislation.⁹²

A total of 214 government scholarships for nationals of selected developing countries were offered in the period from the academic year 2006/2007 to the academic year 2009/2010⁹³.

During the monitored period, 188 holders of the Slovak Government Scholarships were admitted to higher education study and to Slovak language training under the one-year preparatory study at ILAP CCE CU. The majority (176) of the scholarship holders were also admitted to Slovak language training within the one-year preparatory study at ILAP CCE CU, and only 12 scholarship holders were admitted to higher education study without the preparatory Slovak language training. From the total number of admitted holders of the Slovak Government Scholarship, 154 were admitted to the master type of study (ISCED 5) and 34 of them to the PhD type of study (ISCED 6)⁹⁴.

In the period 2006–09, a total of 165 scholarship holders actually commenced their studies in the SR; 131 of them commenced master studies and 34 of them PhD studies⁹⁵. In that period, most holders of the Slovak Government Scholarship were from Palestine (17 students), Mongolia (16 students), Sudan (12 students), Ecuador (10 students) and Uzbekistan (9 students). In financial terms, a total amount of €2,946,582.80 was used for international students holding the Slovak Government Scholarships under the programme of assistance to developing countries, of which €862,921.50 represented tuition fees⁹⁶.

In the period 2006–11, a total of 169 scholarship holders from third countries successfully completed their higher education or PhD studies: 116 of them graduated from master study and 53 of them from PhD study. In the given period, a total of 238 holders of the Slovak Government Scholarship from third countries attended language training (ILAP CCE CU), and 36 of them were PhD students⁹⁷.

⁹² Ibidem.

⁹³ Period from 01 September 2006 to 31 August 2010.

⁹⁴ Evaluation of the granting of Slovak Government Scholarships to international students under the programme of assistance to developing countries 2007 – 2010. Available at: http://www.minedu.sk/data/USER-DATA/MSPolupraca/STIPVSR/2010/Akademicke_roky_2007_2008-2009_2010-podla_typu_studia.pdf and <http://www.minedu.sk/index.php?lang=sk&rootId=646> (consulted on 25/06/2012).

⁹⁵ Calculations by authors on the basis of MoESRS SR statistics. Available at: <http://www.minedu.sk/index.php?lang=sk&rootId=646> (consulted on 25/06/2012).

⁹⁶ Evaluation of the granting of Slovak Government Scholarships to international students under the programme of assistance to developing countries 2007 – 2010. Available at: http://www.minedu.sk/data/USER-DATA/MSPolupraca/STIPVSR/2010/Akademicke_roky_2007_2008-2009_2010-podla_typu_studia.pdf and <http://www.minedu.sk/index.php?lang=sk&rootId=646> (consulted on 25/06/2012).

⁹⁷ Information provided by MoESRS SR.

The MoFEA SR in cooperation with the MoESRS SR has launched a pilot project of direct scholarship granting in selected developing countries where Slovak higher education institutions have their branches. In the framework of this pilot project, an amount of €10,000 was allocated to Kenya for the academic year 2011/2012. The use of these resources in 2011 required definition of the conditions for the granting of Slovak Government Scholarships in the local conditions in Kenya, and conclusion of an agreement. This action is considered to be an actual contribution to a bigger coherence of the Slovak Government's development policy towards Africa.⁹⁸ According to the MoESRS SR, however, none of public higher education institution had its branch in Kenya and tuition fees were inadequately higher than in the SR so the preparation of the agreement was suspended as the basic requirements of the MoESRS SR for granting scholarships had not been met.

Scholarships of the MoESRS SR under Bilateral Agreements on Education

Pursuant to bilateral agreements concluded with ministries of education of countries developing cooperation in the field of education, the MoESRS SR grants scholarships for study in different fields, for language courses and research. The applicant must be appointed by the given foreign institution. Among third countries, the MoESRS SR has concluded agreements on education with China, Belarus, Croatia, FYR Macedonia, USA, Russia, Israel, Kazakhstan, Republic of Korea, Serbia, Turkey, Egypt, and Ukraine. The mobility of international students is ensured on the basis of the conditions laid down in the respective agreement, including numbers of international students that can be admitted to higher education in the SR during the academic year, while these numbers are not big⁹⁹. The process of admission of international students on the basis of bilateral agreements (mainly in the case of scholarships for study and research stays) also involves SAIA which ensures the placement of appointed students at concrete higher education institutions in accordance with the agreement signed with the MoESRS SR. The largest group of scholarship holders under bilateral cooperation with third countries are the students of Ukraine and China. In the respective period (2006 - 2011) studied within the bilateral cooperation 498 international students in total (including EU citizens).

⁹⁸ Source: <http://www.slovakaid.sk/wp-content/uploads/2011/02/NP-ODA-2011.pdf> (consulted on 24/07/2012).

⁹⁹ For more details about bilateral agreements see Chapter 4.

Scholarships of the MoESRS SR

MoESRS SR currently (academic year 2012/2013) offers 17 scholarships for semestral (5 months) study stay for the first and second level of higher education (ISCED 5) at a monthly amount of €280. Scholarship is aimed at students from various countries without restriction (third countries, EU MS). Applicants must be aged 18 to 26 years and must have attended a study programme at a foreign university similar to the one for which they want to obtain scholarship. At the time of presenting their application for scholarship they must dispose of a letter of acceptance from a Slovak public higher education institution¹⁰⁰.

In the academic year 2012/2013, the MoESRS also offers 9 scholarships for semestral (5 months) study stay at the third level of higher education/PhD students (ISCED 6) for a monthly amount of €330. Applicants must be aged 23 to 35 years and must have completed second level higher education studies and study/work in the chosen field of study at a foreign university. Applicants must dispose of a letter of acceptance from an accredited public university, higher education institution or from the Slovak Academy of Sciences (SAS). They can study in English or in Slovak language in the SR¹⁰¹.

The MoESRS SR also offers scholarships to graduates from foreign universities working in the field of education and research. In the academic year 2012/2013, the ministry offers three scholarships – for a research stay (3 months) in the amount of €550 per month. The applicants must be aged from 30 to 50 years.¹⁰²

The scholarship holders are provided with university education and food in student canteens for payment equal to that for students with Slovak citizenship. If interested, students may enrol, on their own costs, in a 10-month Slovak language course. The price of the course, including registration fee, is €3,700¹⁰³.

Modernisation Programme Slovakia 21 – Scholarships of the MoESRS SR

Under the Modernisation Programme Slovakia 21, the MoESRS SR offered graduates from secondary schools from selected countries (Belarus, Bosnia

¹⁰⁰ Source: <http://office.studyin.sk/grants/stipends-for-students.html> (consulted on 04/07/2012).

¹⁰¹ Ibidem.

¹⁰² More information is available at: <http://office.studyin.sk/grants/stipends-for-academic-stay.html> (consulted on 04/07/2012).

¹⁰³ More information is available at: <http://office.studyin.sk/grants/general-conditions.html> (consulted on 04/07/2012).

and Herzegovina, Moldova, Serbia, FYR Macedonia, Ukraine and Montenegro) the possibility to attend a free 10-month language and vocational course at ILVT started in September 2010. This course serves as a preparatory course for technical studies at a higher education institution in the SR. The scholarship covers €280/month and a single contribution of €35 upon commencement of the studies to accommodation, food and other costs related to the study in the SR.¹⁰⁴ The scholarship holders were expected to begin higher education studies after completion of the preparatory language course and complete at least the second level of education.¹⁰⁵ The scholarship holders are exempt from the administrative fee for the issuance or extension of residence permit. Students from the above-mentioned third countries study in the SR on the basis of an internal legal regulation under the same conditions as Slovak citizens¹⁰⁶. The scholarship programme was launched in the academic year 2010/2011 and continues until now. According to the information from the MoESRS SR, not many applicants showed interest in the scholarship. In the academic year 2010/2011, 7 scholars participated in the programme, in the academic year 2011/2012 5 scholars and in the winter semester of the academic year 2012/2013 participate 4 scholars.

National Scholarship Programme of the Slovak Republic

The National Scholarship Programme of the Slovak Republic aims to promote the mobility of students, university teachers, researchers and artistic workers, and is financed by the MoESRS SR. Establishment of the National Scholarship Programme (NSP) was approved by the Government of the Slovak Republic in 2005, and its administration is ensured by SAIA. NSP is designed to support foreign study stays of Slovak students, PhD students, university teachers, researchers and artistic workers of Slovak higher education universities¹⁰⁷, and to promote the mobility of this target group towards the SR, i.e. study, lecturing and research stays at Slovak higher education institutions and research organisations. Besides EU citizens, the scholarship can be requested by citizens of non-EU countries which signed the Bologna process¹⁰⁸, the citizens of Belarus, Canada, Mexico, USA, countries of Latin America and Central America, Australia, China (including Taiwan), Egypt, India, Indonesia, Israel, Japan,

¹⁰⁴ Information provided by the MoESRS SR.

¹⁰⁵ Acquiring the Ing. degree as equivalent to foreign Master's degree.

¹⁰⁶ International Student's Guide to Slovakia. SAIA n.o., SAAIC. 3rd Edition. Available at: http://www.saia.sk/_user/documents/publikacie/Intl_students_guide_2010.pdf (consulted on 25/06/2012).

¹⁰⁷ That means that scholarship for a study stay abroad can also be requested by third-country nationals studying at Slovak higher education institutions and who have permanent residence in the SR.

¹⁰⁸ Albania, Andorra, Armenia, Azerbaijan, Bosnia and Herzegovina, Montenegro, Croatia, Georgia, Iceland, Kazakhstan, Lichtenstein, FYR Macedonia, Moldova, Norway, Russian Federation, Serbia (including Kosovo), Switzerland, Turkey and Ukraine.

South Africa, Republic of Korea, New Zealand, Thailand and Vietnam¹⁰⁹.

Scholarship from NSP funds for one- to two-semester stays at Slovak higher education institutions and research organisations can be requested by students whose second level of higher education is taking place at a foreign university and who have been invited by a Slovak public, private or state higher education institution to an academic mobility programme for the purpose of study in the Slovak Republic.¹¹⁰

PhD students whose higher education or research preparation is taking place at a foreign university or research organisation and who are invited by a public, private or state higher education institution or external education institution (e.g. SAS) in the Slovak Republic to an academic mobility programme for the purpose of study or research in the Slovak Republic can apply for scholarship from NSP funds for a period of one to twelve months¹¹¹.

The scholarship programme does not support foreign university students and PhD students intending to enrol to or accepted for entire second level studies or entire PhD studies in the SR, or those who are already studying in the SR, foreign applicants accepted for other scholarship programmes in the SR, foreign applicants with permanent residence in the SR, and citizens of the SR studying or working at foreign higher education organisations or research organisations¹¹².

Scholarship applications are submitted electronically through the on-line application form (in Slovak, English, French, Spanish or Russian language version) published at the website www.scholarships.sk. The applicant is required to submit to the electronic system all required attachments to the application form. Original copies of some of these documents must be delivered by mail.¹¹³

Selection of scholarship holders is carried out after submitted documents¹¹⁴ are reviewed by the Selection Committee appointed by the Minister of Education, Science, Research and Sport of the SR. The amount of the monthly

109 Source: <http://www.stipendia.sk/sk/main/o-programe/> (consulted on 01/07/2012).

110 Source: <http://www.stipendia.sk/sk/main/podmienky-pre-predkladanie-ziadosti/uchadzaci-zo-zahranicia/> (consulted on 01/07/2012).

111 Ibidem.

112 Ibidem.

113 For more details about the required attachments to the scholarship application see: <http://www.stipendia.sk/sk/main/podmienky-pre-predkladanie-ziadosti/uchadzaci-zo-zahranicia/> (consulted on 01/07/2012).

114 For example, CV, letter of motivation, detailed study programme and two recommendations from university teachers in case of students, detailed research programme and one recommendation from the applicant's thesis supervisor and a list of publications in case of PhD students, etc.

scholarship is €280 for a higher education student and €470 for a PhD student¹¹⁵. The scholarship is designed to cover living expenses (food, accommodation, etc.) during the study, research or lecturing stay of foreign applicants at Slovak higher education institutions, research organisations and NGOs. Travel costs to/from Slovakia are covered by scholarship holders. SAIA will issue and send to all approved scholarship holders a Letter of Award confirming the approval of scholarship within the National Scholarship Programme, which serves as one of the support documents required when applying for visa or residence permit. Foreign applicants who need to apply for entrance visa to Slovakia are recommended to take into account the necessary visa processing period when planning the starting date of their scholarship stay due to possible lengthy procedures. Approved scholarship holders from outside the European Union, EEA and Switzerland, whose scholarship stay lasts longer than three months, are obliged to submit a confirmation of not suffering any illness that may constitute a threat to the public health to the Aliens Police within 30 days of award of the temporary residence permit. Expenses related to the health check and the issue of this confirmation up to €250 will be refunded after submitting the original hard copy of the confirmation on payment issued by a competent medical institution¹¹⁶.

According to statistics published on the SAIA website¹¹⁷, a total of 177¹¹⁸ international students – third-country nationals were selected for scholarship under the NSP from academic year 2006/2007 until academic year 2011/2012, which represents 50% of all selected international students¹¹⁹. The majority of selected scholarship holders were PhD students (ISCED 6) (116 scholarships). Students (ISCED 5) were awarded 61 scholarships. Most scholarship holders were from Ukraine, Russia, Serbia, Croatia and Belarus¹²⁰.

Scholarships Programmes Provided by the EU

Besides above-mentioned scholarship programmes financed mainly from national funds, international students and PhD students from third countries can obtain scholarships under specific multilateral scholarship programmes supported by the European Union.

115 The scholarship amount for a university teacher/researcher/artistic worker is €670, or €850, or €1,000 depending on years of experience and attained qualification.

116 Source: <http://www.stipendia.sk/sk/main/podmienky-pre-predkladanie-ziadosti/uchadzaci-zo-zahranicia/> (consulted on 01/07/2012).

117 Calculations by authors and SAIA statistics on foreign scholarship holders. Source: <http://www.stipendia.sk/sk/main/vysledky-vyberovych-konani/zahranicni-stipendisti/> (consulted on 05/07/2012).

118 Calculations by authors. Source: <http://www.stipendia.sk/sk/main/vysledky-vyberovych-konani/zahranicni-stipendisti/> (consulted on 05/07/2012).

119 The academic year 2006/2007 does not comprise students with the citizenship of Bulgaria and Romania. 120 Bulgaria and Romania have not been included in the statistics, since these countries entered the EU in 2007.

Under the programme of life-long learning which aims to support academic mobility of third-country nationals – students and PhD students (ISCED 5 and 6), the education institutions in the SR participate in the Erasmus¹²¹ life-long learning programme (among third countries, Croatia and Turkey are involved) and in the Erasmus Mundus¹²² programme. SAAIC is the coordinator of both programmes in the SR (see sub-chapter 4.2.1).

As for Erasmus Mundus, the Slovak Agricultural University in Nitra participates in Action 1, which is designed to create consortia for carrying out joint masters and doctoral programmes, and provide scholarships to students and academic staff for their participation in these programmes, under the project IMRD International Master of Science in Rural Development¹²³. The University of Performing Arts in Bratislava is associate partner in the project DOC NOMADS EMMC – Exploring without Borders¹²⁴.

Action 2 is designed to create partnerships between higher education institutions from EU countries with higher education institutions from third countries with the aim to organise and implement agreements on individual mobility, including scholarships for all partners. This action involves the University of Constantine the Philosopher in Nitra under the project Mobility Academic Network between EU and Central Asia (MANECA)¹²⁵ with the participation of universities from Kazakhstan, Tajikistan, Kyrgyzstan, Uzbekistan and Turkmenistan, and the Slovak Agricultural University in Nitra under the project Euro-Russian Academic Network (ERANET MUNDUS)¹²⁶ with the participation of European and Russian universities, and under the project Central Asia Student International Academic Exchange with EU (CASIA), with the participation of universities from Kazakhstan, Tajikistan, Kyrgyzstan and Uzbekistan. Action 2 also involves the Comenius University in Bratislava (Fac-

121 Erasmus Programme focuses on the mobility and cooperation in higher education in Europe, and is designed for students, higher education pedagogues, company employees and university workers. For more information see: http://web.saaic.sk/llp/sk/_main.cfm?obsah=m_uvodna_stranka.htm&sw_prog=3 (consulted on 05/07/2012).

122 Erasmus Mundus is designed to foster cooperation and mobility in higher education between European Union countries and "third countries", i.e. countries outside of the EU, EFTA and candidate countries, and it aims to create a consortium for carrying out joint masters and doctoral programmes and awarding of scholarships to students and academic staff to participate in these programmes. For more information see: http://www.saaic.sk/_main.php?prog=Erasmus_mundus&str=erasmus_mundus_info_o_programe.html (consulted on 05/07/2012).

123 More information is available at: http://eacea.ec.europa.eu/erasmus_mundus/results_compendia/documents/projects/action_1_master_courses/2010/imrd.pdf (consulted on 05/07/2012).

124 For more details see: www.docnomads.eu (consulted on 05/07/2012).

125 For more details see: http://eacea.ec.europa.eu/erasmus_mundus/results_compendia/documents/projects/action_2/2010/strand%201/lot9tuberlin_a21_2010.pdf (consulted on 05/07/2012).

126 For more details see ERANET MUNDUS: http://eacea.ec.europa.eu/erasmus_mundus/results_compendia/documents/projects/action_2/2011/s1_06_barcelona_eranet.pdf, and for CASIA: http://eacea.ec.europa.eu/erasmus_mundus/results_compendia/documents/projects/action_2/2011/s1_10_wageningen_casia.pdf (consulted on 05/07/2012).

ulty of Law), which participates in the project Erasmus Mundus Partnership for Belarus, Ukraine, Moldova (EMP-AIM)¹²⁷.

Besides these actions, the educational institutions and agencies supporting academic mobility in the SR have also been engaged in Action 3 which focuses on measures enhancing the attractiveness of the EU as a destination for higher education (for more details see sub-chapter 3.2.2) and in Action 4 which has already terminated and which also focused on enhancing EU attractiveness for students.

Under the programme EU-USA and EU-Canada Cooperation in Higher/Vocational Education and Training (ATLANTIS), the supported projects have involved the Slovak University of Technology in Bratislava (exchange study programme project for graduates and PhD students from the USA and EU countries), the Slovak Agricultural University in Nitra¹²⁸ (double degree Ms programme for applicants from the USA and EU countries), and the University of Žilina¹²⁹ with a project concerning a double degree Ms programme for applicants from the USA and EU countries and a project coordinated by the University of Žilina¹³⁰ (project focused on the development of education in aviation).

International students and PhD students from third countries in the SR can also obtain a scholarship under regional and special bilateral and multilateral programmes, such as:

Central European Exchange Programme for University Studies (CEEPUS)

Under the CEEPUS programme, scholarships are provided for semestral stays (3 to 10 months) and short-term stays connected with elaboration of bachelor theses, diploma theses or dissertation theses (1–2 months) for higher education students and PhD students studying in daily form, as well as for guest university lecturers. Selected higher education institutions and universities from Albania, Bosnia and Herzegovina, Montenegro, Croatia, FYR Mac-

127 For more details see: http://eacea.ec.europa.eu/erasmus_mundus/results_compendia/documents/projects/action_2/2011/s1_08_mrvilnius_emp-aim.pdf (consulted on 05/07/2012).

128 Advanced International Studies in Mechanics in Micro & Nanosystems Project, and EU-US Double Degree Ms Programme in Rural Development and Agricultural Economics Project. More information is available at: http://eacea.ec.europa.eu/bilateral_cooperation/eu_us/results_projects/documents/bilateral_eu_us_compendium_2008.pdf (consulted on 05/07/2012).

129 Transatlantic Dual Masters Degree Programme in Transportation and Logistics Systems Project. More information is available at: http://eacea.ec.europa.eu/bilateral_cooperation/eu_us/results_projects/documents/fact_sheets_us_selproj2010.pdf (consulted on 05/07/2012).

130 Project Aviation Education Enhancement. More information is available at: http://eacea.ec.europa.eu/bilateral_cooperation/eu_us/results_projects/documents/bilateral_eu_us_compendium_2009.pdf (consulted on 05/07/2012).

edonia, Moldova and Serbia among third countries are currently engaged in the project. Since the academic year 2009/2010, the University of Pristina from Kosovo has been separately involved in the programme on the basis of a compromise, since not all Member States participating in the programme have recognised Kosovo's independence. Besides Slovakia, selected higher education institutions and universities from Bulgaria, Czech Republic, Hungary, Poland, Austria, Romania and Slovenia from among EU countries have participated in the project. CEEPUS programme scholarships can be requested by foreign applicants with the citizenship of the programme's member states who take regular higher education or PhD study at the respective higher education institution in a country participating in the programme. Scholarship can be granted also to a third-country citizen if s/he is enrolled in the higher education institution in EU MS and meets the so called equal status condition (i.e. s/he enjoys the same rights as the home citizens).

Should a home university not participate in the programme within the approved network of cooperating higher education institutions in the given academic year, the applicants may still apply for scholarship under the category "freemover". Other applicants who are not citizens of the sending state but study at selected universities may also participate in the programme upon submitting the required document. SAIA acts as the national coordinator and national programme office in Slovakia¹³¹.

The current rate of scholarship for study in the SR for students of higher education studies from countries outside of the EU is €280 per month. PhD students from countries outside of the EU are entitled to scholarships at a monthly rate of €470¹³². The costs of visa and residence permit processing are not covered by the receiving party¹³³.

In the period 2006–11, scholarship was provided to 382 holders (students, PhD students and lecturers) from third countries, which represented 17.6% of the total number of scholarships granted to foreign scholarship holders¹³⁴. Most scholarship holders from third countries were from Croatia, Serbia and Montenegro, and scholarships were predominantly requested by students and postgraduates (PhD students). Students received scholarships for semes-

131 Source: <http://www.saia.sk/sk/main/programy-saia/ceepus/> (consulted on 05/07/2012).

132 Source: http://www.saia.sk/_user/documents/CEEPUS/vyska-stipendii-v-clenskych-krajinach-programu-2012.pdf (consulted on 05/07/2012).

133 Source: <http://www.saia.sk/sk/main/programy-saia/ceepus/zdravotne-poistenie,-viza-a-povolenie-napobyt> (consulted on 05/07/2012).

