

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

Ivana Bachtíková, Soňa Oboňová

ANNUAL REPORT ON MIGRATION AND ASYLUM POLICIES SLOVAK REPUBLIC 2015

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This report was prepared within the European Migration Network (EMN) which provides up-to-date, objective, reliable and comparable information on migration and international protection in EU Member States and Norway in order to support national and EU policymaking. EMN implements its activities through national contact points in all EU Member States and Norway in coordination with the European Commission (Directorate-General for Migration and Home Affairs). EMN focuses in its activities on migration of third-country nationals.

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

Reference documents and information from the following central state administration authorities have been used to compile the report: Ministry of Interior of the Slovak Republic, Ministry of Labour, Social Affairs and Family of the Slovak Republic, Ministry of Foreign and European Affairs of the Slovak Republic, and Ministry of Economy of the Slovak Republic. The report was reviewed by the experts from the Ministry of Interior of the Slovak Republic, Ministry of Labour, Social Affairs and Family of the Slovak Republic, Ministry of Foreign and European Affairs of the Slovak Republic, and Statistical Office of the Slovak Republic. The report was approved by Department of Foreign and European Affairs of the Office of the Minister of Interior.

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Preface

The report informs about the main changes, developments and activities in the field of migration and international protection in Slovakia in 2015. In the Slovak Republic, the report is a unique publication of its kind which annually maps all areas of migration of third-country nationals.

has been compiled by the International Organization for Migration (IOM) Bratislava which is the coordinator of the National Contact Point of the European Migration Network (EMN) for the Slovak Republic (SR). The EMN National Contact Point for the SR consists of the Ministry of Interior of the SR (Bureau of the Border and Aliens Police of the Police Force Presidium, Migration Office, Department of Foreign and European Affairs of the Office of the Minister of Interior), the Ministry of Labour, Social Affairs and Family of the SR, the Statistical Office of the SR, and the IOM.

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

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

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List of Abbreviations and References

AMIF – Asylum, Migration and Integration Fund
APD(s) PF – Aliens Police Department(s) of the Police Force
AVR(s) – assisted voluntary return(s)
AVRR – Assisted Voluntary Return and Reintegration Programme
BBAP PFP – Bureau of the Border and Aliens Police of the Police Force Presidium
BCD PF – Border Control Department of the Police Force
CEAS – Common European Asylum System
COI – country of origin information
Coll. – Collection of Laws of the Slovak Republic
COLSAF – Central Office of Labour, Social Affairs and Family
DBAP – Directorate of the Border and Aliens Police
DM(s) – diplomatic mission(s)
EASO – European Asylum Support Office
EBF – European Border Fund
EEA – European Economic Area
EIF – European Fund for the Integration of Third-Country Nationals
EC – European Commission / European Community
EMN – European Migration Network
EP – European Parliament
ERF – European Refugee Fund
EU – European Union
EURES – European Employment Services
EUROSTAT – Statistical office of the European Union
EUROSUR – European Border Surveillance System
FAD EPS MoI SR – Foreign Aid Department of the European Programmes Section of the Ministry of Interior of the Slovak Republic
Frontex – European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union
GRETA – Group of Experts on Action against Trafficking in Human Beings
Integration Policy – Integration Policy of the Slovak Republic
IOM – International Organization for Migration
JHA – Justice and Home Affairs
MEKOMIC – Inter-Ministerial Expert Committee for Labour Migration and Foreigners' Integration
MIC – IOM Migration Information Centre
Migration Policy – Migration Policy of the Slovak Republic: Perspective until 2020
MoE SR – Ministry of Economy of the Slovak Republic
MoESRS SR – Ministry of Education, Science, Research and Sport of the Slovak Republic
MoLSAF SR – Ministry of Labour, Social Affairs and Family of the Slovak Republic
MO MoI SR – Migration Office of the Ministry of Interior of the Slovak Republic
MoI SR – Ministry of Interior of the Slovak Republic
MoFEA SR – Ministry of Foreign and European Affairs of the Slovak Republic
MS – Member State(s)
NGO(s) – non-governmental organisation(s)
NUCIM BBAP PF – National Unit to Combat Irregular Migration of the Bureau of the Border and