134 Romania and Bulgaria are not included in the statistics. Source: Annual reports on CEEPUS activities and calculations by authors. Available at: <http://www.saia.sk/sk/main/programy-saia/ceepus/vyrocnne-spravy-o-cinnosti> (consulted on 05/07/2012).

tral stays as well as stays for elaborating their final theses, student excursion and summer schools (i.e. short-term stays).

International Visegrad Fund

The International Visegrad Fund is an institutionalised form of cooperation among V4 countries¹³⁵, which aims, among others, to develop regional cooperation and exchanges through joint cultural, artistic, scientific, research and education projects, and to enhance exchanges of artists and young people. Besides grant programmes, the Fund also provides scholarships to V4 countries and selected third countries. In-coming scholarships are designed for international students from Albania, Armenia, Azerbaijan, Belarus (special programme), Bosnia and Herzegovina, Croatia, Georgia, Kosovo, FYR Macedonia, Moldova, Montenegro, Russia, Serbia and Ukraine (special programme) who are interested in studying or conducting research at accredited public or private higher education institutions, universities, national research institutions, etc. in V4 countries. Selected successful applicants receive a scholarship at an amount of €2,300 per semester at a chosen institution, while the institution admitting the scholarship holder receives €1,500 per semester and student. Scholarship holders who have to travel more than 1,500km to the target country of their study stay can receive a single travel contribution¹³⁶. The scholarship is provided for one or two semesters, or for the entire second-level study programme¹³⁷. According to available statistics, a total of 123 scholarships were granted in the period from the academic year 2006/2007, most of them to applicants from Ukraine and Belarus (due to special programmes created within the Fund) and from Serbia and Russia¹³⁸.

Since 2012, the International Visegrad Fund has provided, in cooperation with the Taiwanese National Science Council (NSC), scholarships to the citizens of Taiwan aimed to promote study exchanges and support promising PhD students and researchers from Taiwan in V4 countries¹³⁹.

135 SR, Czech Republic, Hungary and Poland.

136 Source: <http://visegradfund.org/scholarships/> (consulted on 05/07/2012).

137 International Student's Guide to Slovakia. SAIA n.o., SAAIC. 3rd Edition. Available at: http://www.saia.sk/_user/documents/publikacie/Intl_students_guide_2010.pdf (consulted on 05/07/2012).

138 The calculations by the authors of the study and statistics are published at: http://visegradfund.org/scholarships/approved_scholarships/ (consulted on 05/07/2012).

139 Source: <http://visegradfund.org/scholarships/> (consulted on 05/07/2012).

Fulbright Programme administered by the J. W. Fulbright Commission for Educational Exchanges in the Slovak Republic

The Fulbright Programme is sponsored by the Office for Educational and Cultural Affairs (ECA) of the U.S. Department of State and the MoESRS SR, and its purpose is to support educational, research and cultural exchanges between the USA and the SR. Under the programme, scholarships for post-graduate study or research in the SR are provided to applicants from the USA¹⁴⁰.

* * *

In general, holders of the above-mentioned national, bilateral¹⁴¹, multilateral or regional scholarships from third countries do not enjoy preferential treatment in the visa or residence permit granting procedures which could help them to complete the formal requirements faster. Scholarship holders from third countries are subject to conditions identical to those applying to other international students from third countries, as laid down in the Act on Residence of Aliens. Generally speaking, students who prove their student status at a higher education institution in the SR are exempt from paying fees for granting and extension of residence permit for the education reasons regardless of whether they are scholarship holders or not.¹⁴²

3.2.2.4 Fast-Track Processing of Applications for Admission to Study and Enrolment of International Students

Faster processing of applications for admission to study can be one of several motivation measures aimed to attract international students to study in the SR. With regard to the processing of applications by higher education institutions or enrolment of international students – scholarship holders from third countries to lectures or seminars, universities choose individual approaches and can speed up the processing of applications for admission to study. In most cases, higher education institutions also enable international students to enrol to the chosen seminar or lecture even after expiry of the deadline, or the respective places are kept especially at seminars and lectures given in foreign languages.

¹⁴⁰ More information is available at: <http://www.fulbright.sk> (consulted on 05/07/2012).

¹⁴¹ Except for programme participants based on bilateral agreement New Zealand. For more details see Chapter 4.

¹⁴² Information provided by BBAP PFP.

3.2.3 Information Provided to International Students on the Conditions of Their Study and Stay

Information for third-country nationals on the conditions of entry and stay in the SR¹⁴³, as well as targeted information on the conditions of study at Slovak higher education institutions for international students are published in English on the websites of several institutions (higher education institutions, MoFEA SR¹⁴⁴, MoESRS SR, MoLSAF SR¹⁴⁵, SAIA, etc.) and foreign portals. Information, mainly in English, is also published in different brochures (e.g. brochures published by SAIA) and can also be obtained in person, by phone or by e-mail at the Migration Information Centre of the IOM International Organisation for Migration. International students therefore do not need to seek information in the legislation on their own or contact directly the competent institutions.

Targeted information for international students is available especially on the web portal <http://www.studyin.sk/> which provides information to international students in English. The web portal has been established by the MoESRS SR. Visitors can find a list of public and state higher education institutions, information about scholarships of the Slovak government and the MoESRS SR and about fields of study at selected higher education institutions (ten institutions) in English language. Website visitors will also find comprehensive information about the conditions of study in the SR, system of higher education in the SR, conditions of admission to study and about the possibilities of studying Slovak. The website also publishes information about required visas and residence permits for education reasons and about the procedures to obtain them. However, the website lacks information about other scholarships funded by the ministry and about other possibilities of support during foreign nationals' study in Slovakia. Information on other scholarships funded by the ministry is available on its website www.minedu.sk.

International students and researchers can find on the SAIA website <http://www.saia.sk/en/> a link to the above-mentioned portal and to the website of the MoFEA SR¹⁴⁶ which provide necessary information in English about stays, visas and other agendas. The website also provides for downloading

¹⁴³ Pursuant to Art. 126, par. 7 of the Act on Residence of Aliens, "the Ministry of Interior and the Ministry of Foreign Affairs publish the basic information on rights and duties of foreign nationals hereunder on their web sites with sample applications necessary for proceedings hereunder; in addition to the state language the information is published in English language as well."

¹⁴⁴ http://www.foreign.gov.sk/en/consular_info/residence_of_alien_in_territory_of_slovakia and http://www.foreign.gov.sk/en/consular_info/visa

¹⁴⁵ <http://www.employment.gov.sk/zivotne-situacie-cudzincov.html>

¹⁴⁶ http://www.mzv.sk/en/consular_info/authentication_of_documents

the following SAIA publications in English: International Student's Guide to Slovakia¹⁴⁷ and Study in Slovakia: Study programmes offered in foreign languages¹⁴⁸. PhD students can use the information provided in the publication EURAXESS SLOVAKIA – The International Researcher's Guide to Slovakia¹⁴⁹. These publications represent an important source of information for international students and are also available in paper form at the premises of SAIA which distributes them at international fairs, conferences, embassies and other organisations. With the aim to minimise the problems with documents and administrative procedures, SAIA produced in 2012 a brochure *Practical Guide through Administrative Procedures (related to the entry and stay of foreigners coming to study, to teach at higher education institutions or to conduct research in Slovakia)*.¹⁵⁰ According to SAIA statements, in 2012 the organisation works on an on-line database of scholarships and grants for foreign nationals interested in study stays in Slovakia, which should facilitate access to information about financial support in a structured form.

In 2011, the Slovak Rectors' Conference (SRC) published a promotion and information book Higher Education in the Slovak Republic 2011/2012 which provides basic information about the higher education system in Slovakia with profiles of Slovak higher education institutions. The publication has been provided in printed form also to the MoFEA SR, and the SRC published it in electronic form in its website¹⁵¹.

Information for international students is also published by Slovak higher education institutions on their websites. The majority of all 36 higher education institutions (public, state and private) publish information on their websites about the respective institution in English, offered study programmes in Slovak and in foreign languages¹⁵², about the process of enrolment to study, accommodation and catering, life in the city/town where the university is situated, and about student associations and organisations that take care for international students.¹⁵³ Some universities and higher education institutions also inform foreign applicants about the legislation governing entry and stay in the SR.

147 <http://www.saia.sk/en/main/study-in-slovakia/international-students-guide-to-slovakia>

148 Source: <http://www.saia.sk/en/main/study-in-slovakia/study-in-slovakia-study-programmes-offered-in-foreign-languages> (consulted on 05/07/2012).

149 Source: <http://www.saia.sk/en/useful-information/euraxess-slovakia-the-international-researchers-guide-to-slovakia> (consulted on 05/07/2012).

150 The guide is available at: <http://www.saia.sk/sk/aktuality/navigacia-postup-cudzinci-na-slovensko>. At present, English version of the guide is being prepared.

151 Source: http://www.srk.sk/images/stories/dokumenty/Inedokumenty/SRK_Univerzity_web.pdf (consulted on 05/07/2012).

152 The information is most frequently published in English, and sporadically in German, French and Russian.

153 For example, Erasmus Student Network Slovakia.

Information about higher education institutions and fields of study is available in English at the University Portal where the visitor can find contact information about Slovak public, state and private higher education institutions, as well as about numbers of students, deadlines for enrolment to particular higher education institutions, offered courses in the form of e-learning, projects, and conferences. Interesting news is the pilot project of the electronic enrolment system which enables applying for study at selected higher education institutions and is available in English¹⁵⁴. The system is administered under a project involving several Slovak public higher education institutions and the MoESRS SR¹⁵⁵.

International students can find the required information also on EU portals. Though the website of the European Network of National Information Centres (ENIC-NARIC)¹⁵⁶ does not publish comprehensive enough information, visitors can find a very useful link to the website of the MoESRS SR containing information for international students in English, mainly about the education system in the SR, scholarships for international students, Slovak language courses, study programmes provided in English or other foreign language, and about the recognition of qualifications¹⁵⁷. The website of the European Commission's Immigration portal also contains important information about the conditions of entry and stay of international students, as well as other practical information¹⁵⁸.

General information for third-country nationals and hence for international students is provided by the Migration Information Centre (MIC) of IOM in the form of counselling in various extensive fields, such as stay (types and conditions of stay in Slovakia, assistance in obtaining a permanent or temporary residence permit, visa regime, etc.), employment and business (process for obtaining or extending an employment permit, employment, work contract, conditions and type of business in Slovakia, how to launch a business, etc.), and education. International students can get information about access to education, recognition of qualifications, nostrification and other topics. MIC also disposes of important contacts of migrant associations in the SR. On its website and in its premises MIC offers brochures and leaflets in five foreign languages (English, Russian, Vietnamese, Chinese and Arabic) which inform about the procedures and legislation concerning international students from third countries, such as stay, employment, trade licensing, marriage, citizenship and useful information about the life and stay in the SR.¹⁵⁹

154 www.prihlaskavs.sk

155 Source: <http://www.portalvs.sk/> (consulted on 05/07/2012).

156 Source: <http://www.enic-naric.net/index.aspx?c=Slovak%20Republic> (consulted on 31/07/2012).

157 Source: <http://www.minedu.sk/index.php?lang=en> (consulted on 05/07/2012).

158 <http://ec.europa.eu/immigration/>

159 For more details see: www.mic.iom.sk.

3.2.4 Tuition Fees and Study-Related Fees for International Students

The daily form of higher education study at public and state higher education institutions in Slovakia is free of charge for the citizens of the SR, citizens of the EU/EEA Member States and of the Swiss Confederation, and for the citizens of some third countries (Belarus, Bosnia and Herzegovina, Montenegro, FYR Macedonia, Moldova, Serbia and Ukraine). Public and state higher education institutions are only entitled to charge such students with fees for exceeding the standard duration of study; fees for activities associated with the admission procedure, fees for activities associated with examinations; fees for issuing credentials on completed studies and their copies; fees for issuing credentials on completed studies, if required in a foreign language; fees for issuing copies of credentials on completed studies and for the recognition of equivalence of qualifications. The amounts of such fees and of tuition fees for external forms of study are determined by higher education institutions within legal limits¹⁶⁰. This only applies to study programmes carried out in daily form in the Slovak language.

Public and state higher education institutions charge study programmes in foreign languages with tuition fees from €1,000 to €10,000 per year depending on the particular study programme¹⁶¹. Tuition fee rates at private higher education institutions are similar.

The admission procedure fees at higher education institutions increased from approx. €15–35 in 2006 to approx. €20–70 in 2012. According to the information provided by higher education institutions¹⁶², this increase has not influenced the number of international students applying for study at a particular higher education institution.

Other financial costs connected with the study are administrative fees for granting temporary residence permit for the purpose of the study or special activity.

The rate of the administrative fee was €99.50 during the period 2006 –11. As of 01 January 2012, applicants for a temporary residence permit for the purpose of study are exempt from the administrative fee. In the case of other activity, international students are not exempt from payment of the administrative fee.

¹⁶⁰ Art. 92 of Act No. 131/2002 Coll. on Higher Education and on Changes and Amendments to Some Acts.

¹⁶¹ Source: questionnaire survey by the authors of the study, websites of higher education institutions.

¹⁶² Source: questionnaire survey by the authors of the study.

Available statistics suggest that the number of international students applying for temporary residence permit in the territory of the SR for the purpose of study has been stable in the given period, and it can be assumed that the amount of fees associated with study in a foreign language and of other tuition fees related to study in the SR does not have a large impact on the interest of students in studying in the SR.

3.2.5 Issuing of Visas and Residence Permits for International Students

Unlike some Member States, the SR does not require that an applicant for temporary residence permit obtain a visa prior to the granting of the temporary residence permit.

There are some cases where the granting of a national visa (“D” type) is the precondition for the legality of the international student’s stay in the SR on the basis of a bilateral agreement (in concerns a stay that does not exceed the period set in the given agreement of a maximum 12 months), or where a Schengen visa is a precondition for the legality of the international student’s short-term study stay. The SR uses the visa institute as a precondition for the entry of the international student to the country. Yet, the very condition of the student’s long-term stay in the SR (i.e. for more than 90 days) is apart from the above-mentioned exemption granting of the temporary residence permit based on submitted application.

A third-country national whose primary reason for stay in the SR is study can be granted several types of temporary residence from which his/her rights and obligations are derived:

- a) temporary residence for the purpose of study;
- b) temporary residence for the purpose of special activity which arises from Slovak Government programmes or European Union programmes;
- c) temporary residence for the purpose of special activity which arises from an international treaty signed by the SR;
- d) temporary residence of a third-country national which acknowledged status of a person with long-term residence in another Member State.

The same conditions of entry and stay apply to each case of temporary residence of international students irrespective of the intended level of higher education.

The conditions of entry of an international student to the SR are determined by two factors:

- duration of the intended study; and
- country of origin.

3.2.5.1 Study Shorter Than 90 Days

International students who do not need a visa to enter the Schengen Area¹⁶³

International students who meet the conditions for entry to the Schengen Area pursuant to Regulation (EC) No. 562/2006 of the European Parliament and Council, i.e. they are in possession of a valid travel document, dispose of sufficient funds for the planned duration of stay and for their return, can justify the purpose of their stay, they are not persons for whom an alert has been issued in the Schengen Information System for the purposes of refusing entry, and do not constitute a threat to public policy, internal security or public health, can arrive at the Slovak Republic for the purpose of study without the need to fulfil any other conditions.

Upon entry to the SR such international students, just like all other third-country nationals, are obliged to notify the competent police department within three working days about the start, place and expected duration of stay. In case such students do not have private accommodation (at their relatives, friends), this obligation pertains to the person providing accommodation (e.g. hotel, hostel, students' dormitory).

International students who need a visa to enter the Schengen Area

International students who are nationals of third countries which are not listed in Annex II of the Council Regulation (EC) No. 539/2001 (consolidated text) must apply for the Schengen visa at the respective diplomatic mission prior to entering the SR. The application must be submitted in person. If it is not the first application for the Schengen visa and the applicant is known to the foreign mission for his/her integrity and reliability, the obligation to present the application in person can be abandoned.

International students must attach the following documents to the application for the Schengen visa:

- Filled in application for the Schengen visa signed by the applicant; if the applicant is a minor or a person with restricted legal capacity, the application must be signed by the legal representative who will present a copy of the document certifying that he/she is the legal representative of the applicant;
- Valid travel document the validity of which must be longer by at least three months than the expected validity period of the requested visa. The travel document must have been issued within the previous ten years and must contain at least two blank pages;
- Colour photograph of the face of size 3x3.5cm or scanned photograph or it is possible to take a photo when submitting the application for Schengen visa and in such case s/he has to be fingerprinted for all ten fingers;
- Documents proving the purpose of planned stay (invitation certified by the competent police department, confirmation of admission to study, etc.);
- Documents concerning accommodation (e.g. confirmation of the accommodation facility that accommodation has been secured);
- Documents concerning financial coverage of the stay (e.g. cash in convertible currency, travel cheques, statement from the applicant's bank account). The amount of resources for living expenses is not determined, but must be proportional to the duration and purpose of stay. The applicant can be asked at the Slovak border to prove that he/she disposes of sufficient financial resources for living expenses for the period of stay stated in the visa, which is €56 per person per day of stay;
- Documents enabling to assess the applicant's intention to leave the Schengen Area after expiry of the visa (e.g. presentation of a return travel ticket; in the case of drive by passenger motor vehicle, presentation of the driver's licence and car registration book, motor vehicle insurance against damage incurred to other road users, green card, and proof of sufficient funds for fuels);
- International travel insurance covering all expenditures that might incur in connection with repatriation, return to the home country for health reasons, urgent medical treatment or death. The insurance must be valid in the whole territory of the Schengen Area Member States throughout the period of stay of the applicant. The minimum coverage of insurance costs is €30,000;
- If needed, a diplomatic mission of the SR can ask the applicant to present other documents certifying the declared purpose of stay and his/her intention to return to his/her home country or country of previous stay after visa expiry.

¹⁶³Source: Annex II to Council Regulation (EC) No. 539/2001 (consolidated text).

The application for a Schengen visa for the purpose of study is exempt from the visa fee. The FM SR abroad will decide on the visa upon previous consent by the MoI SR within 15 days following the filing of the application. The deadline for the granting of a visa can be extended for a maximum of 60 days in exceptional cases. Unsuccessful applicant can apply against a negative decision.

3.2.5.2 Study Exceeding 90 Days

In case the study exceeds 90 days, students from third countries who do not need a visa to enter the Schengen Area are subject to the same conditions as students who need such visa. Apart from exceptional cases where a bilateral agreement directly defines the conditions of entry and stay of international students¹⁶⁴ it is always necessary to apply for one of the following types of temporary residence:

- temporary residence for the purpose of study;
- temporary residence for the purpose of special activity which arises from Slovak Government programmes or European Union programmes, or which arises from an international agreement as a commitment of the Slovak Republic;
- temporary residence of a third-country national with acknowledged status of a person with long-term residence in another Member State who is enrolled in a school in the SR.

Temporary residence for the purpose of study

A third-country national intending to study in Slovakia for a period longer than 90 days must first apply for a temporary residence permit for the purpose of study. The application must be filed on prescribed form which is available at each FM SR, aliens police departments and on the website of the MoI SR, and is exempt from administrative fee.

Pursuant to Art. 24, par. 1 of the Act on Residence of Aliens, study means:

- study at a secondary school;
- study at a language school;
- study at a higher education institution;
- language or vocational training for study at a higher education institution organised by a higher education institution in the Slovak Republic.

¹⁶⁴ At present the SR has such agreement concluded with New Zealand.

The application for a temporary residence permit must always be filed in person at the Slovak diplomatic mission abroad or at the competent APD PF in the territory of the SR under the conditions described below. With regard to the filing of applications abroad, the application can be presented at the FM SR accredited for the country which issued the applicant's travel document, or at the foreign mission accredited for the state in which the applicant has his/her domicile. In special cases (for example, if no foreign mission exists, or in other exceptional cases), the MoFEA SR will appoint, upon agreement with the MoI SR, another foreign mission to which the application can be presented. The foreign mission that has received the application shall issue a certificate of receipt to the applicant on the day of its receipt.

Subsequently, the foreign mission shall perform an interview with the applicant in order to preliminarily evaluate the application. The interview shall be conducted in the state language (Slovak) or in another language which is comprehensible for both parties. The foreign mission shall prepare a written record of the interview which is to be attached to the application for the granting of temporary residence. The record shall be prepared in Slovak language and must be signed by the applicant. If the applicant cannot speak Slovak, he/she can provide for an interpreter at his/her own cost who shall be obliged to sign the record. The diplomatic mission shall send its statement on the granting of temporary residence to the APD PF competent to decide on the application, together with the interview record; and the statement shall specify whether the granting of temporary residence is recommended or not, giving specific reasons.

If the applicant has an authorised residence in the SR at the time of filing the application, he/she can file the application for the granting of temporary residence in person at the competent APD PF where the applicant has registered residence in the SR, and the APD PF shall decide on the application.

The filing of the application for the granting of temporary residence does not entitle the applicant to stay in the territory of the SR. If the period during which the applicant can legally stay in the SR expires prior to the decision on his/her application (for example, upon visa expiry), the applicant shall leave the territory of the SR.

Irrespective whether the application is filed at a FM SR abroad or at a competent APD PF, it is necessary to attach to the application for the granting of temporary residence a valid travel document, two photographs of size 3x3.5cm showing the applicant's current appearance and documents not older than 90 days proving:

- 1) the purpose of stay;
- 2) applicant's integrity;
- 3) financial coverage of the stay;
- 4) provided accommodation; this shall not apply if the applicant is a third-country national who applies for a temporary residence for the purpose of study and has been admitted to study at a higher education institution in the SR.

The applicant shall prove the **purpose of stay** with a confirmation by the competent state administration body or school of his/her admission to study.

The applicant shall prove his/her **integrity** by providing an extract from the Crime Register of the country he/she is a national of and the country where the applicant has resided for a period longer than 90 days within six consecutive months during the last three years. If no such extract is issued in the given state, it can be substituted with an equivalent document issued by the competent judicial authority or administrative authority of the country of origin; or it can be substituted with a statutory declaration to be made by the applicant before the competent judicial authority or administrative authority or the notary of the country of origin or last residence. The document on integrity shall prove the integrity in the whole territory of the country issuing the document; otherwise the police department shall not accept such document.

Financial resources can be demonstrated by means of a statement of the personal account kept at the bank in the name of the applicant, confirmation on the granting of scholarship, confirmation of the statutory body of the legal entity about the provision of financial resources during the stay or by statutory declaration of another person on providing financial resources to the applicant during his/her stay supported by a statement of that person's personal account. The financial resources must be proved at a subsistence minimum amount¹⁶⁵ per each month of stay. If the planned duration of stay exceeds one year, financial resources must be demonstrated at the amount of twelve-fold subsistence minimum.

A document on the provision of accommodation¹⁶⁶ must demonstrate

¹⁶⁵ Subsistence minimum amounts change annually as of 01 July of the calendar year. As of 01 July 2012, the subsistence minimum amount in the SR was €194.58 per month.

¹⁶⁶ The document confirming the provision of accommodation shall be

- a) the title deed or the extract from the title deed of the Real Estate Register issued in favour of the applicant;
- b) certified lease contract concluded with a real estate owner or user and extract from the title deed or other document proving the entitlement to use the real estate;

that the applicant has provided accommodation for at least six months of temporary residence; if he/she applies for temporary residence for a shorter period of time, he/she must demonstrate accommodation during the whole temporary residence. International students admitted to study at a higher education institution do not need to demonstrate the provision of accommodation.

An international student who has been granted temporary residence shall be obliged to submit a **medical opinion** confirming that he/she does not suffer from any disease which threatens public health to the police department within 30 days from the receipt of the document of residence. The medical opinion may not be older than 30 days and must be issued by a doctor specialised in infectology.

An international student does not need to attach a **health insurance document** to the application for the granting of temporary residence not even after the temporary residence permit has been granted. This, however, does not mean that he/she is not obliged to have a health insurance. The law obliges international students to provide for health insurance within three working days after the receipt of the residence document. Failure to fulfil this obligation may result in imposing a fine of up to €1,600 in case of control of the stay.

The police department shall decide on the application within 30 days following the submission of the complete application, i.e. application supported with all required annexes.

If a third-country national filed his/her application for the granting of temporary residence at a FM SR abroad, that office shall inform him/her about the result of the police department's decision in an agreed way (in writing or by phone). In case the applicant has been granted a temporary residence, he/she shall apply at the foreign mission for the national visa ("D" type) if he/she needs such visa to enter the territory of the SR and retrieve the document on residence at a competent police department. A valid travel document, an actual colour photograph of the face of size 3x3.5cm, and a document demonstrating travel health insurance (proving that the applicant has got health insurance in the territory of the SR or that his/her insurance covers the treatment costs in the territory of the SR) must be attached to the application.

c) confirmation of the accommodation facility on the provision of accommodation;

d) certified statutory declaration of the natural person or legal entity on provision of accommodation to the applicant in the territory of the SR and the extract from the title deed or the document proving the entitlement to use the real estate.

Further, it is necessary to pay the consular fee for the issuing of national visa in connection with the granting of residence in the SR at an amount of €9.50. The foreign mission shall issue to the applicant a multiple entry national visa valid for a period of 90 days and decides on the application within 30 days following its acceptance.

Temporary residence can be granted for the expected period of study and for a maximum period of six years. After expiry, the temporary residence for the purpose of study can be extended for a maximum period of five years. The application for extending a temporary residence must be filed at the police department on the last day of validity of the original permit at the latest. More details about the renewal of temporary residence for the purpose of study are provided in Chapter 3.3.1.

Temporary residence for the purpose of special activity

In case a student from a third country plans to study in the SR on the basis of a bilateral agreement concluded between the SR and his/her home country (programmes of cooperation in the field of education concerning mutual student exchanges) or on the basis of a Slovak Government programme or EU programme (e.g. scholarship programmes under development aid), the SR shall grant temporary residence for the purpose of special activity¹⁶⁷.

An exception is made by bilateral agreement with New Zealand which directly defines the conditions of stay for the programme participants and abolishes the obligation to obtain a permit for temporary residence in Slovakia. The document required for legalising the stay of this programme participant is the national visa ("D" type).

The procedure related to the obtaining of a temporary residence permit for the purpose of special activity is similar to the temporary residence permit for the purpose of study. The application can be filed at the FM SR abroad or directly at the police department, provided that the applicant stays in the territory of the SR legally.

The application must be supported with the same documents as in the case of temporary residence for the purpose of study. However, the exception for

¹⁶⁷ It is sometimes relatively difficult to determine the type of temporary residence that the international student should apply for. If, for example, the foreign holder of a Slovak Government Scholarship has been issued a document on study at a Slovak higher education institution, he/she can apply for temporary residence for the purpose of study. If he/she does not dispose of such document at the time of filing the application (and only disposes of, for example, a document by the MoESRS SR confirming that he/she participates at the exchange programme), the student can apply for temporary residence for the purpose of special activity.

students of higher education institutions who are exempt from the obligation to demonstrate the provision of accommodation shall not apply to this type of temporary residence. An international student shall pay an administrative fee of €99.50 for the application for the granting of temporary residence for the purpose of special activity.

In this case, the purpose of stay is demonstrated by the particular bilateral agreement or confirmation by the state administration body responsible for the performance of activities according to a Slovak Government programme or EU programme, or confirmation by the organisation ensuring the administration of such programme. If the programme comprises financial guarantees for a student, such confirmation serves as a confirmation demonstrating the financial coverage of the stay. Otherwise, the student is required to present a statement of his/her bank account.

Also in this case the international student who has been granted temporary residence is obliged to present to the police department, within 30 days following the receipt of the document of residence, a medical opinion confirming that he/she does not suffer from any disease which threatens public health and a document confirming health insurance in the territory of the SR.

Temporary residence for the purpose of special activity is granted for the period needed to attain the purpose and for a maximum period of two years. In case the purpose of stay lasts longer, this type of temporary stay can be repeatedly extended, always for a maximum period of three years. The application shall be decided by the police department within the same deadlines as in the case of temporary residence for the purpose of study.

In the case of international students who intend to study within one of the study programmes under this category and for objective reasons they are not able to get a temporary residence permit from abroad until the start of study, the SR enables such students to arrive in the SR on the basis of a special procedure. A FM SR abroad may grant a national visa ("D" type) to such students valid for a period of 90 days, provided that the student, upon filing the visa application, submits for inspection the entire application for temporary residence to be filed at the foreign mission or directly at the police department upon arrival at the SR, and pays an administration fee of €33. The national visa enables the student to enter the territory of the SR and start studying before being granted temporary residence. However, the filing of the application for the granting of temporary residence does not establish the right to stay in the SR beyond the period stated in the national visa until a decision is taken on permitting temporary residence. The national visa cannot be extended in the territory of the SR.

Temporary residence of a third-country national with acknowledged status of a person with long-term residence in another Member State

Special case is the situation where a third-country national with acknowledged status of a person with long-term residence in another EU Member State intends to study in the territory of the SR. Such international student is obliged to apply for temporary residence, but is subject to special procedures.

Such person can file the application for the granting of temporary residence at the respective FM SR abroad or at the police department in the SR, and is exempt from the administrative fee. The procedure is identical to the previous cases.

A valid travel document, two photographs of size 3x3.5cm showing the applicant's current appearance and documents not older than 90 days must be attached to the application for the granting of temporary residence proving:

- 1) the purpose of stay;
- 2) financial coverage of the stay;
- 3) provision of accommodation.

The applicant shall prove the **purpose of stay** with a document on long-term residence issued by an EU Member State and with a confirmation by the competent state administration body, school or other accredited institution of the third-country national's admission to study or vocational training.

Financial resources can be demonstrated in the same way as described in the case of temporary residence for the purpose of study. Also in this case the applicant must prove financial resources at the subsistence minimum amount per each month of stay. If the planned duration of stay exceeds one year, financial resources must be demonstrated at the amount of twelve-fold subsistence minimum.

Also in this case the **document on provision of accommodation** must prove the same facts as in the application for the granting of temporary residence for the purpose of study.

In case the international student is granted temporary residence, he/she is obliged to present to the police department a document confirming **health insurance** in the SR within 30 days following the receipt of the document of residence.

In this case, the documents confirming the applicant's **integrity** are not obligatory. However, the police department and the foreign mission of the SR abroad have the option to request from the applicant, in individual cases, a document not older than 90 days confirming the applicant's integrity:

- a) from the EU Member State which has granted the status of person with long-term residence, or
- b) from the EU Member State which has granted the residence.

The police department shall take a decision within 90 days following the filing of the complete application, i.e. application supported with all required annexes. In particularly complicated cases, this period can be extended by 30 days. This type of temporary residence can be granted for a maximum period of five years. After its expiry the temporary residence can be extended again for a maximum period of five years. The application for extension of the temporary residence must be filed at the police department at the latest on the last day of validity of the original permit.

3.2.5.3 Comparison of the Conditions of Entry and Stay of Foreign Students in the SR upon Issuance of Visas and Residence Permits for the Purpose of Study

With regard to the conditions of entry and stay of foreign nationals with short-term and long-term study it can be concluded that the conditions for issuing Schengen visas for students from third countries who are required to dispose of a visa to enter the Schengen Area and who intend to study in the SR for a period longer than 90 days, as well as the conditions for issuance of a temporary residence permit for the purpose of study and special activity¹⁶⁸ in the case of a stay exceeding 90 days are in principle similar. The main difference lies in the obligatory assessment of the integrity of the applicant for temporary residence in his/her home country and in every country where he/she has stayed during the past three years for more than 90 days within a half-year period on the basis of documents that he/she has submitted. The differences in the periods for granting of the Schengen visa (15 days with the possibility to extend it to 60 days) and of the residence permit for the purpose of study and special activity arising from Slovak Government programmes and EU programmes or from an international treaty (30 days without the possibility to extend the period) seem to be irrelevant in the case

¹⁶⁸ It is assumed that, in the case of international students who have been acknowledged the status of persons with long-term residence in other Member States, the integrity of these students in their country of origin has been examined by the Member State which granted the long-term residence permit to them.

of start of study of an international student in the SR. The 90-day period (with the possibility of extending it by 30 days in complicated cases) in the case of temporary residence of a third-country national with acknowledged status of a person with long-term residence in another Member State does not influence the start of study either.

3.2.5.4 Assessment of the Transposition of Council Directive 2004/114/EC to the Slovak Legislation

As has already been mentioned, the legislation of the Slovak Republic, unlike Council Directive 2004/114/EC, distinguishes between several categories of study for which a temporary residence permit can be issued and which constitute the subject of this study. Besides study at a higher education institution, temporary residence can also be obtained for language or vocational training to prepare for study at a higher education institution organised by a higher education institution in the SR or for study at a language school. In the case of study at a language school, the applicant must, except for the conditions laid down in Articles 6 and 7 of Council Directive 2004/114/EC which have been fully transposed into the Slovak legislation, prove the provision of accommodation. If the applicant fails to prove this fact, the residence permit shall not be issued in spite of the fact that the other conditions of the Directive have been fulfilled.

It should be stated, though, that study at language schools in the SR constitutes a special category of study, and students of language schools cannot fall under any circumstances under the definition of a student pursuant to Council Directive 2004/114/EC. The inclusion of all levels of language education¹⁶⁹ under the term “higher education” pursuant to Council Directive 2004/114/EC appears to be most problematic.

Another specific feature of the SR is that students studying under any of the exchange programmes covered by the EU or under multilateral and bilateral

¹⁶⁹ Under Art. 17, par. 3 of Act No. 245/2008 Coll. on Upbringing and Education (School Act) and on Changes and Amendments to Some Acts, language training is split into the following categories:

- primary language training obtained by the student through successful completion of the last year of the training programme for first degree of language school at A2 language level of the Common European Reference Framework;
 - secondary language training obtained by the student through successful completion of the last year of the training programme for second and third degree of language school at B2 and C1 levels of the Common European Reference Framework;
 - post-secondary language training obtained by the student through successful completion of the last year of a specialised training programme; the attained level of education is confirmed by a certificate of state language exam stating the level of language skills.
- Only post-secondary language training corresponds to the term “higher education” and to level 4 of education according to ISCED international classification.

agreements are not granted temporary residence for the purpose of study, but for the purpose of special activity (unless they present a confirmation of study at a higher education institution under academic mobility programmes upon filing the application for the granting of temporary residence). With regard to this type of temporary residence, students of higher education institutions are required to prove provision of accommodation.

With the exception of the obligation to demonstrate, upon filing of the application for the granting of temporary residence for the purpose of study at a language school and of the application for the granting of temporary residence for the purpose of special activity, the provision of accommodation, the SR does not apply any other conditions beyond the reach of Council Directive 2004/114/EC.

In addition to that, the SR has not used the possibility to transpose Art. 6, par. 1, letter e) and Art. 7, par. 1, letters c) and d) of Council Directive No. 2004/114/EC, i.e. it does not require payment of the administrative fee for the filing of the application for the granting of temporary residence for the purpose of study¹⁷⁰ or for its extension, nor it requires proof of knowledge of the language in which the applicant is expected to study, and of the payment of study-related fees charged by the education organisation.

3.2.5.5 Preferential Treatment of International Students in the Granting of Temporary Residence

When taking a decision on the application for a temporary residence permit, the police department deciding on the application takes into consideration:

- the public interest, especially security aspects, economic interests of the SR and protection of public health;
- personal and family conditions of the applicant, his/her financial situation, duration of current stay and expected stay;
- opinion of the foreign mission on the granting of the temporary residence (only in case he/she applies for temporary residence from abroad).

These criteria are always assessed by the police department irrespective of the applicant’s country of origin or purpose of his/her stay in the territory of the SR.

¹⁷⁰ The application for temporary residence for the purpose of special activity (i.e. other type of temporary residence permit that can be granted to an international student in the SR) is not exempt from payment of the administrative fee.

In spite of that, certain advantages can be observed in the decision-making on the granting of temporary residence to students compared to other applicants.

First of all, it should be mentioned that the decision on the application for a temporary residence permit for the purpose of study is taken by the police department within a reduced period of 30 days from the day of filing the full application, while this period cannot be extended. The general period for taking a decision on temporary residence is 90 days, and the police department can extend this period by another 30 days in particularly complicated cases.

In general, a third-country national may only perform in the territory of the SR activities for which the temporary residence has been granted. In case that a student has been granted temporary residence for the purpose of the study, s/he can carry on business during his/her stay. Temporary residence for the purpose of study is not necessary for a period up to 90 days from the commencement of stay in the territory of the SR, provided that the international student stays in the SR legally (he/she holds the Schengen visa or national visa, or if no visa is required) and has fulfilled his/her legal obligation to notify the police department about the start, place and expected duration of stay within three working days after his/her entry to the SR. It means that a student can start to study prior to granting of a temporary residence permit.

The decision-making on the temporary residence permit for the purpose of study does not involve any procedures that would give preference to any type of study, study programme or applicant on the basis of the country of origin, or that would take into consideration the date of the planned start of study. The SR has not concluded any consular agreements that would in any manner treat international students preferentially in the filing of applications for visa or temporary residence compared to other applicants.

The reduced periods for taking a decision on an application also apply to temporary residence for the purpose of special activity. In this case, students who cannot obtain the temporary residence permit from abroad until the date of expected start of study for objective reasons can use the above-mentioned possibility to arrive in the SR on the basis of the national visa ("D" type) and start studying before the decision on temporary residence is taken.

In the case of students with acknowledged status of persons with long-term residence in another Member State, the police department decides on temporary residence within the standard 90-day period. Again, such students may start studying prior to the issuing of the decision on the temporary resi-

dence permit, since their status entitles them to stay in Slovakia for a period of 90 days without the need to obtain a temporary residence permit.

Another advantage compared to other types of temporary residence is that applicants filing the application for temporary residence for the purpose of study are exempt from the payment of the administrative fee, and, in the case of short-term study stays, also exempt from the payment of the consular fee for the issuing of Schengen visa.

This advantage does not apply in full extent to students studying on the basis of Slovak Government programmes, EU programmes, or on the basis of bilateral or multilateral treaties, since the application for temporary residence for the purpose of special activity, i.e. for the type of temporary residence granted to international students in this case, is charged with a fee of €99.50.¹⁷¹

The right of minor students over 15 years to act in matters of temporary residence for the purpose of study or for the purpose of special activity on their own, without a legal representative who usually represents minors under 18 years of age, can be considered as special preferential treatment. This shall not apply to the filing of the application for temporary residence (such application must be signed by the legal representative), but to acts following the granting of temporary residence (e.g. filing of the application for extension of temporary residence).

3.2.5.6 Main Reasons for Refusal of Applications for Temporary Residence for the Purpose of Study

The reasons for refusal of an application for the granting or renewal of temporary residence are listed in the Act on Aliens. In the case of temporary residence for the purpose of study, the most common reasons for which residence applications are refused are the following: a third-country national fails to meet the conditions for being granted a temporary residence permit, or a third-country national gives false or misleading data or submits falsified or counterfeited documents or a document belonging to another person, or the data in a travel document do not correspond to reality¹⁷². According to the information by BBAP PFP, since the new Act on Residence of Aliens entered into effect, applications for temporary residence filed by students

¹⁷¹ If a student presents a confirmation of enrolment at a higher education institution in Slovakia under an academic mobility programme, the current legislation grants him/her the rights and obligations of a student, and can therefore apply for a temporary residence permit for the purpose of study even in case he/she comes to the SR on the basis of a Slovak Government or EU programme or on the basis of a bilateral or multilateral agreement. In such case, the student is exempt from paying the administrative fee for the residence permit.

¹⁷² BBAP PFP.

attending higher education institutions are very seldom refused. On the other hand, there have been cases of refusal of a temporary residence application filed by a student who planned to study Slovak language at a language course, but failed to meet the requirements pursuant to the Act on Residence of Aliens, as the course was not organised by a higher education institution but by a private company. Another case concerned a student who wanted to obtain a residence permit for the purpose of study at a secondary school, but the school failed to meet the requirements under Act No. 245/2008 Coll. under which it must be a grammar-school (gymnasium), secondary vocational school or a conservatory.

In case an application for the granting of a temporary residence permit is refused, the police department shall issue a decision on refusal of the application. An international student can appeal against the decision of the police department. The appeal must be lodged at the competent Aliens Police Department of the PF which issued the decision within 15 days following the day the applicant was notified of the police department's decision. The competent police department shall either fully approve the appeal, or submit the appeal to the body of appeals within 30 days and notify the applicant thereof. The body of appeals shall inspect the respective decision in whole extent, and if the appeal is substantiated, the body of appeals shall cancel or change the decision; otherwise, the appeal is refused and the decision is confirmed. If the body of appeals cancels the decision, it shall return the matter to the administrative body which issued the decision to reconsider it and to issue a new decision. The police department is bound by the legal opinion of the body of appeal. The decision of the body of appeal on the applicant's appeal is not appealable.

An international student can be successful especially in cases where his/her application has been refused on the grounds of formal shortcomings which can be remedied throughout the appeal procedure. Success is doubtful in case the application has been refused because the applicant represents a security risk for the country or because he/she has presented falsified or counterfeited documents.

The SR does not dispose of statistical data on applications of international students for temporary residence in the SR that have been refused. It can be stated, though, that the share of international students who have unsuccessfully tried to obtain temporary residence in Slovakia is relatively low (for more details see Table 10 in sub-chapter 3.2.6.2). The highest share of refused applications was constituted by applications for temporary residence for the purpose of study. Applications for temporary residence for the purpose of

special activity arising from Slovak Government or EU programmes or from international treaties have been sporadic¹⁷³.

3.2.6 Statistics and Data Analysis

3.2.6.1 Statistics on the Number of International Students in the SR

The SR does not belong to the group of EU Member States that can attract many international students. This can be seen in the relatively low involvement of Slovak higher education institutions in joint study programmes and in the lack of subjects of study in foreign languages.

The exact absolute number of international students from third countries per calendar year (according to the focus of study) cannot be determined on the basis of available statistics provided by MoESRS SR and IIPE, since the data is collected for the group of "foreign nationals" which includes persons who are not citizens of the Slovak Republic, i.e. also EU nationals, Slovaks living abroad and third-country nationals in the given academic year. The numbers of international students are always monitored as of 31 October of the given year. The statistics also include persons who have come to Slovakia for other purpose besides the education reasons, since temporary residence granted to third-country nationals for any purpose (employment, business, or family reunification) allows the holder of the temporary residence permit to study in the SR without the need to change the residence permit. For the purposes of statistics from the given source, students from third countries are only divided into persons with permanent residence in Slovakia (in most cases family members of Slovak citizens) and other students, irrespective of the type of temporary residence.

Hence, we only provide available statistics reflecting the numbers and flows of international students—third-country nationals in the SR who have carried out short-term, long-term or their entire study in the SR.

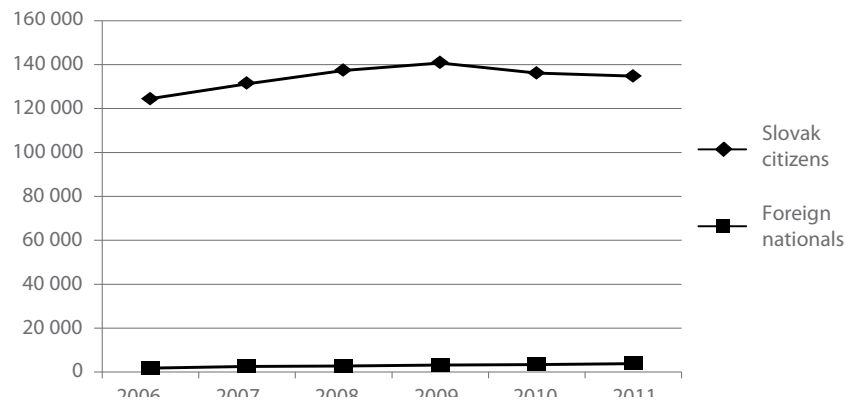
According to the statistics published by IIPE, which has collected overall data for the Slovak Republic per academic year and has continuously updated the data after the completion of statistical finding (February–March of the academic year) (see Table 2), the progression in the number of students – foreign nationals who studied at Slovak public, state and private higher education institutions in daily form of the first and second level of study (ISCED 5) in the period 2006–11 had a rising tendency (see Chart 1). Compared to the num-

¹⁷³ BBAP PFP.

ber of Slovak citizens who studied at public, state and private higher education institutions in daily form at the first and second level of study (ISCED 5), it is evident that while the number of Slovak students since 2009 showed a declining tendency, which can be primarily due to the departure of Slovak students to foreign countries, and secondly, to the demographic development in the SR, the number international students – foreign nationals increased. With regard to this development it can be assumed that foreign nationals will represent an important target group of Slovak higher education institutions in the future.