Aliens Police of the Police Force Presidium
ODA – official development assistance of the Slovak Republic
OLSAF(s) – office(s) of labour, social affairs and family
PDCA(s) – Police Detention Centre(s) for Aliens
PDR – Public Defender of Rights / Ombudsman
PF – Police Force
PFP – Police Force Presidium
REG – Return Expert Group
RF – European Return Fund
SBA – Slovak Business Agency
SIS – Schengen Information System
SlovakAid – official development cooperation of the Slovak Republic
SO SR – Statistical Office of the Slovak Republic
SPCSG – socio-legal protection of children and social guardianship
SR – Slovak Republic
TCN(s) – third-country national(s)
UAM(s) – unaccompanied minor(s)
UN – United Nations
UNHCR – United Nations High Commissioner for Refugees
UNRWA – United Nations Relief and Works Agency for Palestine Refugees
US(A) – United States (of America)
VIS – Visa Information System

Statistics notes (not applicable to Table 4 in the Annex):

(:) – Data unavailable.

(-) – Event does not exist.

Methodology and Terms

Methodology and Elaboration

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

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

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

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

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

Terms and Definitions

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

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

² Asylum and Migration Glossary 3.0 – a Tool for Better Comparability (2014). European Migration Network. Available at: http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/glossary/index_a_en.htm (consulted on 02/04/2016).

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

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

Terms *irregular and illegal migration* are also included in the report as synonyms and their use depends on the specific context.

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

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

⁵ According to the EMN Asylum and Migration Glossary, migrant is defined as follows: "In the global context, a person who is outside the territory of the State of which they are nationals or citizens and who has resided in a foreign country for more than one year irrespective of the causes, voluntary or involuntary, and the means, regular or irregular, used to migrate. In: Asylum and Migration Glossary 3.0 – a Tool for Better Comparability (2014). European Migration Network, p. 187. Available at http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/glossary/index_a_en.htm (consulted on 02/04/2016).

Executive Summary

The report informs about the main changes, developments and activities in the field of migration and international protection in Slovakia in 2015. In the Slovak Republic, the report is a unique publication of its kind which annually maps all areas of migration of third-country nationals. The report describes changes, developments and activities at the legislative, institutional, political and practical levels from 01 January 2015 till 31 December 2015, and puts them into the context of EU policies and legislation. The report describes general political and policy developments and discussions on migration, and deals with legal migration and mobility, international protection including asylum, unaccompanied minors and other vulnerable groups, combating trafficking in human beings, migration and development, irregular migration including smuggling, and returns. In the annex, the report presents also selected statistics which are not collected at EU level.

In 2015, the freshly begun parliamentary election campaign of political parties formed an important part of the political and public life in Slovakia. Since the second half of the year forced and irregular migration dominated the pre-election discussions, specifically in relation to the situation and developments in the Mediterranean, the Balkans and the EU, as well as to policies and measures of the EU and its Member States in this regard. Since the establishment of the independent Slovak Republic in 1993, migration issues has become for the first time ever part of election debates and public meetings, pre-election public opinion surveys and election programmes of political parties.

Unlike in the past, migration and international protection topics largely resonated not only in the political, but also in the media and social contexts. Migration was one of the most covered topics by media in Slovakia, and the public debate on persisting mixed migration into Europe was joined by the non-governmental sector, but also by the civil society.

No organisational nor institutional changes within the key state administration bodies occurred in Slovakia in the field of migration and international protection in 2015. Under the Steering Committee for Migration and Foreigners' Integration, a working group for asylum with focus on the integration of beneficiaries of international protection was established, and under the Government Council for Human Rights, National Minorities and Gender Equality a working group on refugee and migrant rights was set up. Asylum, Migration and Integration Fund and Internal Security Fund replaced the Programme Solidarity and management of migration flows in the budget period 2014 – 2020.