The continuous increase is obvious also in the number of foreign graduates and in the number of female students who did not have the Slovak citizenship (see Table 2). An increase was also recorded in the number of female foreign graduates, with the exception of the year 2009.

Chart 1: Number of students with the Slovak citizenship studying in daily form compared to students who do not have the Slovak citizenship (2006–11), ISCED 5



Source: IPE¹⁷⁴

Note: The statistics represent overall data for the Slovak Republic and is continuously updated after the completion of statistical finding (February–March of the respective school year).

The most recent data concern the school year 2011/2012; update in March 2012.

Foreign nationals – persons who are not the citizens of the Slovak Republic.

The data comprise the higher education institutions of the Ministry of Interior SR, Ministry of Defence SR and the Ministry of Healthcare SR.

Table 2: Number of foreign nationals and graduates studying in daily form compared to students with Slovak citizenship (2006–11) ISCED 5

Year	Higher education institutions	Number of enrolled students			Number of graduates per calendar year		
		Slovak citizens	Foreign nationals		Slovak citizens	Foreign nationals	
		Total	Total	Females	Total	Total	Females
2006	Public	121,058	1,877	924	20,628	307	148
	Private	2,251	27	10	42	1	0
	State	1,188	0	0	435	0	0
	Total	124,497	1,904	934	21,105	308	148
2007	Public	126,325	2,659	1,074	23,990	308	154
	Private	3,479	36	11	241	0	0
	State	1,389	4	3	202	0	0
	Total	131,193	2,699	1,088	24,433	308	154
2008	Public	131,048	2,848	1,189	34,431	468	243
	Private	4,909	62	27	546	1	0
	State	1,390	5	5	423	0	0
	Total	137,347	2,915	1,221	35,400	469	243
2009	Public	130,273	3,159	1,323	41,187	584	235
	Private	8,843	172	91	972	5	1
	State	1,564	7	7	349	0	0
	Total	140,680	3,338	1,421	42,508	589	236

174 Source: <http://www.general-files.com/download/source/gs55bfea59h32i0> (consulted on 31/07/2012).

2010	Public	125,501	3,391	1,433	41,843	703	274
	Private	8,957	199	105	1,548	6	2
	State	1,663	5	5	481	2	2
	Total	136,121	3,595	1,543	43,872	711	278
2011*	Public	123,283	3,652	1,593	40,158	657	300
	Private	9,749	336	184	2,029	25	10
	State	1,715	7	5	466	1	1
	Total	134,747	3,995	1,782	42,653	683	311

Source: IIPE¹⁷⁵

Note: The statistics represent overall data for the Slovak Republic and is continuously updated after the completion of statistical finding (February–March of the respective school year).

The most recent data concern the school year 2011/2012; update in March 2012.

Foreign nationals – persons who are not the citizens of the Slovak Republic.

The data comprise the higher education institutions of the Ministry of Interior SR, Ministry of Defence SR and the Ministry of Healthcare SR.

Table 2 also shows that most students studied at public higher education institutions, and that public higher education institutions had the most foreign graduates. On the other hand, private schools have been able to attract a larger number of foreigners in the past years, and the number of foreign graduates from these schools who were mainly from EU countries (and especially from the Czech Republic) has been increasing.

In 2010, i.e. in the academic year 2010/2011¹⁷⁶ (see Table 2), the total number of students at Slovak public, state and private higher education institutions studying in daily form at the first and second level of education (ISCED 5) was 139,716, of which 3,595 were foreigners, which represents only 2.57%. Similarly small numbers also refer to graduates, where from the total number of 44,583 graduates in the given academic year only 1.59% were foreigners. The share of foreign females in daily form of first-level and second-level study (ISCED 5) was 42.9%, and the share of female graduates in the same academic year was 39%.

175 <http://www.general-files.com/download/source/g55bfea59h32i0> (consulted on 31/07/2012).

176 Last completed academic year.

When looking at the statistics on international students–foreign nationals, as published by IIPE in its annual books with offprints for higher education institutions and adjusted with the aim to present the most exact data as possible on international students–third-country nationals, it can be stated that in 2010/2011, which represents the last completed academic year, from the total number of 9,118 foreign nationals¹⁷⁷ (see Table 3), 1,226 were third-country nationals (see Table 4)¹⁷⁸, which represents only 13.4% of the total number of foreign nationals. In the given academic year, of the total number of 1,226 foreigners–third-country nationals, 451 were females (see Table 4). This suggests that male students prevail over female students in both categories – students with Slovak citizenship and international students–foreigners in the daily form of study.

Table 3: International students in the daily and external form of study (2006–11), ISCED 5 and 6

Academic year	International students
2006/2007	1,999
2007/2008	5,381
2008/2009	6,547
2009/2010	8,429
2010/2011	9,118
2011/2012*	9,461

Source: IIPE¹⁷⁹

Note: The data refer to the respective academic year and cover public, state and private higher education institutions. The data is always as of 31 October of the given year.

*The last data is as of 31 October 2011.

International students: foreign nationals – persons who are not the citizens of the Slovak Republic.

Data on students in external form of study in the academic year 2006/2007 is not available and cause a disproportional deviation, since the external form of study is mainly preferred by international students from EU Member States.

177 Including EU nationals, Slovaks living abroad – third-country nationals, third-country nationals with permanent residence in the SR, and third-country nationals.

178 This data includes third-country nationals according to the focus of this study – persons who are not nationals of EU Member States and who do not have the right to free movement within the EU (e.g. third-country nationals with permanent residence in the SR), and also persons with the status of Slovaks living abroad.

179 <http://www.uips.sk/prehlady-skol/statisticka-rocenka---vysoke-skoly> (consulted on 31/07/2012).

Table 4: International students – third-country nationals (2006–11) ISCED 5 and 6

Academic year	International students in daily form of study		International students in external form of study		International students in total	
	Total	Females	Total	Females	Total	Females
2006/2007	775	311	:	:	775	311
2007/2008	1,192	341	84	33	1,276	374
2008/2009	1,111	333	151	83	1,262	416
2009/2010	1,090	343	86	30	1,176	373
2010/2011	1,015	326	211	125	1,226	451
2011/2012*	1,007	356	139	65	1,146	421

Source: IIPE¹⁸⁰

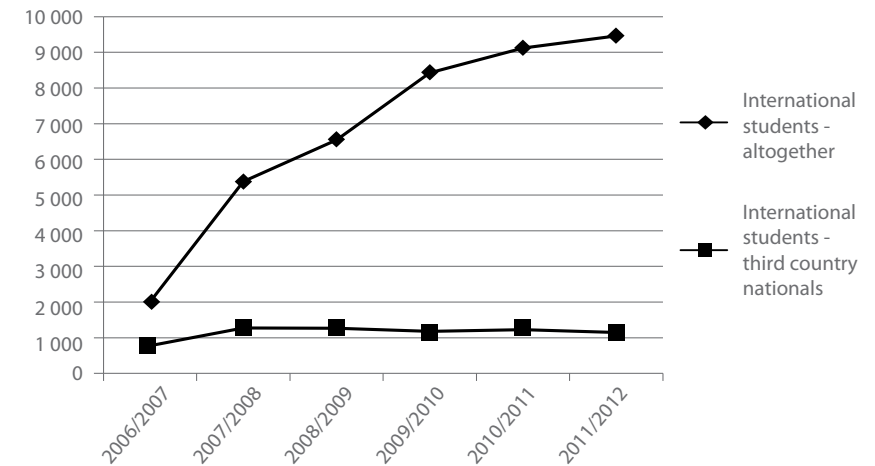
Note: The data refer to the respective academic year and cover public, state and private higher education institutions. The data is always as of 31 October of the given year.

: Data on students in the external form of study in the academic year 2006/2007 is not available.

*The last data is as of 31 October 2011.

International students: third-country nationals (including Slovaks living abroad – third-country nationals).

Although the number of foreign students (students who do not have Slovak citizenship, including third-country nationals) continuously increased in the given period, where the turning point was the academic year 2009/2010 in which the number of students without Slovak citizenship increased by 22.3% compared to the previous academic year (see Chart 2), the number of third-country nationals slightly fluctuated. An increase was observed during academic years 2007/2008 and 2010/2011, and a slight decline in 2008/2009 and 2009/2010.

Chart 2: International students – comparison (2006–11) ISCED 5 and 6Source: IIPE¹⁸¹

Note: The data refer to the respective academic year and cover public, state and private higher education institutions. The data is always as of 31 October of the given year.

Data on students in the external form of study in academic year 2006/2007 is not available.

The last data is as of 31 October 2011.

International students – in total: persons who do not have the Slovak citizenship (including nationals of EU Member States and third-country nationals).

International students: third-country nationals (including Slovaks living abroad – third-country nationals).

In the given period, the number of international students – third-country nationals studying at the first and second level of education was higher than those studying PhD (see Table 5). Yet, the number of international students – third-country nationals at PhD study saw a year-to-year increase.

Table 5: Foreigners–third-country nationals in the daily and external form of study (2006–11) ISCED 5 and 6, a comparison

Academic year	ISCED 5		ISCED 6	
	Total	Females	Total	Females
2006/2007	708	287	67	24
2007/2008	1,157	344	119	30

180 <http://www.uips.sk/prehlady-skol/statisticka-rocenka---vysoke-skoly> (consulted on 31/07/2012).181 <http://www.uips.sk/prehlady-skol/statisticka-rocenka---vysoke-skoly> (consulted on 31/07/2012).

2008/2009	1,135	392	127	24
2009/2010	1,048	341	128	32
2010/2011	1,085	412	141	39
2011/2012*	988	376	158	45

Source: IIPE¹⁸²

Note: The data refer to the respective academic year and cover public, state and private higher education institutions. The data is always as of 31 October of the given year.

Data on students in the external form of study in academic year 2006/2007 is not available.

*The last data is as of 31 October 2011.

Foreigners – third-country nationals (including Slovaks living abroad – third-country nationals).

In the period from academic year 2006/2007 to academic year 2011/2012, the first and second level of study (ISCED 5) in daily and external form was mostly attended by international students–third-country nationals from Serbia, Kuwait, Israel, Ukraine and Saudi Arabia. The category of international students–third-country nationals conducting PhD study in daily and external form (ISCED 6) shows a different share of countries, with the highest share of students from Libya, Serbia, Ukraine, Sudan and Russia.¹⁸³

Overall, international students–third-country nationals from Serbia, Kuwait, Israel, Ukraine and Saudi Arabia recorded the highest share in the daily and external form of study at both levels (ISCED 5 and 6).

According to available data of 2011, international students–third-country nationals mostly studied in the following fields of study: social and economic sciences, and law; design; technologies, production and communications; medicine¹⁸⁴.

3.2.6.2 Statistics on Residence Permits Granted to International Students in the SR

A more detailed picture about the numbers and flows of international students – third-country nationals can be obtained from available Eurostat data on renewal of temporary residence of aliens already studying under the category of “residence for the purpose of study”, and also from information on refused applications. As has already been mentioned in sub-chapter 3.2.5, international students – third-country nationals in the SR can be granted several types of temporary residence, not only temporary residence for the

¹⁸² Ibidem.

¹⁸³ Ibidem.

¹⁸⁴ Statistics provided to MoESRS SR from the Central Register of Students of Higher Education Institutions.

purpose of study. The Eurostat statistics, including temporary residence permits for the purpose of study and special activity, are presented below. These purposes also apply to persons who do not fall under the focus and specifications of this study, i.e. persons who are not students pursuant to the definition according to Article 2 of Council Directive 2004/ 114/EC.

In Eurostat statistics, the study category includes the above-mentioned types of residence permits which are broken down to “study” and “other study purposes” for the purposes of Eurostat. The “study” group includes: study¹⁸⁵; study – student; special activity which follows from the programmes of the Slovak Republic government or from the programmes of the European Union; special activity to fulfil an obligation of the Slovak Republic which follows from an international treaty; and temporary residence of a third-country national with acknowledged status of a person with long-term residence in another Member State and studying at a school in the SR¹⁸⁶. “Other study purposes” for the needs of Eurostat includes: study – pupil; special activity – traineeship as a part of study outside the Slovak Republic territory; and special activity – volunteering activities.

The statistical data of BBAP PFP (IS ECU) below has been selected for the purpose of this study and include the following types of temporary residence: temporary residence for the purpose of study – i.e. study; study – student; study – pupil; temporary residence for the purpose of special activity – activity which follows from the programmes of the Slovak Republic government or from the programmes of the European Union, activity to fulfil an obligation of the Slovak Republic which follows from an international treaty, or traineeship as a part of study outside the Slovak Republic territory; and temporary residence of a third-country national with acknowledged status of a person with long-term residence in another Member State and studying at a school in the SR.

It is not possible to precisely determine the share of temporary residence permits granted to persons who do not fall under the target group but are included in the statistical data, because the individual sub-categories merged or were divided in the given period. Also, the statistics do not include persons who have been granted temporary residence as third-country nationals with acknowledged status of persons with long-term residence in another Member State and studying at a school in the Slovak Republic, since it is a type of temporary residence which can only be granted since the new Act on Residence of Aliens entered into force, i.e. since 01 January 2012.

¹⁸⁵ The former purpose used prior to the division of study into study – student, and study – pupil. At present it applies to aliens who still hold a residence permit for this purpose.

¹⁸⁶ This type of temporary residence has been granted since 01 January 2012 – since the effective date of the new Act on Residence of Aliens.

Further to these facts it should be noted that the statistics of Eurostat and BBAP PFP (IS ECU) presented below do not provide an accurate overview of the numbers of residence permits of international students—third-country nationals in the SR. Temporary residence for the purpose of study and temporary residence for the purpose of special activity are granted for educational, study and similar activities, and it is therefore not possible to provide concrete data for the purposes of this study from the overall amounts. For example, temporary residence for the purpose of study includes, besides students of higher education institutions and aliens attending language preparation or vocational preparation for study at a higher education institution organised by a higher education institution in the SR (so-called zero year of higher education study), also pupils of secondary and elementary schools and students of language schools. Temporary residence for the purpose of special activity—activity arising from Slovak Government or EU programmes or from a commitment of the SR on the basis of an international agreement—is mainly granted to international students – third-country nationals who study at higher education institutions in the SR at ISCED 5 and 6 levels and fall under the focus of this study. In this regard, it is therefore not excluded that the statistical data also includes persons who do not represent the focus of this study (e.g. university teachers from third countries coming to the SR under European mobility programmes, etc.).

The numbers of third-country nationals—international students, as already mentioned in the previous chapters of this study, are slightly distorted also due to the fact that the other types of temporary or permanent residence permits do not exclude the possibility of study. For example, an alien with permitted residence for the purpose of family reunification is at the same time a student of a higher education institution, but the purpose of stay remains the former one. Third-country nationals who have originally come to the SR for other reasons than for the education do not fall under the focus of this study according to the study specifications.

First permits issued for education reasons

Table 6 provides an overview of the number of issued first temporary residence permits per purpose. In the period 2006–11, the total number of issued temporary residence permits was growing until 2008. There was a decline in 2009 by up to 33.5% compared to the previous year. The number of granted temporary residence permits continued decreasing in 2010, when 4,373 permits were issued, and in 2011 with only 3,641 granted permits, which represents a decline by 17% compared to the previous year. The decline since 2009 was mainly caused by the economic crisis which had

an impact on the employment of foreigners. This development can also be seen in the statistics on the purpose of residence permits with the largest decline in the number of temporary residence permits for the purpose of remunerated activities in 2009 compared to 2008 (by 42.2%).

In the given period, most temporary residence permits were granted for the purpose of remunerated activities (13,986 permits), for other reasons (9,976 permits)¹⁸⁷, for family reasons (6,945 permits) and least for the purpose of education (2,105 permits), which constitutes only 6.4% of the total number of issued permits.

Table 6: Number of granted residence permits to third-country nationals per residence category and year

Year	Total	Education reasons*	Remunerated activities	Family reasons	Other reasons (Total)
2006	5,688	230	2,337	1,130	1,991
2007	5,949	336	2,266	1,231	2,116
2008	8,025	449	3,984	1,224	2,368
2009	5,336	334	2,302	1,156	1,544
2010	4,373	353	1,776	1,162	1,082
2011	3,641	403	1,321	1,042	875

Source: 2006–07 – BBAP PFP (IS ECU), 2008–11 – Eurostat

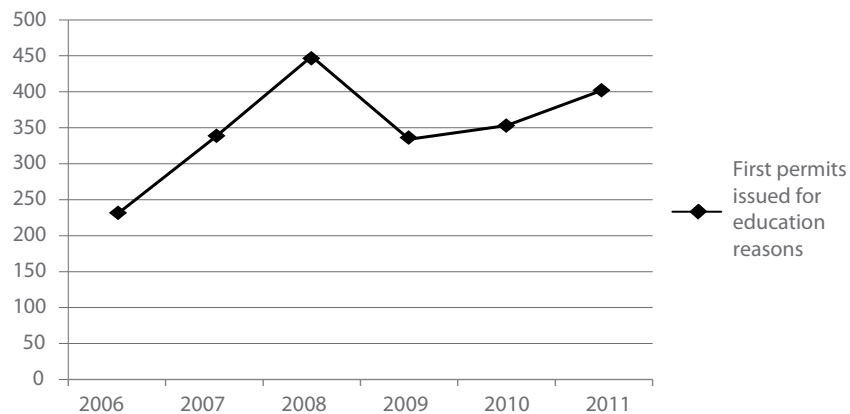
*The category “education reasons” includes: statistical data from Eurostat which comprise both “study” and “other educational reasons”. The category “study reasons” includes: study; study – student; special activity which follows from the programmes of the Slovak Republic government or from the programmes of the European Union; and special activity to fulfil an obligation of the Slovak Republic which follows from an international treaty. The category “other educational reasons” for the purposes of Eurostat includes: study – pupil; special activity – traineeship as a part of study outside the Slovak Republic territory; and special activity – volunteering activities.

The statistical data of BBAP PFP (IS ECU) include temporary residence for the purpose of study – i.e. study; study – student; study – pupil; temporary residence for the purpose of special activity – activity which follows from the programmes of the Slovak Republic government or from the programmes of the European Union, special activity to fulfil an obligation of the Slovak Republic which follows from an international treaty, or traineeship as a part of study outside the Slovak Republic territory.

¹⁸⁷ Other reasons include, for example, all types of tolerated stay, asylum, subsidiary protection, Slovak living abroad, etc.

Chart 3 suggests that the total number of first permits issued for education reasons saw a year-to-year increase until 2008. In 2009 when 334 temporary residence permits were issued for the purpose of education, this number declined by 25.6% compared to the previous year. The number of permits issued for the purpose of education started to increase in the following years. In 2010, this number increased by 5.7% against the previous year, and in 2011 by 14.2%. A similar trend can be observed in the number of international students–third-country nationals studying in daily and external form of study at ISCED levels 5 and 6 (Table 4). Just as in the case of the total number of issued permits, the decline in this category in 2009 can also be attributed to the economic crisis, which had an impact on overall immigration to the EU Member States.

Chart 3: Development in the number of first permits issued for education reasons



Source: 2006–07 – BBAP PFP (IS ECU), 2008–11 – Eurostat

*The category “education reasons” includes: statistical data from Eurostat which comprise both “study” and “other educational reasons”. The category “study reasons” includes: study; study – student; special activity which follows from the programmes of the Slovak Republic government or from the programmes of the European Union; and special activity to fulfil an obligation of the Slovak Republic which follows from an international treaty. The category “other educational reasons” for the purposes of Eurostat includes: study – pupil; special activity – traineeship as a part of study outside the Slovak Republic territory; and special activity – volunteering activities.

The statistical data of BBAP PFP (IS ECU): include temporary residence for the purpose of study – i.e. study; study – student; study – pupil; temporary residence for the purpose of special activity – activity which follows from the programmes of the Slovak Republic government or from the programmes of the European Union, special activity to fulfil an obligation of the Slovak Republic which follows from an international treaty, or traineeship as a part of study outside the Slovak Republic territory.

The statistics on first permits issued for education reasons by reason suggest that the majority of residence permits issued for the purpose of education was issued for study at a higher education institution or secondary school (Table 7). Other educational reasons, such as study at a language school or vocational and language preparation for study at a higher education institution were sporadic and represented only 22,94% of the total number of first permits issued for education reasons per reason. Most international students–third-country nationals who were granted the first residence permit issued for education reasons studied in the SR from 6 to 11 months (Table 8).

Table 7: First permits issued for education reasons by reason

Education reasons/year	2006	2007	2008	2009	2010	2011
Study *	205	235	267	304	299	312
Other educational reasons *	25	101	182	30	54	91

Source: 2006–07 – BBAP PFP (IS ECU), 2008–11 – Eurostat

*The data from Eurostat: The category “study reasons” includes: study; study – student; special activity which follows from the programmes of the Slovak Republic government or from the programmes of the European Union; and special activity to fulfil an obligation of the Slovak Republic which follows from an international treaty. The category “other educational reasons” for the purposes of Eurostat includes: study – pupil; special activity – traineeship as a part of study outside the Slovak Republic territory; and special activity – volunteering activities.

The data of BBAP PFP (IS ECU): include temporary residence for the purpose of study – i.e. study; study – student; study – pupil; temporary residence for the purpose of special activity – activity which follows from the programmes of the Slovak Republic government or from the programmes of the European Union, special activity to fulfil an obligation of the Slovak Republic which follows from an international treaty, or traineeship as a part of study outside the Slovak Republic territory.

Table 8: First permits issued for education reasons by duration

Length of study/year	2006	2007	2008	2009	2010	2011
From 3 to 5 months	:	:	0	94	100	106
From 6 to 11 months	:	:	182	174	186	211
12 months and more	:	:	267	66	67	86

Source: 2008–11 – Eurostat

The data from Eurostat: The category “education reasons” includes both “study” and “other educational reasons”. The category “study reasons” includes: study; study – student; special activity which follows from the programmes of the Slovak Republic government or from the programmes of the European Union; and special activity to fulfil an obligation of the Slovak Republic which follows from an international treaty. The category “other educational reasons” for the purposes of Eurostat includes: study – pupil; special activity – traineeship as a part of study outside the Slovak Republic territory; and special activity – volunteering activities.
: data not available

Table 9: First permits issued for education reasons per countries of citizenship

Order of country/year	2006		2007		2008		2009		2010		2011	
	Country	Total	Country	Total	Country	Total	Country	Total	Country	Total	Country	Total
1.	Bangladesh	29	Turkey	51	Turkey	87	Turkey	81	Turkey	99	Turkey	82
2.	Israel	29	USA	44	Saudi Arabia	57	Ukraine	30	USA	34	USA	45
3.	USA	21	Saudi Arabia	33	USA	51	USA	23	Ukraine	29	Ukraine	43
4.	Turkey	16	Russia	25	Ukraine	32	Libya	18	Libya	13	Russia	26
5.	Mexico	11	Israel	24	Russia	30	Israel	17	Brazil	13	Kazakhstan	16
6.	Japan	10	Ukraine	19	Israel	17	China	17	Georgia	12	FYR Macedonia	14
7.	Russia	10	South Korea	8	Serbia	14	Russia	16	Russia	10	Serbia	12
8.	China	7	Mexico	8	Brazil	13	Saudi Arabia	14	FYR Macedonia	10	Georgia	11
9.	Palestine	7	India	7	Libya	11	Serbia	11	Mexico	9	Afghanistan	9
10.	Ukraine	7	Libya	7	Afghanistan	9	Armenia	9	Mongolia	9	Bangladesh	9

Source: 2006–07 – BBAP PFP (IS ECU), 2008–11 – Eurostat

The data from Eurostat: The category "education reasons" includes both "study" and "other educational reasons". The category "study reasons" includes: study; study – student; special activity which follows from the programmes of the Slovak Republic government or from the programmes of the European Union; and special activity to fulfil an obligation of the Slovak Republic, which follows from an international treaty. The category "other educational reasons" for the purposes of Eurostat includes: study – pupil; special activity – traineeship as a part of study outside the Slovak Republic territory; and special activity – volunteering activities. The data of BBAP PFP (IS ECU): include temporary residence for the purpose of study – i.e. study; study – student; study – pupil; temporary residence for the purpose of special activity – activity which follows from the programmes of the Slovak Republic government or from the programmes of the European Union, special activity to fulfil an obligation of the Slovak Republic which follows from an international treaty, or traineeship as a part of study outside the Slovak Republic territory.

International students who were granted the first-time issued residence permit for education reasons in the given period were most frequently from Turkey, the USA, Ukraine, Russia and Saudi Arabia (Table 9).

Applications for the first residence permit issued for education reasons were not refused very often in the given period, and the number of refusals slightly increased from year to year (Table 10). Most refusals were observed in 2006 when a total of 47 applications were refused and in 2011 when a total of 17 applications were refused, which, however, does not represent a large number, especially when compared to temporary residence permits granted for the same purpose. From available statistics for the period 2008 – 2011, applications filed by third-country nationals from Turkey (7), Russia (6), India (6), China (4), USA (3), Israel (2), and Saudi Arabia (2) were refused most often¹⁸⁸.

Table 10: Refused applications for first residence permit issued for education reasons

Number/year	2006	2007	2008	2009	2010	2011
Refused applications for residence permit	47	16	6	7	9	17

Source: BBAP PFP (IS ECU)

The statistics comprises temporary residence for the purpose of study – i.e. study; study – student; study – pupil; temporary residence for the purpose of special activity – activity which follows from the programmes of the Slovak Republic government or from the programmes of the European Union, special activity to fulfil an obligation of the Slovak Republic which follows from an international treaty, or traineeship as a part of study outside the Slovak Republic territory.

All valid temporary residence permits issued for education reasons

Table 11 provides an overview of the number of all valid temporary residence permits issued for education reasons at the end of respective reference years¹⁸⁹. The number of valid residence permits had a growing tendency. The largest increase was observed in 2008 when the total number of valid temporary residence permits issued for education reasons increased by 64.9% compared to the previous year and in 2011 when the number increased by 18.9% compared to the previous year. A decline was observed – similarly as in other statistics presented above – in 2009 by 12.9% against the previous year.

The available data show that most residence permits for issued for education

¹⁸⁸ Source: BBAP PFP (IS ECU)

¹⁸⁹ All valid temporary residence permits granted for education reasons means all first temporary residence permits and extended permits granted for education reasons (for the purpose of study, for the purpose of special activity).

reasons were granted for a period over 12 months (Table 12) which suggests that international students–third-country nationals do not study in the SR for a short term (for example, for one semester), but stay longer.

Table 11: All valid permits issued for education reasons by duration

Number/year	2006	2007	2008	2009	2010	2011
Total number of all valid residence permits issued for education reasons	429	479	790	688	735	900

Source: 2006–07 – BBAP PFP (IS ECU), 2008–11 – Eurostat

The data from Eurostat: The category “education reasons” includes both “study” and “other educational reasons”. The category “study reasons” includes: study; study – student; special activity which follows from the programmes of the Slovak Republic government or from the programmes of the European Union; and special activity to fulfil an obligation of the Slovak Republic which follows from an international treaty. The category “other educational reasons” for the purposes of Eurostat includes: study – pupil; special activity – traineeship as a part of study outside the Slovak Republic territory; and special activity – volunteering activities. The data of BBAP PFP (IS ECU): include temporary residence for the purpose of study – i.e. study; study – student; study – pupil; temporary residence for the purpose of special activity – activity which follows from the programmes of the Slovak Republic government or from the programmes of the European Union, special activity to fulfil an obligation of the Slovak Republic which follows from an international treaty, or traineeship as a part of study outside the Slovak Republic territory.

Table 12: All valid permits issued for education reasons by duration

Duration of permits/year	2006	2007	2008	2009	2010	2011
From 3 to 5 months	17	20	0	:	51	68
From 6 to 11 months	98	109	226	:	179	236
12 months and months	314	350	564	688	505	596

Source: 2006–07 – BBAP PFP (IS ECU), 2008–11 – Eurostat
: data not available

The data from Eurostat: The category “education reasons” includes both “study” and “other educational reasons”. The category “study reasons” includes: study; study – student; special activity which follows from the programmes of the Slovak Republic government or from the programmes of the European Union; and special activity to fulfil an obligation of the Slovak Republic which follows from an international treaty. The category “other educational reasons” for the purposes of Eurostat includes: study – pupil; special activity – traineeship as a part of study outside the Slovak Republic territory; and special activity – volunteering activities. The data of BBAP PFP (IS ECU): include temporary residence for the purpose of study – i.e. study; study – student; study – pupil; temporary residence for the purpose of special activity – activity which follows from the programmes of the Slovak Republic government or from the programmes of the European Union, special activity to fulfil an obligation of the Slovak Republic which follows from an international treaty, or traineeship as a part of study outside the Slovak Republic territory.

International students who were granted the residence permit for the education reasons were mostly from Israel, Saudi Arabia, USA, Turkey and Ukraine in the monitored period (Table 13).

Table 13: All valid residence permits issued for education reasons per countries of citizenship

Order of country/year	2006		2007		2008		2009		2010		2011	
	Name of country	Total	Name of country	Total	Name of country	Total	Name of country	Total	Name of country	Total	Name of country	Total
1.	Israel	98	Israel	91	Israel	90	Saudi Arabia	91	Saudi Arabia	92	Ukraine	91
2.	USA	43	USA	68	Saudi Arabia	88	Israel	81	Ukraine	69	Saudi Arabia	74
3.	Bangladesh	29	Turkey	35	USA	75	Ukraine	62	Turkey	69	Turkey	72
4.	Turkey	24	Saudi Arabia	27	Turkey	59	Turkey	61	Israel	62	USA	67
5.	China	17	Russia	21	Ukraine	49	Libya	38	Libya	50	Israel	62
6.	Russia	14	Ukraine	16	Russia	34	USA	31	USA	37	Libya	44
7.	Mexico	13	China	15	Palestine	23	Russia	31	Russia	22	Russia	35
8.	Bulgaria	10	Mexico	12	Libya	23	China	23	China	19	Georgia	26
9.	Libya	10	Iraq	10	China	21	Palestine	17	Georgia	17	Serbia	25
10.	Saudi Arabia	10	Vietnam	10	Sudan/Serbia	16	Serbia	17	Mongolia	17	Palestine	23

Source: 2006–07 – BBAP PFP (IS ECU), 2008–11 – Eurostat

The data from Eurostat: The category “education reasons” includes both “study” and “other educational reasons”. The category “study reasons” includes: study; study – student; special activity which follows from the programmes of the Slovak Republic government or from the programmes of the European Union; and special activity to fulfil an obligation of the Slovak Republic which follows from an international treaty. The category “other educational reasons” for the purposes of Eurostat includes: study – pupil; special activity – traineeship as a part of study outside the Slovak Republic territory; and special activity – volunteering activities. The data of BBAP PFP (IS ECU): include temporary residence for the purpose of study – i.e. study; study – student; study – pupil; temporary residence for the purpose of special activity – activity which follows from the programmes of the Slovak Republic government or from the programmes of the European Union, special activity to fulfil an obligation of the Slovak Republic which follows from an international treaty, or traineeship as a part of study outside the Slovak Republic territory.

Extended and refused temporary residence permits for education reasons

Besides the data on the term of first-time issued residence permits for education reasons and of all residence permits in general, which suggest that international students do not stay in the SR for a short term, an analysis of extended and refused residence permits will also help us get a complete picture about how long international students–third-country nationals remain studying in the SR.

According to available statistics of BBAP PFP (Table 14), the number of extended/renewed¹⁹⁰ residence permits for education reasons has seen a year-to-year decline in the given period since 2008. The largest decline was observed in 2009 when the number of extensions decreased by almost half (44%) against the previous year. Most extensions were reported in 2008 (446 extensions).

The number of refused temporary residence permits for education reasons was not large in the given period and had a relatively constant development. According to available data for the period 2008-2011, refused applications for residence permit concerned nationals of Russia (3), Mongolia (2), Afghanistan (1), Azerbaijan (1), China (1), India (1), Japan (1), Kuwait (1), Mexico (1), Peru (1), Serbia (1) and Ukraine (1).

Table 14: Renewed/extended residence permits granted for education reasons and rejected applications for extension

Renewed and extended residence permits/year	2006	2007	2008	2009	2010	2011
Number of renewed (extended) residence permits	428	401	446	249	218	103
Number of refused applications for extension of the residence permit	6	12	2	2	7	4

Source: BBAP PFP (IS ECU)

The statistical data of BBAP PFP (IS ECU) include temporary residence for the purpose of study – i.e. study; study – student; study – pupil; temporary residence for the purpose of special activity – activity which follows from the programmes of the Slovak Republic government or from the programmes of the European Union, special activity to fulfil an obligation of the Slovak Republic which follows from an international treaty, or traineeship as a part of study outside the Slovak Republic territory.

¹⁹⁰ By the end of 2011, residence permits were “extended” according to the legislation. According to the new Act on Residence of Aliens (which is in effect from 01 January 2012), temporary residences are being “renewed”.

Change of the status of residence permit from/to education reasons

As Table 15 suggests, in the given period, the residence permit was most often changed from a permit granted for other reasons to a permit for education reasons. Other reasons include, for example, employment, certain special activities, family reunification, business, etc. The most frequent countries of origin of third-country nationals who changed the status of their temporary residence permit from other reason to a permit for education reasons were Russia, Sudan and Kenya (Table 16). Another most frequent reason was a change from family reason to education reason, which was reported in eight cases in the given period, and a change from the reason of remunerated activities to education reasons, which occurred five times.

The most frequent reason for changing the purpose of temporary residence granted for education reasons to other purpose was remunerated activities, which occurred in 70 cases throughout the period from 2008 to 2011. The statistics do not show what kind of study it was, and whether the study had been completed prior to the change of the reason, though this data can also indicate the possibility that international students–third-country nationals have found a job on the labour market after the completion of their studies. The second most frequent reason was the change of temporary residence granted for educational reasons to temporary residence for family reasons (43 cases) and for other reasons (34 cases). The most frequent countries of origin of third-country nationals who changed the purpose of their temporary residence from educational reasons to other reasons were Ukraine, Angola, Serbia and Croatia (Table 17).

Table 15: Change of the status of residence permit from / to education reasons

Change of the status of residence permit/year	2006	2007	2008	2009	2010	2011
Total number of permits changed from family to education reasons	:	:	0	0	5	3
Total number of permits changed from remunerated activities to education reasons	:	:	2	0	1	3
Total number of permits changed from other to education reasons	:	:	8	7	11	3
Total number of permits changed from education to family reasons	:	:	22	1	7	13
Total number of permits changed from education to remunerated activities reasons	:	:	27	11	10	22
Total number of permits changed from education to other reasons	:	:	12	12	5	5

Source: 2008–11 – Eurostat

: Statistics on change of residence permits were not collected in 2006 and 2007.

The data from Eurostat: The category "education reasons" includes both "study" and "other educational reasons". The category "study reasons" includes: study; study – student; special activity which follows from the programmes of the Slovak Republic government or from the programmes of the European Union; and special activity to fulfil an obligation of the Slovak Republic which follows from an international treaty. The category "other educational reasons" for the purposes of Eurostat includes: study – pupil; special activity – traineeship as a part of study outside the Slovak Republic territory; and special activity – volunteering activities.

Table 16: Main countries of citizenship changing from any other reason to education reasons

Order of country/ year	2008		2009		2010		2011	
	Country name	Total	Country name	Total	Country name	Total	Country name	Total
1.	Sudan	3	Benin	2	Kenya	2	South Korea	1
2.	Russia	3	Ukraine	2	Uzbekistan	2	Uzbekistan	1
3.	Mexico	1	Sudan	1	Russia	1	Vietnam	1
4.	Kenya	1	Iraq	1	Mongolia	1		
5.			China	1	Paraguay	1		
6.					Nicaragua	1		
7.					USA	1		
8.					Libya	1		
9.					Angola	1		

Source: 2008–11 – Eurostat

: Statistics on change of residence permits were not collected in 2006 and 2007.

The data from Eurostat: The category "education reasons" includes both "study" and "other educational reasons". The category "study reasons" includes: study; study – student; special activity which follows from the programmes of the Slovak Republic government or from the programmes of the European Union; and special activity to fulfil an obligation of the Slovak Republic which follows from an international treaty. The category "other educational reasons" for the purposes of Eurostat includes: study – pupil; special activity – traineeship as a part of study outside the Slovak Republic territory; and special activity – volunteering activities.

Table 17: Main countries of citizenship changing from education reasons to any other reason

Order of country/ year	2008		2009		2010		2011	
	Country name	Total	Country name	Total	Country name	Total	Country name	Total
1.	Ukraine	5	Angola	3	Benin	2	Croatia	2
2.	Israel	1	Serbia	2	Turkey	2	Serbia	1
3.	Iraq	1	Ukraine	1	Israel	1	Sudan	1
4.	North Korea	1	Iraq	1			Ukraine	1
5.	Columbia	1	Yemen	1				
6.	Angola	1	Palestine	1				
7.	Serbia	1	Azerbaijan	1				
8.	Croatia	1	Nigeria	1				
9.			Libya	1				

Source: 2008–11 – Eurostat

: Statistics on change of residence permits were not collected in 2006 and 2007.

The data from Eurostat: The category "education reasons" includes both "study" and "other educational reasons". The category "study reasons" includes: study; study – student; special activity which follows from the programmes of the Slovak Republic government or from the programmes of the European Union; and special activity to fulfil an obligation of the Slovak Republic which follows from an international treaty. The category "other educational reasons" for the purposes of Eurostat includes: study – pupil; special activity – traineeship as a part of study outside the Slovak Republic territory; and special activity – volunteering activities.

* * *

The statistics above suggest that a relatively small percentage of international students (foreign nationals) studied in the SR in the given period. Of this number, the share of nationals of EU Member States was much larger than that of third-country nationals whose number has been continuously growing in 2006. However, the number of students from third countries show a relatively constant development, which is proven by statistics on the number of residence permits granted for the education reasons. A decline was only observed in 2009, which can be attributed to the economic crisis which

also influenced migration flows. The nationals from Israel, Saudi Arabia, USA, Turkey and Ukraine represent the group of third-country nationals who have most often come to Slovakia for educational reasons.

3.3 Legal and Practical Conditions in the SR Regarding International Students during Their Study

The measures regarding international students and implemented during their studies at Slovak higher education institutions have a various nature. They regulate the duration of stay, employment and access to health care and social security for international students, as well as the conditions of stay for their family members. This sub-chapter mainly deals with the legal conditions governing these areas, since these measures can directly influence the motivation of students to study in the SR and have an impact on their total number.

3.3.1 Period of Stay and Study of International Students

As has already been mentioned in the previous chapter, the SR grants international students with several types of temporary residence. The type of temporary residence influences the period for which the first-time issued residence permit is granted. All types of temporary residence can be renewed after expiry of the first permit, even repeatedly; hence, an international student never faces a situation where he/she would not be able to complete his/her study in the SR just due to expiry of the maximum period of the temporary permit.

Temporary residence permit for the purpose of study is granted for the expected period of study and for a maximum period of six years. The first-time issued temporary residence permit (provided that the other conditions have been fulfilled¹⁹¹) is, in principle, granted depending on the duration of the study programme for which the international student has been admitted. The duration of the study programme must be stated in the confirmation of admission to study by the school.

Temporary residence permit for the purpose of special activity is granted for a period needed to attain the purpose for which it has been issued and for a maximum period of two years.

In the case of students from third countries with long-term residence in

¹⁹¹ The other conditions for the granting of a temporary residence permit for the purpose of study or special activities are described in Chapter 3.2.5

another EU Member State, residence is granted for the assumed period of study, but the maximum duration of the first-time issued residence permit is limited to five years.

Temporary residence for the purpose of study, as well as temporary residence of a third-country national with acknowledged status of a person with long-term residence in another EU Member State can be repeatedly renewed always for a maximum period of five years, and temporary residence for the purpose of special activity for a maximum period of three years. The application for renewal of residence must be filed at the police department at the latest on the last day of validity of the original residence permit. The application must be submitted on an official form together with the valid travel document. Until the decision on renewal of the temporary stay is taken, the applicant's stay in the SR is considered authorised.

The following documents shall be attached to the application:

- one colour photograph of face of size 3x3.5cm;
- document proving the purpose of stay;
- documents proving financial resources for the stay; and
- document proving the provision of accommodation in the SR with the exception of students of higher education institutions in possession of a temporary residence permit for the purpose of study.

These documents must not be older than 90 days.

In the case of an application for the renewal of temporary residence for the purpose of special activity, an administrative fee of €33 must be paid, unless an international treaty on the basis of which the study is conducted contains provisions that would exempt the student from the payment of fees. Applications for renewal of the other two relevant types of temporary residence permits are exempt from the payment of the administrative fee.

The applicant shall prove the purpose of stay, financial resources and accommodation in the same way as in connection with the first application¹⁹².

The police department shall take a decision on the application within the same deadline as in the case of the first application for temporary residence, i.e. within 30 days without the possibility to extend this period in the case of temporary residence for the purpose of study and special activity, and within 90 days with the possibility to extend this period by another 30 days in the

¹⁹² See Chapter 3.2.5.

case of an applicant with long-term residence in another EU Member State.

Upon renewal of temporary residence, the police department shall not assess the applicant's language skills or study results. The purpose of residence is assessed exclusively on the basis of the confirmation by school that the applicant's study continues.

Interruption or abandonment of study by an international student, as well as his/her expulsion from study is considered cessation of the purpose for which the temporary residence has been granted. The student must inform the police department thereof within three days. The cessation of the purpose of residence obliges the police department to cancel temporary residence.

The higher education institution which an international student attends has the same obligation to report to the police department all facts that can have an impact on the international student remaining in the SR, it therefore cannot happen that a student's failure to inform the police department would represent an advantage to him/her. If the student neglects his/her obligation to inform the police department, such breach of the obligation is considered an offence for which a fine of up to €300 can be charged and which, at the same time, represents a reason for administrative expulsion of the alien with the possibility of being imposed the prohibition of entry to the territory of the SR for up to one year. The repetition of the academic year, unless related to the interruption of study or expulsion from study, does not represent a reason for interruption of residence, and does not constitute an obstacle to taking a positive decision on the renewal of residence.

According to the data from higher education institutions in Slovakia¹⁹³, the success rate of completion of study by international students is 80–95% for the first and second level of higher education, and 95–100% for third level higher education institutions. International students attain a much smaller success rate in study programmes of technical specialisation, which are successfully completed by 70–80% of students of the bachelor and engineer study programme and by 80–90% of students of the PhD study programme.

It is not possible to determine on the basis of Table 18 below the numbers of all aliens (nationals of the EU, EEA and third countries) who have completed study at higher education institutions in the SR in daily form at the first and second level of higher education study. The numbers of foreign graduates have a rising tendency in almost all years, and the number of students who have completed the first and second level of higher education study has

¹⁹³ Source: Questionnaire survey by authors.

been in all years higher than the number of PhD students who have completed the third level of higher education. Statistics also show that international students (including third-country nationals) mostly study long term and complete their studies in Slovakia. This statement is also supported by statistics on valid permits issued for the education reasons per duration of residence, and by statistics on extended permits (see Tables 12 and 14).

Table 18: Number of international students who completed the daily form of study per years

Year	2006		2007		2008		2009		2010		2011	
Level of study	1. and 2.	3.	1. and 2.	3.	1. and 2.	3.	1. and 2.	3.	1. and 2.	3.	1. and 2.	3.
International students	308	17	308	26	469	19	589	21	711	25	683	27

Source: IIPE¹⁹⁴

Statistics on international students who have successfully completed their studies in external form are not available. Statistics on students who started studying at a higher education institution in the SR after completing language preparation at the Institute of Language and Vocational Training are not available either.

3.3.2 Remunerated Activities and the Conditions of Social Security of International Students

The possibility to get employment or to conduct business can be a motivating factor for international students to choose a particular country for study. The right to enter the labour market or to conduct business in the SR is defined by the type of temporary residence granted to the international student.