In 2015, Slovakia amended the Act on Asylum mainly with respect to vulnerable groups of migrants, Act on Residence of Aliens, and adopted new Act on Development Cooperation. Among strategic documents which were approved by the Slovak Republic, were *National Border Control Management Plan of the Slovak Republic 2015 – 2018* and *National Strategy for Protection and Promotion of Human Rights in the Slovak Republic* which identified migrants as such as a vulnerable group. Based on the Strategy, Action Plan on Prevention of All Forms of Discrimination 2015 – 2019 was elaborated and adopted.

No substantial changes occurred in 2015 with respect to the labour market policy compared to 2014. At present, Slovakia focuses on carrying out analyses and prognoses on scarce jobs, based on which a list of scarce professions (i.e. professions which cannot be filled with the domestic

labour force in the long run) will be prepared. Integration Policy of the Slovak Republic was the main strategic document in the field of migrant integration from third countries also in 2015.

In the field of international protection, the period after the expiry of which asylum seekers are free to access the labour market was reduced from one year to nine months without the need to obtain the work permit. Amended the Act on Asylum also established procedure for identifying needs of vulnerable persons ("social profile"). In 2015, Slovakia began preparing the first state integration programme for persons with granted international protection, and provided temporary accommodation facilities in Gabčíkovo to asylum seekers in Austria. Slovakia continued with humanitarian transfers through its territory as part of resettlement of refugees and persons under UNHCR protection to countries of permanent resettlement, while having increased the capacity of the transit centre from 150 to 250 persons. Slovakia also carried out ad-hoc humanitarian admission of 149 internally displaced persons from northern Iraq and discussed the possibilities of co-operation with the first voluntary initiative in the field of integration of persons with granted international protection.

In 2015, 330 asylum applications were lodged, including 271 first-time applications. In the same year, Slovakia granted 8 asylums and 41 subsidiary protections; decided to abort the procedure in 148 cases; refused to grant asylum in 70 cases and subsidiary protection in 41 cases. In 2015, the most numerous groups of asylum seekers were applicants from Iraq, Afghanistan and Ukraine.

Certain legislative amendments which were adopted in 2015 dealt with unaccompanied minors (UAMs) under the asylum procedure and their stay in the foster home for UAMs. Unaccompanied minors can stay in the facilities under the social and legal protection of children and social guardianship also during the asylum procedure so they will not be moved to the asylum facilities of the Ministry of Interior of the Slovak Republic for this purpose. Slovakia did not record increased numbers of UAMs also in 2015. A total of 23 UAMs were apprehended, almost half of them being nationals of Afghanistan. In 2015, 26 UAMs, mostly males, were placed in the foster home for UAMs in Medzilaborce.

Strategic documents concerning irregular migration in Slovakia in 2015 is the new *National Border Control Management Plan of the Slovak Republic 2015 – 2018* and the *Schengen Action Plan of the Slovak Republic* which is regularly updated. In connection with the migration situation into the EU, in 2015 Slovakia did not launch any temporary border controls and did not report increased pressures on its external border. In September 2015, Slovakia only implemented temporary measures at the Slovak-Austrian and Slovak-Hungarian border crossing points which responded to temporary border controls by Germany at its borders with Austria.

Slovakia recorded low irregular migration also in 2015: cases of irregular state border crossing were detected in a similar range as in the previous year, however, the number of detected cases of unauthorised stays in Slovakia was twice as high as in 2014. Overall, 2,535 cases of irregular migration were detected in 2015, of which 867 cases concerned Ukrainian nationals, 582 Syrian nationals, 265 nationals of Afghanistan and 146 Iraqi nationals.

In February 2015, the Slovak Government approved the *National Programme for Combatting Trafficking in Human Beings 2015 – 2018* which includes also the National Action Plan for Combatting Trafficking in Human Beings. In November 2015, the Expert Group on Combatting Trafficking in Human Beings adopted a new *National Referral Mechanism* which formalizes system for provid-

ing assistance and support to victims of human trafficking. According to the amended Act on Asylum, the Ministry of Interior of the Slovak Republic is required to create suitable conditions for the accommodation and care for foreigners in its asylum facilities including provision of protection to victims of human trafficking.

The number of identified foreign, i.e. third-country victims of human trafficking in Slovakia has been low in the long-term. Like in the previous year, one victim of human trafficking, who was a third-country national, was recorded in 2015.