Temporary residence for the purpose of study or special activity, or temporary

¹⁹⁴ Source: <http://www.uips.sk/prehlady-skol/statisticka-rocenka-vysoke-skoly>

residence of a third-country national with acknowledged status of a person with long-term residence in another EU Member State enables the holder of such permit to obtain employment along with study. The conditions under which a student can obtain employment are laid down in the Act on Employment Services. As stated in Chapter 3.1, this legal regulation was adopted at the time when the previous act on stay of aliens (Act 48/2002 Coll.) was in effect, and its current wording fails to fully react to the new legislation on stay of aliens. An amendment is therefore planned to remedy all shortcomings.

In general, an alien can obtain employment only on the basis of an employment permit issued by the competent Office of Labour, Social Affairs and Family upon assessment of the labour market situation (if it is not possible to fill a vacancy with a job seeker recorded in the list of job seekers or by an applicant from another EU Member States).

International students who have been granted temporary residence for the purpose of study are exempt from the requirement to possess an employment permit if their employment in the territory of the SR does not exceed ten hours per week or the corresponding number of days or months per year. If an international student intends to work beyond this limit, he/she must apply for an employment permit. In such case, the student status does not represent any advantage when a decision is taken on the granting of the employment permit.

International students who have been granted temporary residence for the purpose of special activity arising from Slovak Government or EU programmes or from a commitment of the SR arising from an international treaty do not need the employment permit only in case it is laid down in an international treaty on the basis of which they conduct their study programme in the SR. The international treaty can also contain a commitment to grant an employment permit without the need to assess the labour market situation. In such case, the student is obliged to apply for an employment permit, but if he/she finds an employer the employment permit shall be granted to him/her¹⁹⁵. This also applies to students under 26 years of age who are employed for occasional and time-limited jobs under school exchanges and youth programmes in which the SR is involved.

For the last group of international students who represent the subject of this study, i.e. students disposing of a temporary residence permit and those with acknowledged status of persons with long-term residence in another EU

¹⁹⁵ For more information about international treaties see Chapter 4.1.

Member State, the employment permit is not required.¹⁹⁶

If an international student needs an employment permit, he/she can apply for the permit at the Office of Labour, Social Affairs and Family according to the place of the future performance of work. The employment permit can be requested either in the alien's home country or in the territory of the SR in person or through the future employer. The application must be filed on official form, and must contain a promise by the future employer to employ the applicant. A photocopy of the travel document, documents on education, and – in case the applicant does not submit the application in person – a letter of attorney for the future employer with certified signature of the applicant must be enclosed to the application. The application must be presented in Slovak language, and all accompanying documents must be translated into Slovak. The application has to include employer's written confirmation on the employment after granting employment permit. The Office of Labour, Social Affairs and Family may request from the applicant submission of other documents, such as an extract from the Companies Register of the future employer or documents required by international treaties on the basis of which the applicant applies for an employment permit.

The Office shall issue the employment permit within 30 days from the filing of the application for the term of employment and for a maximum period of two years. The employment permit can be repeatedly extended, always for a maximum of two years, provided that the employment is performed with the same employer and that a written application including employer's written confirmation has been filed not later than 30 days prior to the expiry of the original permit.

A third-country national who has been granted temporary residence for the purpose of study or on the grounds that he/she is an alien with acknowledged status of a person with long-term residence in another EU Member State may conduct business throughout his/her stay in the SR under the same conditions as those applying to Slovak citizens. International students from third countries who have been granted temporary residence for the purpose of special activity are not entitled to conduct business. Since the areas of business conducted by international students have not been monitored in the SR, it is not possible to provide numbers on international students conducting business in the SR during their studies. For this reason it is not possible to determine the impact of international students on the GDP.

¹⁹⁶ Information provided by the MoLSAF SR.

In case an international student conducts business in the SR or is employed, he/she shall have the same rights and obligations as a Slovak citizen, and is subject to the principle of equal treatment in labour relations, as guaranteed by special legislation – Act No. 365/2004 Coll. on Equal Treatment in Some Areas and on Protection against Discrimination and on Changes and Amendments to Some Acts (Anti-Discrimination Act). This act, together with the Labour Code¹⁹⁷, guarantee respect for the principle of equal treatment which consists in the prohibition of discrimination on the grounds of sex, religion or belief, race, nationality or ethnicity, disability, age, sexual orientation, marital status and family status, colour of skin, language, political or other thinking, national or social origin, property, descent or other status. Application of different conditions for entry and stay of third-country nationals in the territory of the SR shall not be considered violation of the equal treatment principle.

On the basis of mandatory or optional social insurance, international students have the same entitlements to sickness benefits, old-age pension benefits, accident insurance benefits, and guarantee insurance benefits as Slovak citizens.

Access to healthcare in the SR is ensured through health insurance. Health insurance can be mandatory public insurance where the state guarantees access to free health care within the extent established by law, or individual (commercial) health insurance on the basis of which insured persons are guaranteed health care within the extent specified in the contract between the insured person and the insurance company¹⁹⁸. In general, only international students following a study programme in the SR on the basis of an international treaty have access to public health insurance¹⁹⁹. In this case, the state pays the insurance. Other students are obliged to establish a commercial health insurance policy within three days after the receipt of the residence permit. In case the international student enters employment or commences business, he/she will become a person with mandatory public health insurance who is obliged to pay health insurance levies.

¹⁹⁷ Act No. 311/2001 Coll. Labour Code as amended.

¹⁹⁸ Urgent health care, which pursuant to Art. 2, par. 3 of Act No. 576/2004 Coll. on Healthcare, Healthcare-Related Services and on Changes and Amendments to Some Acts as Amended means healthcare provided to a person upon sudden change of his/her health condition which directly threatens his/her life or some of the basic life functions or can seriously threaten life without fast provision of healthcare, causes sudden and unbearable pain, or causes sudden changes in his/her behaviour and acts under the influence of which that person directly endangers himself/herself or his/her surroundings, is guaranteed to all irrespective of health insurance.

¹⁹⁹ The list of countries with which the SR has concluded bilateral treaties securing access to public health insurance to international students is provided in Chapter 4.1.

During their study in Slovakia, international students have the same access to social services, assistance in material need and most state social benefits as Slovak citizens. However, the provision of social scholarships²⁰⁰ is tied to the student's permanent residence in the SR.

Statistical data on the number of international students who perform remunerated activities during their study or on the economic sectors in which they are most commonly employed is not available.

3.3.3 Conditions of Entry and Stay for Family Members of International Students

Under the Act on Residence of Aliens, a family member of an international student is understood within its narrowest sense as follows:

- his/her spouse, if the married couple is at least 18 years old;
- a single child younger than 18 years of age of a third-country national and his/her spouse ;
- his/her single child younger than 18 years of age;
- a single child of his/her spouse younger than 18 years of age;
- his/her unattended single child older than 18 years of age or dependent single child older than 18 years of age of his/her spouse who cannot take care of him/herself due to long term unfavourable health condition;
- his/her parent or a parent of his/her spouse who is dependent on his/her care and lacks appropriate family support in the country of origin. This provision shall not relate to students with a temporary residence permit for the purpose of study, but only to students with a temporary residence permit for the purpose of special activity and students with permitted temporary residence in Slovakia who have acknowledged status of a person with long-term residence in another EU Member State.

Family members of international students may apply for temporary residence in Slovakia for the purpose of family reunification. The procedure related to the filing of the application is identical to other types of temporary residence. A family member of an international student can file the application for temporary residence together with the student or at any time throughout the validity of the temporary residence of the student with whom family reunification is requested. In case the applications are filed together, the police department shall interrupt the procedure related to temporary residence of

²⁰⁰ Social scholarships are granted to students of higher education institutions and their amount depends on the income of family members.

the family member and shall decide after a decision on temporary residence of the international student has been taken. The application can be filed at the FM SR abroad or at the respective police department in the SR, provided that the stay of the student's family member Slovakia is authorised. It should be noted, though, that temporary residence for the purpose of family reunification is granted by the police department within a standard period of 90 days from the filing of the complete application, whereas this period can be extended by another 30 days in particularly complicated cases. It can happen therefore that temporary stay is not granted within the period during which the family member of an international student stays in the SR legally (visas are issued for a maximum period of 90 days), and such applicant will have to leave the Schengen Area.

It is necessary to attach to the application for the granting of temporary residence a valid travel document, two photographs of size 3x3.5cm showing the applicant's current appearance, confirmation on payment of the fee of €132.50, and documents not older than 90 days proving

- the purpose of stay;
- the applicant's integrity (not required for minors under 14 years of age);
- financial coverage of the stay;
- provided accommodation; and
- in the case of minors, written consent to the granting of temporary residence in the SR by the parent to whom this child was not entrusted into personal care and who has the right to meet this child.

The applicant shall demonstrate the **purpose of stay** via certificate of civil status; in the case of a single child younger than 18 years of age, a child younger than 18 years of age entrusted into personal care of a third-country national, unattended child or parent dependent on the care of a third-country national also a document confirming this.

The applicant shall prove his/her **integrity** by providing an extract from the Crime Register of the country he/she is a national of and the country where the applicant has resided for a period longer than 90 days within six consecutive months during the last three years. If no such extract is issued in the given state, the procedure is the same as in the case of applying for another type of temporary residence. The document on integrity shall prove the integrity in the whole territory of the country issuing the document.

Financial coverage of the stay can be demonstrated by a statutory declaration by the student with whom the family reunification is requested that he/

she would provide financial and material resources during the applicant's stay in the territory of the SR together with an employment contract, employer's confirmation about the amount of salary, or statement of personal account kept at a bank in the name of the international student. The financial resources must be proved at a subsistence minimum amount²⁰¹ per each month of stay. If the planned duration of stay exceeds one year, financial resources must be demonstrated at the amount of twelve-fold subsistence minimum. If the applicant is a minor, he/she shall demonstrate a half of the financial resources for residence.

A document on the provision of accommodation must demonstrate that the applicant has been provided accommodation by the student with whom the family reunification is requested.

If temporary residence is granted, the third-country national is also obliged, analogous to other cases of temporary residence permits, to submit to the police department, within 30 days from the receipt of the document of residence, a medical opinion confirming that he/she does not suffer from any disease which threatens public health. The medical opinion may not be older than 30 days. Within the same period, the applicant is obliged to submit a health insurance document demonstrating that he/she has been health insured in the territory of the SR and that he/she disposes of insurance of medical costs in the territory of the SR.

Temporary residence for the purpose of family reunification shall be granted for a maximum period of five years depending on the duration of the student's temporary residence with whom family reunification is requested. Upon expiry of the original permit such permit can be renewed for a maximum of five years, provided that the assumed residence lasts at least five years.

The conditions under which a family member of an international student with temporary residence for the purpose of family reunification can enter into employment are laid down in the Act on Employment Services. The inconsistency of legislation after the new Act on Residence of Aliens was adopted (effective since 01 January 2012) can be mostly observed in the category of family members of international students. The new Act on Residence of Aliens stopped regulating access to the labour market for the different types of residence, as a result of which all third-country nationals with temporary residence for the purpose of family reunification have access to the labour market at present without to need to be granted an employment permit.

²⁰¹ The subsistence minimum amounts change on an annual basis as of 01 July of the calendar year. The subsistence minimum amount as of 01 July 2012 has been €194.58 per month.

The previous legislation did not allow access to the labour market for persons with a temporary residence permit for the purpose of family reunification with a student. It can therefore be expected that the conditions for employment of family members of international students will substantially change after an amendment to the Act on Employment Services has been adopted.

Under the law, only the spouse of an international student is entitled to conduct business in the territory of the SR, which logically derives from the definition of other adult family members whose dependency or inability to ensure their living conditions in their home country on their own is the reason for being granted temporary residence in Slovakia.

The possibility to study in Slovakia is guaranteed to all foreign nationals irrespective of the purpose of granted temporary residence.

Family members of international students are guaranteed access to health care on the basis of commercial health insurance that all third-country nationals must establish within three days after receipt of their residence permit.

The SR does not take into consideration the citizenship of the applicant when making a decision on the provision of social services, assistance in material need and most state social benefits. Hence, family members of international students have access to this form of assistance under the same conditions as citizens of the SR.

With regard to the conditions governing the entry and stay of family members of international students in the SR, we do not consider the possibility to accompany an international student by his/her family member as the main motivation to study in Slovakia. This relates to the fact that the costs of study and stay in the SR compared to possible earnings of foreign students are relatively high. Higher education institutions provide tuition-free study in other than Slovak language in exceptional cases only, and study programmes conducted in foreign languages are relatively expensive. The amount of scholarship would only cover the student's living expenses.

Since the SR only monitors the total number of issued and refused permits in its statistics on issued and refused residence permits for the purpose of family reunification, it is not possible to determine the type of residence and the purpose of temporary residence of the person with whom family reunification is requested. The family relationship between the applicant and his/her family member holding a residence permit in Slovakia cannot be determined either. Hence, the SR does not dispose of data on the numbers and demographic categories of the family members of international students.

3.4. Legal and Practical Conditions in the SR Regarding International Students after the Completion of Their Studies

This sub-chapter analyses the measures regarding international students following the completion of their studies and the possibilities of staying in the territory of the SR, as well as potential misuse of residence permits by international students.

3.4.1 The Possibilities for International Students to Stay in the SR after the Completion of Their Studies

Temporary residence for the purpose of study or special activity (i.e. study on the basis of an international treaty or Slovak Government or EU programme) is granted for the assumed period of study. Completion of studies (prior to the expiry of a temporary residence permit) is considered cessation of the purpose of temporary residence, which constitutes a reason for cancellation of temporary residence by the police department. A third-country national is obliged to leave the territory of the SR at the latest on the last day of his/her authorised stay and, in the case of cancellation of temporary residence, within 30 days from the date when the decision on cancellation of temporary residence came into force and effect, unless he/she is entitled to stay in the territory of the SR for other reasons (e.g. applied for a change of the type or purpose of residence).

At present, the SR does not allow students from third countries to stay in its territory after the completion of their studies and seek employment. The only possibility for an international student is to try to obtain an employment permit during studies, and apply for a change of the purpose of temporary residence from study or special activity to employment purposes after the completion of studies.

This relates to two circumstances. Firstly, in the past, the SR was not forced to satisfy labour market demands²⁰² through foreign workers due to its high unemployment rate. The second circumstance is connected with the relatively small interest of international students in studying in the SR. International students from third countries who spent their entire studies in Slovakia

²⁰² The year 2008 before the start of the global financial and economic crisis was an exception in this regard. In this period, employers did not find on the labour market sufficient labour forces of selected occupations to satisfy their demand.

were almost exclusively students following study programmes under official development assistance. The SR therefore did not seek to keep these students working in Slovakia; on the contrary, they were supposed to use their knowledge in their home countries.

With the document *Migration Policy of the Slovak Republic: Perspective until the Year 2020*²⁰³, adopted by the Slovak Government on 31 August 2011, the SR started to implement measures aimed to enhance “the admission of economic migrants, employment of migrants from third countries in line with national economy and labour market demands with an emphasis on the admission and employment of highly qualified employees, academics and other qualified migrants”²⁰⁴. As has already been mentioned in sub-chapter 2.2.2, this document is based on the programme document of the MoLSAF SR *Migration Policy Action Plan of the Ministry of Labour, Social Affairs and Family of the Slovak Republic for the Period 2012–13* which assumes adoption of an amendment to the Act on Employment Services by 31 December 2012 as one of the measures which would enable international students who have successfully completed their studies at a secondary school or higher education institution to stay in the SR for a period of three months after the completion of studies and seek employment. According to the information provided by the MoLSAF SR, the proposal of the MoLSAF SR as part of the amendment to the Act on Employment Services goes beyond the framework of this measure, as the proposed wording reads as follows: “The employment permit is not required in the case of a third-country national who has successfully completed his/her studies at a secondary school or higher education institution in the territory of the Slovak Republic.” This amendment (Art. 22, par. 9, new letter) is expected to enter into effect together with the amendment to the Act on Residence of Aliens on 01 May 2013.

A temporary residence permit for the purpose of study allows a student to conduct business during the period of his/her residence. If an international student plans to conduct business after the completion of his/her studies in Slovakia or to continue the business activities that he/she commenced during study, he/she must apply at the police department for the change of purpose of temporary residence to business purpose not later than the last day of the validity of the original temporary residence permit. Besides the purpose of residence which must be demonstrated by a business plan or a document proving a business licence in the territory of the SR, provision of accommodation and financial resources for the stay, the applicant must also demonstrate

²⁰³ Available at: http://www.employment.gov.sk/migracna_politika.pdf (consulted on 17/07/2012).

²⁰⁴ The document has been published in Slovak language at <http://www.employment.gov.sk/integracia-cudzincov-dokumenty.html> (consulted on 17/07/2012).

financial resources for the business activity the amount of which depends on the type of planned business activities. If the applicant conducts business or plans to conduct business as a natural person (for example, on the basis of a trade licence), he/she shall demonstrate financial resources in the amount of twenty-fold the subsistence minimum (€3,891.60 since 01 July 2012). If the applicant acts or intends to act on behalf of a legal entity or cooperative, he/she shall demonstrate financial resources in the minimum amount of hundred-fold subsistence minimum (€19,458 since 01 July 2012). The financial resources shall be demonstrated by a statement of business account established for the purpose of conducting business.

The police department shall decide on application for temporary residence permit for the purpose of business within 90 days from the filing of a complete application. During this period, the stay of the applicant in the SR is considered authorised. Temporary residence for the purpose of business shall be issued for the assumed period of business and for a maximum of three years. It should be noted, though, that in order to renew a temporary residence permit for the purpose of conducting business, a third-country national is obliged, for the application for renewal of temporary residence, to demonstrate taxable income from such business activities for the previous tax period at least in the amount of twelve-fold subsistence minimum; if he/she has not conducted any business activities for the whole previous tax period, he/she shall be obliged to demonstrate taxable income in the amount of double the subsistence minimum for each month of residence in the previous period.

Change of temporary residence of a student to temporary residence of EU Blue Card holder or temporary residence for the purpose of research and development in compliance with Council Directive 2005/71/EC is theoretically possible, but practically out of consideration in the case of international students who have achieved the required qualification during their studies in the SR. A confirmation of the possibility of filling the vacancy which must be attached to the application for the EU Blue Card can be obtained only on the basis of a document certifying higher qualification corresponding to the requirements for the performance of highly qualified employment. By the time a student of a higher education institution in Slovakia obtains such document he/she ceases to be a student and his/her residence permit expires.

The same applies to a hosting agreement as a support document to obtain temporary residence for the purpose of research and development.

3.4.1.1 Initiatives Focused on the Use of the Qualification of Foreign Graduates from Higher Education Schools at the Slovak Labour Market

A number of expert and political discussions and analyses have recently developed in the SR pointing out the need to interconnect the labour market needs with the skills and qualification of graduates from higher education institutions in Slovakia and to bring them into harmony. One of the long-term objectives of the MoESRS SR in this regard is *“to initiate projects aimed to establish a regular dialogue between employers and higher education institutions in order to innovate the contents of study programme, especially bachelor study programmes to ensure full preparedness of graduates for the labour market”*²⁰⁵. These initiatives at the national level, as well as the individual actions of higher education institutions in the SR are designed for all students – graduates in general, and no special activity targeting international students has been developed so far (one of the reasons is their low percentage share at higher education institutions). It can be assumed that a focus on international students will be incorporated in the new national policy aimed to actively support the admission of economic migrants from third countries in line with the economy and labour market needs with an emphasis on the admission of highly qualified employees, academics and other qualified migrants, and that the legislation will change to enable international students who have studied and acquired their qualification in the SR to stay in the country and contribute to its economic growth.

3.4.1.2 Statistics on the Stay of International Students in the SR after the Completion of Their Studies

The SR does not keep statistics on the basis of which it would be possible to determine whether a foreign employee applying for an employment permit studied in Slovakia prior to the filing of the application. Hence, it is quite difficult to determine how many graduates from higher education institutions in the SR have actually stayed in the country after obtaining their diploma and entered the labour market. We only dispose of data on the change of residence permit from study purposes to remunerated activities or to other purpose²⁰⁶, while the change of the residence permit for study purposes to the purpose of remunerated activities occurs most frequently (Table 15).

²⁰⁵ Dlhodobý zámer vo vzdelávacej, výskumnej, vývojovej, umeleckej a ďalšej tvorivej činnosti pre oblasť vysokých škôl do roku 2014. Available at: <http://www.minedu.sk/data/USERDATA/VysokeSkolstvo/Dlhodoby%20zamer/dlhzamer2010.rtf> (consulted on 28/07/2012).

²⁰⁶ Includes all purposes of residence except for remunerated activities and family reasons.

Table 18 in sub-chapter 3.3.1 indicates that the average numbers of foreign graduates (aliens – nationals of the EU, EEA and third countries) who have completed their studies at higher education institutions in the SR in daily form (first and second level) have a rising tendency. There were more graduates at the first and second level of higher education study than at the third level (PhD study). The statistics also show that international students (including third-country nationals) usually study for a long term and complete their studies in Slovakia. This is also supported by statistics on valid permits granted for the education reasons as per duration, and statistics on extension of permits (see Tables 12 and 14) which indicate that international students most frequently stay in the SR for a period of more than one year. The total duration of their stay, comprising the study period and the period after completion of study, has not been monitored. Neither it is possible to individually assess the duration of stay of an international student in Slovakia after the completion of his/her studies at a higher education institution.

3.4.2 Misuse of Residence Permits by International Students

Several bodies cooperate in the detection and prevention of possible misuse of temporary residence permits granted to international students. First of all, it is the BBAP PFP as the key body with respect to stay of aliens, and its competences include, besides decision-making on granting temporary residence permits, the issuance of documents to aliens, registration and control of stay, as well as decision-making on offences and administrative torts related to stay of aliens, and imposition of sanctions, including administrative expulsion.

According to the information from BBAP PFP²⁰⁷, the most common problem related to international students is irregular stay in the SR caused by late submission of the application for extension of a temporary residence permit, or by failure to depart from the territory of the SR upon expiry of the temporary residence permit. Study at language schools was considered a problem in the past, when this type of study was misused for irregular immigration. At present, to grant a temporary residence permit for the purpose of study the BBAP PFP only accepts confirmations on admission to language study issued by language schools accredited by MoESRS SR²⁰⁸. BBAP also pointed out a possible misuse of temporary residence for the purpose of study by third-country nationals whose primary aim in the territory of the SR is to conduct business. The legislation of the SR enables international students

²⁰⁷ Since no statistical data has been available on the basis of which it would be possible to assess the extent and way of misusing the residence permits issued for the education reasons for illegal immigration to EU countries, the authors of this study conducted a guided interview with the representatives of BBAP PFP.

²⁰⁸ Information obtained on the basis of the guided interview with the representatives of BBAP PFP.

to conduct business along with studies without the need to obtain a special temporary residence permit. Obtaining a temporary residence permit for the purpose of study is much less complicated in terms of administration than obtaining a temporary residence permit for the purpose of conducting business²⁰⁹.

Higher education institutions as such play an important role in the detection of a possible misuse of residence permits through their obligation to cooperate with the competent police departments by reporting any interruption, abandonment or completion of study or expulsion of a student from study, as well as on the basis of their right to assess the qualification of international students applying for study in the SR.

According to their statements, contacted higher education institutions²¹⁰ which admit international students to their study programmes have practically not faced any problem of misuse of this type of residence. In the relevant period, they only mentioned two cases indicating a possible misuse of the student status for irregular migration. In the first case, a student from Afghanistan stopped attending his studies right after enrolment, and it is assumed that he has misused the temporary residence permit for the purpose of study in the SR for irregular migration to another EU Member State. In the second case, a student from Iran attempted to enrol to study at a higher education institution on the basis of false documents of education.

The task of the MoESRS SR (in some cases of subordinate state administration bodies) in the detection and especially prevention of misuse of the international student status consists, on one hand, in the recognition of qualifications of international students in special cases, and, on the other hand, in the award/cancellation of accreditations for individual study programmes in which international students are involved. An assessment of the international student's qualification as one of the most important measures to prevent the misuse of temporary residence for the purpose of study is not required to be presented to the police department in the process of decision-making on the granting of temporary residence for the purpose of study. However, one of the documents relevant to the decision-making is always a confirmation of the educational institution on admission of the applicant to study which can only be obtained on the basis of an assessment of the international student's qualification. Recognition of the student's qualification obtained abroad is one of the basic conditions for admission of an international student to study at a higher education institution in the SR (for more details on the recognition of qualification see Chapter 3.2.2.2).

²⁰⁹ Information provided by the BBAP PFP.

²¹⁰ Source: questionnaire survey by the authors of the study.

In general, breach of the rules relating to work and employment of third-country nationals is one of the most common forms of violation of the legal rules governing the status of aliens in the SR. According to the information from MoLSAF SR, it can be assumed that in some cases international students work beyond the set conditions (exceeding the permitted amount of working hours, or irregular work). However, labour inspectors and employees of control departments of the Offices of Labour, Social Affairs and Family have not identified any such breach during their control activities²¹¹.

No analysis on the misuse of residence permits for the purpose of study has been published in Slovakia so far. We do not dispose either of statistical data on the basis of which we could determine in what way temporary residence permits authorising aliens to stay in the territory of the SR primarily for the purpose of study are most commonly misused.

As Table 6 in sub-chapter 3.2.6.2 suggests, the share of international students (applicants for temporary residence whose primary objective was study) in the overall influx of migrants to the SR represents a small percentage compared to the EU average. The share of residence permits issued for the purpose of study in the total number of temporary residence permits in the SR was 8% in 2010 and 11% in 2011, which does not indicate misuse of residence permits for the purpose of study, since this number is relatively small.

The numbers of refused applications for a temporary residence permit for the purpose of study (Table 10) and the numbers of refused applications for renewal of a temporary residence permit (Table 14) are small²¹² in comparison with the numbers of granted study permits (Table 6) and renewed temporary residence permits for the purpose of the study (Table 14). This indicates that suspicions of misuse of this type of residence occur very rarely.

²¹¹ Source: information provided by MoESRS SR through a questionnaire.

²¹² See the sub-chapter 3.2.6.2



International Cooperation in the Field of Migration of International Students

The status of international students in the SR is largely influenced by multilateral and bilateral treaties and partnerships aimed to enhance the mobility of international students from selected countries. On the basis of international and bilateral cooperation and in line with the agreed conditions, selected students can study at higher education institutions in the SR free of charge, receive scholarships, and have access to healthcare and other benefits. At the same time, international students can be exempt from the payment of administrative fees for the granting and extension of temporary residence permits. International cooperation also largely influences the total number and motivation of international students to study at Slovak higher education institutions. This chapter presents the current multilateral and bilateral treaties and partnerships.

4.1 Multilateral and Bilateral Treaties and Partnerships to Enhance the Mobility of International Students

Multilateral treaties

The SR is currently a signatory to two multilateral agreements concerning mobility of students²¹³.

Agreement on the Central European Exchange Programme for University Studies (CEEPUS)

CEEPUS is a programme concerning the mobility of students in the Central European region. Besides EU Member States (Slovakia, Bulgaria, Czech Republic, Hungary, Poland, Austria, Romania and Slovenia), universities from Albania, Bosnia and Herzegovina, Montenegro, Croatia, FYR Macedonia, Moldova, Serbia and the University of Pristina in Kosovo also participate in the programme. The 3rd phase of the programme has been running since 01 May 2011. The agreement was concluded for a 7-year period and is open to other countries of the region.

The programme involves most higher education institutions in Slovakia. Higher education institutions (levels 1–3 of higher education) from the participating countries can provide scholarships for a total period of 600 months of study irrespective of the study programme.

Agreement Concerning the Establishment of the International Visegrad Fund

The Slovak Republic as a member state of the informal Visegrad Group (V4) is signatory of the Agreement Concerning the Establishment of the International Visegrad Fund. One of the aims of this agreement is to promote student mobility.

The fund supports student exchanges between universities from Albania, Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, Croatia, Czech Republic, Georgia, Hungary, Kosovo, FYR Macedonia, Moldova, Montenegro, Poland, Russia, Serbia, Slovakia and Ukraine.

²¹³ This part deals only with treaties beyond the multilateral agreements concluded within the EU.

Students from the countries listed above who have completed at least four study semesters at their home universities are eligible to receive a scholarship. The Fund can provide the applicant with a scholarship for a period of one to four semesters.

Chapter 3.2.2.3 on scholarship programmes provides more information about scholarships arising from these agreements.

Bilateral treaties

The SR is a contracting party to several bilateral agreements with third countries the aim of which is cooperation in the field of education. On the basis of these treaties, "Cooperation Programmes" are adopted between the competent ministries of the signatory countries which specify the number of admitted and sent students and the scope of duties of the parties. With exception of the treaty with New Zealand, these treaties leave the issues related to the entry and residence of students and their family members to general legislation.

Agreement between the Slovak Republic and New Zealand on a Working Holiday Scheme

This treaty enables citizens of New Zealand aged 18–35 years to enter and stay in the territory of the SR for a maximum period of 12 months for the purpose of holiday and occasional study and employment.

The following conditions must be met by the applicant:

- is a holder of a valid passport issued by New Zealand;
- possesses a ticket for departure from the SR, or sufficient funds to purchase such a ticket;
- possesses sufficient funds for his/her maintenance;
- pays the prescribed national visa application fee;
- holds medical and comprehensive hospitalisation insurance to remain in force throughout his/her stay in the territory of the SR;
- complies with requirements specified in the national legislation of the Slovak Republic;
- has not participated in the Scheme previously; and
- is not accompanied by dependent persons.

On the basis of this treaty, the SR issues a maximum of 100 such national visas per year to the citizens of New Zealand. The participants to this programme

are entitled to enter employment in the territory of the SR for a maximum of six months with the same employer, and enrol to study for a maximum of six months throughout the duration of stay.

Agreement on Cooperation between the Ministry of Education of the Slovak Republic and the Ministry of Education of the Republic of Belarus 1996–98

Pursuant to this treaty, the SR allows six students from the Republic of Belarus to carry out part of their studies for a maximum of ten months at a higher education institution in the SR, providing them with tuition-free education, scholarships and accommodation in student facilities under the same conditions as to Slovak citizens.

In addition to that, the SR provides three students from the Republic of Belarus the opportunity to attend a 21-day summer seminar of Slovak language and culture *Studia Academica Slovaca*.

After expiry, the treaty is automatically extended by two years, and the numbers of students to come to study in the SR are determined on a biannual basis.

Programme of Cooperation between the Ministry of Education of the Slovak Republic and the Ministry of Science, Education and Sports of the Republic of Croatia 2010–13

On the basis of this programme, the SR allows higher education students from the Republic of Croatia conducting their bachelor, master or PhD studies to follow part of their study at higher education institutions in the SR for a maximum period of 15 months, providing them with tuition-free study at all levels of higher education, and scholarships pursuant to current national legal regulations, covering the costs of accommodation in student facilities, catering in student canteens, and the costs of public transport.

The SR also grants members of the Slovak national minority living in the Republic of Croatia with scholarships for all three levels of higher education in accordance with the procedures applying to development assistance of the Slovak Republic provided to Slovaks living abroad. If required, applicants can attend a one-year preparatory course of Slovak language.

The SR also provides two scholarships per year for the summer seminar of Slovak language and culture *Studia Academica Slovaca*, organised by the Comenius University in Bratislava.

Programme of Cooperation between the Ministry of Education, Science, Research and Sports of the Slovak Republic and the Ministry of Education and Science of the Republic of Macedonia in Education and Science 2011–15

On the basis of this programme, the SR provides students of accredited study programmes of the first, second and third level of higher education conducted at higher education institutions, with the opportunity to follow part of their studies (30 months in total per year) at a higher education institution in the SR. The study stays can be split into shorter periods from three to ten months per applicant. The condition for the study is knowledge of the Slovak language or other language acceptable to the chosen higher education institution and possession of health insurance in the SR.

The SR provides students with tuition-free study, scholarships in accordance with the national legal regulations, and accommodation in student facilities under the same conditions as to Slovak citizens.

Programme of Cooperation between the Ministry of Education of the Slovak Republic and the Ministry of Education and Youth of the Republic of Moldova 2007–10

On the basis of this programme, the SR provides PhD students and scientists from the Republic of Moldova with internships and study stays for a total of 30 months per year. The scholarships can be split into shorter periods from three to ten months per applicant. The condition for the study is knowledge of the Slovak or English language.

The SR further guarantees that in line with the procedure for the granting of development assistance it will provide each year government scholarships for higher education study under the conditions laid down in national legislation.

The SR also provides, on a reciprocal basis, one scholarship per year to students and teachers of Slovak and Slavic studies for a 21-day summer seminar of Slovak language *Studia Academica Slovaca*.

The SR ensures for the participants to the programme inevitable health care in accordance with the national legislation, exemption from the administrative fees for the granting and extension of residence permits, scholarships in compliance with the national legislation, adequate accommodation and catering under the same conditions as to Slovak citizens, and tuition-free study at higher university institutions.

If the treaty is not terminated by any of the parties, it is automatically extended by one year.

Agreement between the Government of the Slovak Republic and the Government of the United States of America on the J. William Fulbright Commission for Education Exchanges in the Slovak Republic

On the basis of this programme, the SR provides, through the J. William Fulbright Commission, a bilateral organisation created and established with the aim to promote the organisation of educational and cultural programmes financed from funds provided to the Commission by the two parties, the citizens and persons with permanent residence in the United States of America with scholarships and subsidies to cover the travel costs, tuition fees, accommodation and food within the extent and at an amount specified in the annual programme.

The participants to the programme are exempt from the payment of administrative fees for residence in the territory of the Slovak Republic granted to them and to their closest family members, and are also exempt from the obligation to obtain an employment permit for the performance of activities related to the scholarship (for more details see sub-chapter 3.2.2.3).

Agreements between the Ministry of Education of the Slovak Republic and the Ministry of Education and Science of the Russian Federation on Cooperation in the Field of Education

On the basis of this programme, the SR admits to study, on a reciprocal basis, a maximum of 20 students for a maximum of five months (100 months in total) and five PhD students/postgraduates, scientists and pedagogues for a period of ten months (50 months in total).

The SR also allows a maximum of five students and scientists/pedagogues to attend the 21-day summer seminar of Slovak language *Studia Academica Slovaca*.

The SR provides the persons admitted to study with tuition-free education, accommodation at student facilities, scholarships in accordance with the national legislation, and inevitable medical care.

Programme of Cooperation between the Government of the Slovak Republic and the Government of the State of Israel in the Field of Education and Science 2008–12

On the basis of this programme, the SR provides one student from the State of Israel with one scholarship for the Slovak language summer seminar *Studia Academica Slovaca*. The participant to the seminar is provided free of charge with study, appropriate accommodation and food, pocket money and free excursions organised under the language course. The participant is obliged to ensure health insurance throughout the seminar.

The SR also provides one scholarship to a master's degree student and a PhD student for an entire academic year. The condition for the granting of the scholarship is knowledge of the Slovak or English language and age under 35 years.

On the basis of this programme, the student is provided with tuition-fee study, appropriate accommodation in a student facility at the same level as provided to Slovak students, monthly scholarship for postgraduate students in compliance with the national legislation, and basic health insurance in compliance with the national legislation.

Memorandum between the Ministry of Education of the Slovak Republic and the Ministry of Education and Science of the Republic of Kazakhstan on Cooperation in the Field of Education of 03 November 2009

On the basis of this programme, the SR enables two students of the master or engineer study and two students of PhD study from the Republic of Kazakhstan to follow part of their studies of three to ten months at universities in the Slovak Republic. The condition for the participation in the programme is knowledge of the Slovak or English language and possession of health insurance in the SR at the student's own costs.

The SR provides students with tuition-free study, performance of scientific and research work in line with the study programme and curriculum, accommodation under the same conditions as those applying to Slovak citizens, and scholarship in compliance with the national legislation.

Agreement between the Government of the Slovak Republic and the Government of the Republic of Korea on Cooperation in the Field of Culture, Education and Tourism

On the basis of this programme, the parties promote mutual cooperation in the field of education through mutual student exchanges. On a reciprocal basis, such students are exempt from administrative fees for the entry to and stay in the Slovak Republic.

Programme of Cultural, Educational, Scientific and Sports Exchange between the Government of the Slovak Republic and the Government of the Republic of Turkey 1998–2000

On the basis of this programme, the SR provides every year a student from the Republic of Turkey with scholarship for the Slovak language summer seminar *Studia Academica Slovaca*, and a scholarship for PhD research study of eight months, or two four-month scholarships at higher education and scientific institutions.

The SR provides Turkish students with scholarship and other benefits in compliance with the national legislation, accommodation in student facilities under the same conditions as provided to Slovak citizens, and exemption from the payment of all university fees. The participant to the summer course of Slovak language is provided with free accommodation, food and pocket money.

The SR will also ensure free medical treatment and care in the case of sudden disease in the framework of the programme.

This programme will be in place until a new programme is adopted.

Programme of Cooperation in the Field of Education and Science 2003–06 between the Ministry of Education of the Slovak Republic and the Ministry of Higher Education and Scientific Research of the Arab Republic of Egypt (extended until the new agreement is signed)

On the basis of this programme, the SR provides students from the Arab Republic of Egypt with scholarships and the opportunity to follow part of the first or second level of university education at higher education institutions or universities in Slovakia for a total duration of 15 months per year. The scholarships can be split into several shorter stays of three to five months throughout the year.

The SR also provides two Egyptian applicants with government scholarships for the entire period of three years of PhD study at a higher education institution or research organisation.

The SR also grants one scholarship for the summer seminar of Slovak language and literature *Studia Academica Slovaca*, organised by the Comenius University in Bratislava. The course takes 21 days.

The participants to the programme are exempt from the payment of administrative fees on a reciprocal basis and are guaranteed urgent health care.

The SR provides Egyptian students with scholarships in compliance with the national legislation, accommodation in a student facility upon payment, and tuition-free study. The participants of summer courses of Slovak language are provided with free accommodation, food and pocket money, and reimbursement of expenses related to the programme of the seminar.

Programme of Cooperation between the Ministry of Education of the Slovak Republic and the Ministry of Education and Science of Ukraine in the Field of Education 2005–08 (valid until the present)

On the basis of this programme, the SR admits a maximum of five students to study at higher education institutions in the SR for a period of ten months, a maximum of five PhD students/postgraduates for collection of materials and study of scientific literature according to the research topic for a maximum period of ten months per student, and a maximum of three students of the fifth year of the Slovak department of the Uzhhorod National University with the specialisation „teacher of Slovak language and literature“ for a semester study of Slovak language and literature. The students are granted tuition-free studies, scholarships, accommodation in student facilities under the same conditions as apply to Slovak citizens, and health care (on the basis of the bilateral Agreement between the Government of the Slovak Republic and the Government of Ukraine on Cooperation in Healthcare of 1994).

The SR also allows five students following Slovak studies (at least two of them studying at the Uzhhorod National University) to participate in the 21-day summer seminar of Slovak language *Studia Academica Slovaca*, providing them with free study, appropriate accommodation and food, pocket money and travel costs related to the official programme.

Programme of Cooperation between the Government of the Slovak Republic and the Federal Government of the Federal Republic of Yugoslavia (FRY) in the Fields of Culture, Education, Youth and Sport 2002-05 – in relation to Serbia (extended until the new agreement is signed)

Based on this programme of cooperation, the SR admits annually students from Serbia for part of university or doctoral study at universities and research institutions in the SR for up to 42 months in total per year. Scholarships can be granted for several shorter periods from 1 to 9 months per year.

In accordance with quota assigned within the official development assistance (ODA), the SR provides according to set conditions governmental scholarships for the whole university and doctoral studies in the SR to applicants with Slovak nationality from Serbia.

The SR enables those students to study under the same conditions as are valid for the citizens of the SR and in compliance with the state regulations provides them scholarships that cover living costs in the SR.

Within the framework of this programme of cooperation, the SR provides also 4 students from Serbia an opportunity to participate in the Studia Academica Slovaca Summer School of Slovak Language and Culture free of charge, covering also accommodation and full board as well as travel costs in the Slovak territory.

Programme of Cooperation between the Ministry of Education of the Slovak Republic and the Ministry of Education of the People's Republic of China 2007-10

On the basis of this programme, the SR admits annually students from the People's Republic of China for the Bachelor, Master or PhD. study (15 scholarships per year). The maximum length of their stay is 2 years.

The SR also grants the applicants from the People's Republic of China 2 scholarships for the Studia Academica Slovaca Summer School of Slovak Language and Culture for the period 21 days that includes study free of charge, accommodation and board, pocket money and covers their travel expenses related to the official programme of the seminar.

Besides these treaties, the SR concluded several other inter-governmental conventions on cooperation in the field of science and education, but without cooperation programmes to implement these conventions (e.g. India, Indonesia, Vietnam, Mexico). The last programme of cooperation with Cuba was concluded for the period 1998-2000, afterwards it was not extended. At present, new programmes of cooperation with China, Montenegro and Serbia are at the stage of preparation.

Partnerships Enhancing the Mobility of Students

Besides participation in LLP/Erasmus European projects declared by all public and state higher education institutions and by the majority of private higher education institutions in Slovakia²¹⁴, higher education institutions also conclude cooperation agreements with their partner universities in European countries and third countries. These agreements aim to promote scientific cooperation, joint organisation of conferences and seminars, as well as student and teacher mobility.

These agreements are signed at the level of higher education institutions or individual faculties, while institutions providing technical and economic study programmes prevail over institutions with humanities, which relates to the extent of study programmes offered in foreign (especially English) languages.

As far as partner universities from third countries are concerned, higher education institutions in Slovakia conclude cooperation agreements mainly with universities from Russia, Ukraine, Turkey, USA, Japan, Croatia and Serbia²¹⁵.

4.2 Cooperation with EU Countries and International Organisations

The Ministry of Education, Science, Research and Sports of the SR ensures cooperation in the field of education and vocational training with European Union institutions. The principal tasks of the ministry²¹⁶ include coordination of cooperation within the EU Council for Education, Youth and Culture, as well as involvement in several expert working groups at the level of EU

²¹⁴ Source: questionnaire survey by the authors of the study; websites of higher education institutions.

²¹⁵ Ibidem.

²¹⁶ These tasks are ensured by the Department of Life-Long Learning Strategy and European Affairs of the Section of Further Education and Youth of MoESRS SR.

Member States. At the national level, the MoESRS SR fulfils tasks related to the implementation of the European Union's Education and Training 2020 work programme, as well as the National Programme of Reforms in Education, and Europe 2020 strategy.

The Ministry of Education, Science, Research and Sports of the SR also acts as the national authority for the Life-Long Learning Programme 2007–13, and participates in the work of the committee for the Erasmus Mundus II programme. The administration of the Life-Long Learning Programme is ensured by the Slovak Academic Association for International Cooperation SAAIC, which also acts as the consultation and counselling centre for the national structure of the Erasmus Mundus programme in the preparation and implementation of projects with SR involvement, and as an information centre for applicants for Erasmus Mundus scholarships.

Erasmus Mundus and Erasmus are the mobility programmes in which third-country nationals can participate²¹⁷ (for more details see 3.2.2.3).

4.2.1 Measures Facilitating the Procedures Related to the Admission of Third-Country Nationals Participating in EU Programmes That Promote Mobility Towards or in the Framework of EU Membership

Council Directive 2004/114/EC on the conditions of admission of third-country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service calls the Member States in Article 6(2) and Article 8 to facilitate the admission procedures for third-country nationals who participate in Community programmes enhancing mobility towards the Community²¹⁸ or who have already been admitted as students and apply to follow in another Member State part of the studies already commenced, or to complement them with a related course of study in another Member State²¹⁹. The SR has transposed these provisions of the Directive into its legislation – the Act on Residence of Aliens and the Act on Higher Education.

Further to Article 6(2), it can be stated that all applicants for a residence permit for the purpose of study in the SR are assessed in the same way and are subject to the same conditions²²⁰. The SR therefore does not define in its leg-

²¹⁷ Erasmus involves the citizens of Turkey and Croatia. Erasmus Mundus is open to students from all over the world.

²¹⁸ Article 6(2) of Council Directive 2004/114/EC.

²¹⁹ Article 8 of Council Directive 2004/114/EC.