In 2015, Slovak Republic did not implement special activities or systemic measures to support the development impact of migration. Slovakia focused especially on changing the mechanism of providing official development assistance and given the developments in forced and irregular migration into the EU, humanitarian aid and voluntary contributions to international organisations and EU funds have become one of the key activities of Slovakia's development cooperation. In November 2015 Slovakia approved new Act on Development Cooperation with effect from 01 January 2016 which replaces Act on Development Aid from 2007.



Introduction

The *EMN Annual Report on Migration and Asylum Policies* (also EMN Annual Policy Report) informs about the most important changes, developments and activities in the field of migration and international protection in Slovakia in 2015, while focusing on third-country nationals.⁶ The report serves as a basis for European-wide EMN Annual Policy Report⁷ which in 2015 fully replaced the European Commission's Annual Report on Immigration and Asylum⁸. The report will be also a source of information for the EASO's Annual Report on the Situation of Asylum in the EU 2015⁹ and EMN Country Factsheets 2015¹⁰.

The report describes changes, developments and activities at the legislative, institutional, political and practical levels from 01 January 2015 till 31 December 2015, and puts them into the context of EU policies and legislation. In eight chapters, the report describes general political and policy developments and discussions on migration, and deals with legal migration and mo-

⁶ The general structure of the political and legal system in the field of migration and international protection in Slovakia can be found in the updated version of the EMN study on Organisation of Asylum and Migration Policies in the Slovak Republic from 2014. Available at: <http://emn.sk/sk/studie-emn/item/138-organizacia-azylovej-a-migracnej-politiky.html> (consulted on 02/04/2016).

⁷ The latest EMN Annual Report on Immigration and Asylum 2014 available at: http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/reports/docs/annual-policy/2014/00.emn_annual_report_on_immigration_and_asylum_synthesis_report.pdf (consulted on 02/04/2016).

⁸ The last 5th Annual Report on Immigration and Asylum 2013 available at: https://ec.europa.eu/anti-trafficking/eu-policy/5th-annual-report-immigration-and-asylum-2013_en (consulted on 02/04/2016).

⁹ The latest Annual Report on the Situation of Asylum in the European Union 2014 available at: <http://easo.europa.eu/asylum-trends-analysis/annual-report/> (consulted on 02/04/2016).

¹⁰ EMN Country Factsheets 2014 available at: http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/reports/factsheets/index_en.htm (consulted on 02/04/2016).

bility, international protection including asylum, unaccompanied minors and other vulnerable groups, combating trafficking in human beings, migration and development, irregular migration including smuggling, and returns. In the annex, the report presents also selected statistics which are not collected at EU level through Eurostat or Frontex, and contains also Bibliography.

The chapter *Overview of the political developments in the field of migration and asylum* provides a general picture which shaped migration policies and legislation in Slovakia in 2015. This overview describes the relevant political, legislative and institutional developments, policy, public and media discussions, as well as wider developments that influenced different areas of migration and international protection.

The chapter *Legal migration and mobility* describes the policy, legislation, measures and activities concerning the satisfying of labour market needs, the facilitation of admission and guaranteeing rights of migrants from third countries, support for students and researchers, and the family reunification. This chapter is also devoted to migration and mobility management, visa policies, the Schengen Area governance, the protection of the national system against fluctuating migration pressures, integration, promotion and provision of information to migrants from third countries, and the awareness-raising about migration.

The chapter *International protection including asylum* contains information on the implementation of the Common European Asylum System (CEAS), institutional and legislative changes, national and European jurisprudence, ensuring the effectiveness and quality of the asylum system, cooperation with the European Asylum Support Office (EASO), intra-EU relocations and resettlement, integration of asylum seekers and persons with granted international protection, and other activities.

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

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

The chapter *Migration and development* provides an overview of the activities and measures for mainstreaming migration into sectoral policies, mitigating brain-drain in the countries of origin, and related to co-operation with third countries in economic migration, work with diasporas and remittances.

The chapter *Irregular migration including smuggling* includes information on external border management, fight against the misuse of legal migration channels, combating the facilitation of irregular migration (smuggling), and on the monitoring and identification of migration routes.