²²⁰ This applies unless, for example, a bilateral or multilateral treatment establishes preferential treatment. In

isolation (Act on Residence of Aliens) any special measures that would ensure preferential treatment for students from third countries coming to Slovakia from their country of origin under Community programmes or any other programmes. Pursuant to the new Act on Residence of Aliens, which entered into effect on 01 January 2012, all applicants for entry and residence for the purpose of study are subject to preferential treatment when compared to applicants for residence permit for any other purpose as follows:

- aliens who are subject to the visa obligation and whose entire period of planned stay within the Schengen Area does not exceed 90 days within a half-year, and who will perform an activity, e.g. conduct a three-month study stay, are exempt from the administrative fee for the Schengen visa²²¹;
- in the case of an EU study programme exceeding 90 days, the alien (who is subject to the visa obligation) may be granted a national visa for a maximum period of 90 days of validity and stay, if for objective reason he/she is not able to obtain a residence permit in his/her home country by the commencement of study²²². The visa allows the alien to arrive in Slovakia and commence his/her studies before being granted a temporary residence permit. The visa is granted under the condition that with the submission of the visa application the student also presents for inspection the complete application for temporary residence and files this application at the Slovak foreign mission abroad or directly at the police department upon arrival to the SR²²³;
- the process of making a decision on granting a temporary residence permit is shorter than in other cases and takes a maximum of 30 days;
- applicants are exempt from the administrative fee applying to the application for temporary residence for the purpose of study;
- applicants are exempt from the obligation to prove the provision of accommodation (in the case of higher education studies).

As has already been mentioned in Chapter 3.2.5, under certain circumstances²²⁴ the SR also grants temporary residence for the purpose of special activity. Such applicants are subject to preferential treatment similarly as applicants for temporary residence for the purpose of study except for exemption from the administrative fee for the application for temporary residence and

such case, the provisions of such treaty would be followed.

²²¹ i.e. under Articles § 24, 25 and 26 of the Act on Residence of Aliens.

²²² Such visa is charged with €33 according to item 240c) of the list of administrative fees of Act No. 145/1995 Coll. on Administrative Fees, as Amended.

²²³ This exception also refers to international students enrolled to Slovak Government programmes or students following their studies on the basis of bilateral agreements.

²²⁴ This applies in case an international student does not dispose, at the time of filing his/her application for temporary residence, of a confirmation by the admitting higher education institution of admission to study under the academic mobility programme.

abandonment of the obligation to declare the provision of accommodation.

Students coming to study in Slovakia under Erasmus and Erasmus Mundus EU mobility programmes are granted residence permits for the purpose of study or special activity, and are therefore subject to preferential treatment as described above in relation to the given purposes of stay.

4.2.1.1 Mobility of Students under the Erasmus Mundus Programme within the EU

Article 8²²⁵ of Directive 2004/114/EC concerns an important part of the mobility of third-country nationals who have been admitted to one Member State and request the possibility to continue their studies in another Member State. The SR has transposed to its legislation all provisions of Article 8.

As has already been mentioned above, Erasmus Mundus is a programme designed for students from all over the world and requires the conducting of a joint master or PhD programme at two or more European universities. Further to the provisions of the Act on Residence of Aliens and according to the statement by BBAP PFP²²⁶, the act does not deal specifically with the conditions of the mobility of students or postgraduates from third countries within EU Member States. In the case of residence shorter than 90 days, the alien only needs a valid visa (if required) or legal residence in the territory of another EU Member State. In case his/her stay exceeds 90 days, he/she must apply for a temporary residence permit for the purpose of study. The residence permit and the visa to enter Slovakia (if required) can be requested at the FM SR of another Member State where the alien studies; or, if he/she can enter to the territory of Slovakia legally, he/she can apply for a residence permit at the Aliens Police Department in the SR. The documents to be

²²⁵ Article 8 of Directive 2004/114/EC

1. Without prejudice to Articles 12(2), 16 and 18(2), a third-country national who has already been admitted as a student and applies to follow in another Member State part of the studies already commenced, or to complement them with a related course of study in another Member State, shall be admitted by the latter Member State within a period that does not hamper the pursuit of the relevant studies, whilst leaving the competent authorities sufficient time to process the application, if he/she:

(a) meets the conditions laid down by Articles 6 and 7 in relation to that Member State; and
(b) has sent, with his/her application for admission, full documentary evidence of his/her academic record and evidence that the course he/she wishes to follow genuinely complements the one he/she has completed; and
(c) participates in a Community or bilateral exchange programme or has been admitted as a student in a Member State for no less than two years.

2. The requirements referred to in paragraph 1(c), shall not apply in the case where the student, in the framework of his/her programme of studies, is obliged to attend a part of his/her courses in an establishment of another Member State.

3. The competent authorities of the first Member State shall, at the request of the competent authorities of the second Member State, provide the appropriate information in relation to the stay of the student in the territory of the first Member State.

²²⁶ Information obtained during a guided interview with BBAP PFP.

attached to the application are identical to those required for the application for residence for the purpose of study or special activity.

Due to the relatively small number of students from third countries who have come to study in Slovakia under this programme (see the sub-chapter 4.2.1.3), the SR does not have much practical experience in the application of the transposed provisions. For this reason, not even universities and higher education institutions who responded to the questionnaire survey have been able to give their opinions on problems that could occur in connection with the admission of students–third-country nationals following their study in another EU Member State. In one case only a higher education institution stated that it had admitted such student and faced a problem concerning their residence; this problem, however, was solved upon consultation with BBAP PFP. Another case often listed by universities, though not specifically in the context of mobility within the Erasmus Mundus programme, but in general in relation to mobility programmes or scholarship stays, concerned problems that students applying for residence from the SR often faced in relation to the submission of all documents requested by the aliens police, e.g. an extract from the Crimes Register which is not apostilled or is not valid for the whole country of the applicant, or an incorrectly translated extract, etc. Such shortcomings cause late commencement of study or frequent absence from lessons due to the need to solve the situation, and in some cases expulsion of students.

4.2.1.2 Mobility of Students of Non-European Programmes within the EU

Just as in the case of the Erasmus Mundus programme, the SR does not apply specific measures within other non-European mobility programmes that would facilitate the process of admission and stay of students and post-graduates from third countries who have already studied in another Member State and intend to complete their studies in Slovakia. The conditions of their stay are therefore identical to those described above under Erasmus Mundus.

4.2.1.3 Statistics on the Mobility of International Students within the EU

As has already been mentioned in sub-chapter 3.2.2.3, the SR has participated in six Erasmus Mundus projects under Actions 1 and 2; under three of them²²⁷ Slovakia admitted students from third countries in 2011. A total of 117 students from third countries were admitted to a one-month case study dur-

²²⁷ IMRD and CASIA projects of the Slovak Agricultural University in Nitra; MANECA project of the University of Constantine the Philosopher in Nitra. Two students from Russia will be admitted in academic year 2012/2013 under the ERANET project of the Slovak Agricultural University in Nitra.

ing the IMRD project implementation in the period 2006–11 under Action 1. These students came to Slovakia from other Member States, and since they disposed of a permit to reside in the territory of another EU Member State, they were not required to have any other permits to enter the Slovak Republic. Table 19 shows that the number of students at the first, second and third level of higher education study in the countries from which they came to Slovakia to study under Action 2 projects CASIA and MANECA is statistically low (23 in total). It should be noted that this statistical data refers to academic years 2010/2011 and 2011/2012, since no projects with the involvement of Slovak higher education institutions had been implemented under Action 2 before. According to the information from higher education institutions, all students under these projects came to study from their home countries, and not from other EU Member States. Students from Kazakhstan (12) and Uzbekistan (6) were mostly represented in this category, and most students attended the first level of higher education studies.

The available data (Table 20) suggests that the majority of study stays took from six to twelve months. Only one student attended the entire engineering study programme (second level of higher education studies) and one student attended the entire PhD study programme (third level).

Table 19 Overview of the composition of participants to mobility programmes per type of mobility and country

Level of higher education/country	Kazakhstan	Turkmenistan	Uzbekistan	Kyrgyzstan	Tajikistan
1st level of higher education	9	0	3	0	0
2nd level of higher education	2	0	0	0	0
3rd level of higher education	1	1	3	2	2
Total	12	1	6	2	2

Source: University of Constantine the Philosopher in Nitra and Slovak Agriculture University in Nitra

Table 20: Length of the study stay within the mobility by the level of higher education

Level of higher education / length of the study stay	Up to 6 months	6-12 months	More than one year
1st level of higher education	6	6	0
2nd level of higher education	0	1	1*
3rd level of higher education	0	6	3**
Total (months)	6	13	4

Source: University of Constantine the Philosopher in Nitra and Slovak Agriculture University in Nitra

* Student finished the engineer studies.

** One student finished the doctoral studies.

Statistical data on students from third countries coming to Slovakia under other mobility programmes from other Member States is not available. However, the previous analysis of statistical data indicates that such exchanges count with very small, statistically negligible numbers.

4.3 Other Forms of Cooperation in the Field of Mobility

Other forms of encouragement of the student mobility result directly from the nature of some exclusively private higher education institutions established by foreign higher education institutions. Students of such schools usually have the opportunity to conduct part of their studies abroad, and vice versa, students of the mother university can study in Slovakia. In addition, students can obtain, upon fulfilment of the set conditions, diplomas from both universities.

Higher education institutions, too, establish their branches or field offices abroad. Besides some exceptions (Kenya, Cambodia)²²⁸, this refers exclusively to EU Member States.



Impacts of Mobility on International Students in the Slovak Republic

The Slovak Republic does not dispose of a comprehensive or partial analysis of the impacts of migration of international students in Slovakia. Yet, there are certain signs indicating some possible aspects and impacts of this phenomenon.

One of them is the fact that due to very low mobility of international students in Slovakia, the SR has not observed a marked interest among international students in studying at Slovak higher education institutions. By contrast, the number of international students from third countries is very low, as a result of which higher education institutions and competent state organisations seek to implement various measures to attract international students. Concrete actions aimed to enhance the interest of international students in studying in Slovakia are described in Chapter 3.2.2.

Table 21 suggests that, in the given period, the share of international students from third countries in the total number of international students was 16.5%²²⁹, and has been continuously declining since 2007 (from 23.7% in

2007 to 12.1% in 2011). This decline, however, was not caused by a decrease in the number of international students from third countries (their number was relatively stable in the respective period), but by an increase in the number of students from EU Member States.

Table 21: Share of international students from third countries in the total number of international students in 2006–11

Share of international students from third countries/year	2006	2007	2008	2009	2010	2011
Share of international students from third countries in the total number of international students	*38.8%	23.7%	19.3%	13.9%	13.4%	12.1%

Source: IPE²³⁰

It can be concluded, then, that higher education institutions in Slovakia are more successful in attracting students from EU Member States than students from third countries. This is related to the fact that Slovak higher education institutions participate in the Erasmus programme and large numbers of international students (especially from other EU Member States) arrive in Slovakia through this programme. Another reason is the fact that higher education institutions do not offer sufficient attractive study programmes in foreign languages, and free education at public higher education institutions (in Slovak language) and the low tuition fees (€500–1,000) are mainly used by students from countries with a similar language (Czech Republic) and students representing the Slovak national minority in neighbouring countries. Study programmes in foreign languages (mainly in English) are mainly offered by medical and pharmaceutical faculties of higher education institutions where the tuition fees are much higher (€7,500–10,000 per academic year), and study at these faculties is more accessible to international students from EU Member States than to students from third countries.

of study cause a disproportional deviation, since the external form of study is mainly preferred by international students from EU Member States.

230 Source: <http://www.uips.sk/prehlady-skol/statisticka-rocenka---vysoke-skoly> (consulted on 29/08/2012).

Note: data on the number of international students studying in external form in 2006 is not available. The data refers to the total number of international students from third countries studying at higher education institutions in the SR, including students who have not arrived in the SR primarily for the education reasons. For statistical purposes, students from third countries are divided into persons with permanent residence in Slovakia (usually family members of Slovak citizens) and other students irrespective of the type of temporary residence.

Another aspect in the wider sense is the tackling of the unfavourable demographic situation through measures aimed to attract more foreign nationals, including international students, who create the potential for highly qualified labour force. Before the adoption of relevant programme documents, such as *Migration Policy of the Slovak Republic: Perspective until the Year 2020* and *Minerva 2.0*²³¹, the SR did not implement any programme that would primarily aim to establish the conditions for admission of foreign national through legislation. Also, the SR has never implemented any programme aimed to satisfy the needs of the labour market and its different actors through foreign workers (not only highly qualified staff). For the same reason, the SR has never had the need to support some types of education of international students in the territory of the SR. At the same time, the impact of international students on the Slovak economy has not been analysed so far.

As already mentioned above, the SR has never implemented a programme aimed to attract highly qualified employees to its labour market. The conditions of stay of such employees were for the first time laid down through the transposition of Council Directive 2009/50/EC on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment into the new Act on Residence of Aliens in effect since 01 January 2012. The interest of international students in obtaining the Blue Card and the risk of efflux of highly qualified labour force from their countries of origin therefore cannot be assessed.

The legislation governing the entry and stay of international students in the SR is rather conservative, as a result of which the number of international students staying in Slovakia after the completion of their studies is minimal (refer to Table 14 in sub-chapter 3.2.6.2). Until 2010, an international student could apply for a change in his/her temporary residence from study purposes to employment purposes directly in Slovakia only in case he/she planned to work in the field of his/her study in the SR. If such graduate intended to work in a different field or planned to conduct business, he/she had to travel to his/her home country and apply for the residence permit there. The current legislation allows an international student to stay in the SR after the completion of his/her studies and to get employment, provided that the student obtains the employment permit during his/her studies and applies, after the completion of studies, for a change of the purpose of temporary residence from study to special activity for the purpose of employment, which is relatively complicated, since such student must be admitted to work prior to the completion of his/her studies and award of the diploma.

231 See sub-chapter 2.2.2.

The primary objective of such legislation has been to create an effective barrier against the possible misuse of temporary residence granted to students for irregular migration to EU countries. The available data indicate that strict legislation governing residence together with an effective control system (e.g. cross-control of the study of international students where the obligation to report the interruption, abandonment or completion of study pertains both to the student and the higher education institution) actually prevents such misuse, which is proven by the fact that the misuse of this type of temporary residence in the SR is very rare (for more details see sub-chapter 3.4.2). On the other hand, strict legal conditions discourage international students to study in Slovakia, of which the competent representative of state institutions are well aware, preparing certain reliefs in the rules governing residence for the category of international students in compliance with the new Migration Policy of the SR.

The simplification of the conditions for employment of international students after a successful completion of the study in Slovakia is anticipated by the Migration Policy Action Plan of the Ministry of Labour, Social Affairs and Family of the Slovak Republic for the Period 2012–13. One of the proposed measures to enhance the attractiveness of Slovakia as a target country for foreign migrants is to adopt an amendment to the Act on Employment Services which would create a room for seeking employment for international students upon completion of their study. According to the proposed change, the stay of such students in Slovakia would be considered legal during three months following the completion of studies. Pursuant to the MoLSAF SR, the amendment will enable a third-country national who successfully completed high school education or higher education in the territory of the SR to work without employment permit.

Though no specific statistics on the economic impact of international students are available, this aspect can be observed in the continuous decline of the number of higher education students in the SR since 2008 (Table 22). Besides the unfavourable demographic development which partly contributes to this trend, the main cause is the migration of Slovak students to foreign countries for the purpose of study. According to the data of 2009²³², over 29,000 higher education students from Slovakia studied in EU Member States, of which 20,000 studied in the neighbouring Czech Republic. Compared to this data, the number of international students studying at Slovak higher education institutions is more than three times lower.

²³² Source: Eurostat.

Table 22: Number of students at higher education institutions in the SR in 2006–11

Number of students at higher education institutions/year	2006	2007	2008	2009	2010	2011
Students in total	209,517	220,059	225,766	225,588	217,039	216,303
International students (EU + third countries)	1,999	5,381	6,547	8,429	9,118	9,461
Share of international students (EU and third-country) in total university students	0.95%	2.45%	2.89%	3.74%	4.20%	4.37%

Source: IIPE ²³³

Higher education institutions are aware of these gaps, since international students represent a source of certain income to them. The Comenius University in Bratislava (the largest university in Slovakia) can serve as an example in this regard. In 2011, this university counted 27,800 students, of which 2,259 were foreign nationals. Since it is a public higher education institution, the major part of its activities is financed from the state budget. The state subsidy was €84,246,598²³⁴ in 2011, which means that the subsidy per student was €3,298. The revenues from tuition fees from international students reached an amount of €11,175,606, which represents €4,947 per international student. However, not all international students at the Comenius University are self-payers (those at study programmes in foreign languages), as a result of which this amount only represents the minimum funds received per international student. In reality, the difference between the amount of subsidy from the state budget and the average tuition fee paid by an international student is much bigger.

The financing of public higher education institutions is also associated with the effort of the Slovak Government to reduce the number of newly-admitted higher education students in those fields of study which produce excessive numbers of graduates for the Slovak labour market. The draft amendment to

²³³ Source: 2006–10 Annual reports on the state of higher education in the SR <http://www.minedu.sk/index.php?lang=sk&rootId=529> (consulted on 30/08/2012).

Source: 2011 IIPE <http://www.uips.sk/prehlady-skol/statisticka-rocenka---vysoke-skoly> (consulted on 30/08/2012).

²³⁴ Source: Annual Report on the Finances of Comenius University 2011 <http://www.uniba.sk/index.php?id=3701> (consulted on 30/08/2012).

the Act on Higher Education prepared by the MoESRS SR establishes the conditions for reduced financing of these study programmes in favour of fields of study where there is a lack of graduates. Offering such study programmes to students from abroad could be a way for higher education institutions to maintain these programmes.

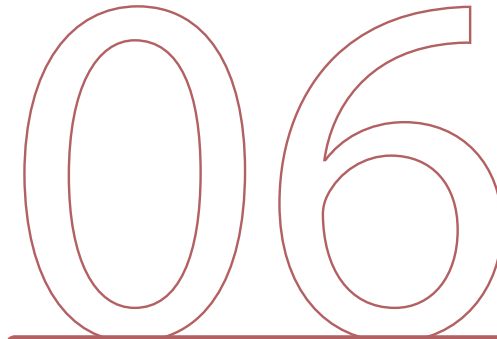
The impacts of the mobility of international students can also be observed in the public opinion of the receiving state. No independent research has been conducted in the SR so far aimed to survey the attitudes of the public towards international students. However, in 2009, the IOM International Organization for Migration published the book *Postoje verejnosti k cudzincom a zahraničnej migrácii v SR (Attitudes of the Public towards Foreigners and Foreign Migration in the SR)*²³⁵. The aim of the research which preceded the publishing of the book was, among others, to examine the various aspects of public attitudes towards foreigners.

If we applied the general results of the research of attitudes towards foreigners to the sub-group of international students, we could state that *foreigners living in Slovakia are perceived through stereotypes, and the attitudes towards them are based on rigid and hardly changing prejudices against otherness*²³⁶, which is mainly related to the fact that Slovakia is a very homogenous country in terms of the composition of its population and culture. People in Slovakia, therefore, seldomly come into contact with foreigners. They are not able to assess what is the motivation for foreigners to come to Slovakia, and they consider them – as a stereotypical view – to be work migrants or refugees. Even those who come into contact with foreigners stated in the survey that in spite of their predominantly positive experience with foreigners living in Slovakia they are afraid of further migration and reject further increase in the numbers of foreigners in Slovakia. It should be noted, though, that the opinions of the younger generation of respondents who had more experience with life abroad were more positive.

The immigration of international students from the point of view of the SR is perceived as a positive phenomenon in many documents analysing the internationalisation of the Slovak higher education system and immigration to the SR and very sporadically in the media.

²³⁵ The publication is available at: <http://iom.sk/sk/aktivy/integracia-migrantov/dokumenty>.

²³⁶ Vašečka, M.: *Postoje verejnosti k cudzincom a zahraničnej migrácii v Slovenskej republike*. Bratislava, International Organization for Migration 2009, p. 105.



Conclusions

The migration of international students represents one of other forms of migration with an impact on many other areas, such as economy, labour market, development policy and demographic development.

At present, the influx of international students–third-country nationals to the SR is low and their overall influence on the migration policy of the SR is relatively small. If, however, the Slovak Republic wishes to succeed in striving for highly-qualified experts, it must also focus on education, encourage the influx of high-quality students to the SR and ensure simpler access to the labour market, and thus use their potential. This policy is associated with other measures in the field of development aid, prevention of brain-drain from the students' home countries, as well as with measures related to the prevention of irregular migration.

The Slovak Republic as a Member State of the European Union and of the Schengen Area is becoming more attractive to foreigners, and this fact must be reflected in proactive measures to increase the positive impact of migration on the SR and on the migrant and his/her country of origin as well.

The aim of this study was to respond to two basic questions related to the migration of international students: the policies and measures that motivate students to select a particular country for their further studies; and the extent to which the student status is misused by third-country nationals to obtain legal residence in the SR.

The study suggests that the SR does not dispose of information about the motivation of students to choose the Slovak Republic as their target country of study. In several strategic documents the SR emphasises the need to promote the influx of highly qualified migrants and to support high-quality international students; yet, these measures are only at the declaratory level. The promotion of Slovak higher education institutions abroad is relatively poor, and the administrative procedures related to obtaining a residence permit for the purpose of study remain quite complex in spite of certain alleviations. Simplified procedures usually do not apply to students even in cases where they obtain a scholarship and study on the basis of bilateral or multilateral treaties or partnerships, or at the stage of graduation from study and job seeking. The existing scholarship programmes and the support for study on the basis of treaties by which the SR is bound appear to be the most significant motivation factor for students' arrival in the SR. These are some of the reasons why the number of international students at Slovak higher education institutions is small.

We do not dispose of statistical data on the basis of which it would be possible to determine the ways certain types of temporary residence authorising foreign nationals to stay in the territory of the SR primarily for the purpose of study are mostly misused. The contacted higher education institutions which admit international students to their programmes practically do not face the problem of misuse of this type of residence. The numbers of refused applications for a temporary residence permit or renewal of the temporary residence permit indicate that suspicions of misuse of this type of residence occur in the SR very rarely.

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