The chapter *Returns* follows up on the chapter on irregular migration, and analyses forced returns and readmissions, voluntary returns and reintegrations, as well as the activities of the EMN Return Expert Group (REG).

The Annex *National statistics* summarises selected statistics for Slovakia on migration and in-

ternational protection in 2015 which are not collected at EU level through Eurostat¹¹ or Frontex agency¹². The Annex shows the figures on first residence permits, visas, smuggled persons, reflection periods and residence permits granted to smuggled persons, smugglers, returns, relocations and resettlements, unaccompanied minors and victims of human trafficking from third countries, reflection periods and residence permits granted to victims of human trafficking, and on the numbers of traffickers.

¹¹ Available at:

http://ec.europa.eu/eurostat/statisticsexplained/index.php/Migration_and_migrant_population_statistics (consulted on 02/04/2016).

¹² Available at: <http://frontex.europa.eu/publications/> (consulted on 02/04/2016).



Overview of Political Developments in the Field of Migration and Asylum

In 2015, the freshly begun parliamentary election campaign of political parties formed an important part of the political and public life in Slovakia. Unlike in the past, migration and international protection issues largely resonated not only in the political, but also in the media and social contexts. Migration was one of the most covered topics in Slovakia, and the public debate on persisting mixed migration into Europe was joined not only by the non-governmental sector, but also by the civil society.

2.1 General Political and Institutional Developments

The year 2015 was the pre-election year before parliamentary elections held in March 2016. The topics which prevailed in election debates from the second half of the year included forced and irregular migration in connection with the situation and developments in the Mediterranean, the Balkans and in the EU, as well as the policies and measures of the EU and its Member States in this field. Since the establishment of the independent Slovak Republic in 1993, migration issues became for the first time ever the subject of election debates and public meetings, pre-election public opinion surveys and election programmes of political parties. The formalised election programmes and strategic election priorities included the strengthening of the protection of (external)

borders (Sloboda a solidarita¹³, Slovenská národná strana¹⁴, Obyčajní ľudia a nezávislé osobnosti¹⁵, Slovenská demokratická a kresťanská únia – Demokratická strana, Sme Rodina – Boris Kollár), the enhancement of Slovakia's security (Smer – sociálna demokracia, Slovenská národná strana, Sme Rodina – Boris Kollár), the rejection of mandatory refugee quotas (Sme rodina – Boris Kollár¹⁶), the setting-up of reception centres in transit countries outside the Schengen Area (Sloboda a solidarita, Obyčajní ľudia a nezávislé osobnosti), increased official development aid of Slovakia (Obyčajní ľudia a nezávislé osobnosti), support of transit countries, and the addressing of the situation in the source countries of migrants (Sieť, Obyčajní ľudia a nezávislé osobnosti).

All parliamentary political parties in Slovakia publicly rejected mandatory quotas for refugees and highlighted the need to protect the external borders of the Schengen Area.¹⁷

No organisational nor institutional changes within the key state administration bodies occurred in Slovakia in the field of migration and international protection in 2015. Under the Steering Committee for Migration and Foreigners' Integration, a *working group for asylum with focus on the integration of beneficiaries of international protection* was established, and under the Government Council for Human Rights, National Minorities and Gender Equality a *working group on refugee and migrant rights* was set up. Asylum, Migration and Integration Fund and Internal Security Fund replaced the Programme Solidarity and management of migration flows in the budget period 2014 – 2020.

2.2 Migration in the Political, Media and Social Contexts

Political and Policy Discussion

Unlike in previous years, migration and international protection issues became the subject in 2015 of several discussions in Parliament and in the Government, including in the Security Council of the SR. The situation was also commented on by the President of the SR¹⁸ and the ombudsman¹⁹ several times.

Regarding inter-sectoral co-operation and coordination in migration issues, the following committees continued pursuing their activities:

- *Steering Committee for Migration and Foreigners' Integration*, which during its two meetings on 16 and 30 March 2015, attended by the Committee's permanent members focused mainly on the current situation in the field of migration in Slovakia and Europe along with the related new measures and commitments adopted at the EU and national level. The need for the state integration programme was discussed in this regard (see the chapter 3.5). Due to this, an expert working group for asylum with focus on the integration of beneficiaries of international protection was established within the Steering Committee. Apart from the topics related to

¹³ Source: http://www.strana-sas.sk/file/4282/SaS_volebny_program.pdf (consulted on 02/04/2016).

¹⁴ Source: http://www.sns.sk/engine/assets/uploads/2016/01/volebny_program_2016.pdf (consulted on 02/04/2016).

¹⁵ Source: <http://www.obycajniludia.sk/program/zahranicna-politika/> (consulted on 02/04/2016).

¹⁶ Source: <http://www.hnutiesmerodina.sk/volebny-program.php> (consulted on 02/04/2016).

¹⁷ Source: <http://www.ta3.com/clanok/1079106/lidri-najsilnejsich-politicky-stran-sa-stretli-vo-velkej-predvolebnej-diskusii.html> (consulted on 02/04/2016).

¹⁸ E.g. <https://www.prezident.sk/article/vyhlasenie-prezidenta-kisku-k-teme-utecencov/>; <http://spravy.pravda.sk/domace/clanok/369911-kiska-vystupi-v-parlamente-s-prejavom-o-migrantoch/> (consulted on 04/04/2016).

¹⁹ E.g. <https://dennikn.sk/161205/dubovcova-podporila-prijatie-migrantov-diskusiu-povazuje-za-nepriatelsku/> (consulted on 04/04/2016).

the implementation of the Migration Policy and Integration Policy of the SR, the Committee dealt with the preparation of the upcoming Slovak Presidency of the Council of the EU with emphasis on the field of migration, project of the mobility partnership between the EU and Azerbaijan which is currently being prepared, and it also discussed results of the 66th annual meeting of the ExCOM in Geneva as well as other ad-hoc topics.²⁰

- *Inter-Ministerial Expert Committee for Labour Migration and Foreigners' Integration (MEKOMIC)*²¹, whose meeting on 9 December 2015 was devoted to implementation of action plans related to Integration Policy of the Slovak Republic and Resolution of the Government of the Slovak Republic from 21 October 2015²² adopted in result of so called migration crisis, specifically in relation to preparation of state integration programme for the beneficiaries of international protection (see chapter 3.5). The Committee discussed also current status of AMIF whose national program was adopted on 29 July 2015 and the last meeting of National Contact Points for Integration (NCPI).²³

In relation to the civic initiative *Plea for Humanity* (see below) and developments in the European context, MoFEA SR began to hold regular meetings of state authorities and non-governmental organizations at the level of its State Secretary. These meetings were looking for ways to engage as good as possible all actors including the local ones into integration of migrants from third countries in need of international protection.²⁴

To support policy creation at the level of the EU and its Member States, Slovakia was involved in 2015 in the activities of the European Migration Network (EMN)²⁵. The activities of the EMN National Contact Point for the SR²⁶, such as publications²⁷, ad-hoc queries²⁸, a national conference (in 2015, on *Integration Programmes for Beneficiaries of International Protection* with a subsequent EMN Expert Roundtable), a training seminar (in 2015, on *Irregular Migration – Borders and Human Rights*) and other expert meetings,²⁹ tackled various topics concerning migration of TCNs each year, and are designed for the representatives of state and public administration, research institutions and the academic and non-governmental sectors.³⁰

In 2015, the MoI SR, in coordination with the MoFEA SR, continued with preparations for Slovakia's first presidency ever of the Council of the EU in the second half of 2016.³¹ Mixed migration flows and international protection issues are priorities also of the *18-month programme of the Council* which covers the period of three upcoming presidencies: that of the Netherlands, Slovakia and Malta.³²

20 Information provided by the MoI SR.

21 MEKOMIC is a coordination body of MoLSAF SR in the field of migration and integration policy and an advisory body of the Minister of Labour, Social Affairs and Family of the SR. Among its members are experts of central state administration bodies which pursue the aims and implement the measures of the Integration Policy. If needed, MEKOMIC meetings are attended by international and non-governmental organisations.

22 Resolution of the Slovak Government No. 568 of 21 October 2015 on Information on the Promotion of Activities of Non-governmental Organisations related to Humanitarian and Integration Support to Refugees submitted by the Initiators of the Petition Plea for Humanity

23 Information provided by the MoLSAF SR.

24 Information provided by the MoLSAF SR.

25 The EMN provides up-to-date, objective, reliable and comparable information on migration and international protection to the EU and its Member States to support their policymaking. The EMN activities are implemented through the National Contact Points in all EU Member States and Norway in coordination with the European Commission (DG Migration and Home Affairs). EMN activities are focused on migration of third-country nationals.

26 The EMN National Contact Point for the Slovak Republic consists of the MoI SR, the MoLSAF SR, the SO SR, and the IOM as its coordinator.

27 Source: <http://emn.sk/sk/na-stiahnutie-emn/publikacie-emn.html> (consulted on 04/04/2016).

28 Source: <http://emn.sk/sk/aktivita-emn/ad-hoc-otazky.html> (consulted on 04/04/2016).

29 Source: <http://emn.sk/sk/aktivita-emn/stretnutia-a-konferencie.html> (consulted on 04/04/2016).

30 Source: www.emn.sk (consulted on 04/04/2016).

31 Source: <http://www.mzv.sk/europske-zalezitosti> (consulted on 04/04/2016).

32 Special attention will be paid to the package of rules on "smart borders" and the implementation of measures defined in the Commission Communication on the European Migration Agenda of May 2015 and in the conclusions of the European Council of June and October 2015,

The activities of the Slovak Presidency of the Council of the EU in the field of migration will include an all-European EMN Annual Conference in Bratislava, which began preparation in 2015, and which will focus on returns in the context of co-operation with third countries.³³ This topic is in line with the European Migration Agenda and also with the *Framework Programme of the Slovak Presidency of the Council of the EU* of February 2016, which will form the basis for the priorities of the Slovak Presidency.³⁴ The programme of the six-month Slovak Presidency of the Council of the EU, which will define the presidency's priorities, will be approved by the Slovak Government in June 2016.³⁵

Public Debates, Public Opinion and Civic Activism

With respect to the deteriorating situation in the field of forced and irregular migration in the Mediterranean, two spontaneous civic initiatives were launched in 2015 which, apart from a declaratory level, gradually presented practical activities to support migrants coming to Europe. In April, the initiative *Who Will Help If Not Us* (see sub-section 5.5) appealed to the Slovak Government to admit 100 refugee and displaced families from Syria and Iraq, and launched registration of volunteers for integration assistance to persons under international protection (the initiative had over 2,000 registrations by the end of the year).³⁶ The initiative *Plea for Humanity* was launched as a reaction to the death of 71 migrants near Parndorf³⁷ in August 2015, and aimed to raise broader public interest in the tragic situation faced by people escaping from war, and called upon the Slovak Government to convene a roundtable of all stakeholders who can contribute to the mitigation of the consequences of the greatest humanitarian crisis in Europe since World War II. The declaration was supported on-line by over 9,000 people and organisations in the course of two weeks, and it had around 12,000 signatories by the end of 2015.³⁸ Further to negotiations with the Prime Minister, the Slovak Government allocated EUR 500,000 (in the form of a donation from the national lottery company TIPOS, a.s.)³⁹ ⁴⁰, which was distributed by the initiative through the Open Society Foundation to organisations providing practical help in the worsening migration situation.⁴¹ Slovak volunteers were also actively involved in projects other than the ones supported under this scheme – in the Balkans, Hungary and Austria.⁴²

In June 2015, on the occasion of World Refugee Day, a group of 16 non-governmental organisations supporting the admission of migrants intervened in the public debate with an official letter calling upon the Slovak Government to join the European Migration Agenda, including admission of the most vulnerable refugees and opening of legal channels for the arrival of asylum seekers.⁴³

including works on the future development of the Common European Asylum System, efforts in the field of relocations and resettlements, returns and readmissions, border management, enhanced fight against smuggling and other activities concerning legal migration. The three presidencies aim to achieve progress in the on-going legislative activities with respect to the new management of external borders and a new visa code. An important aspect with a view to the Slovak Presidency will include the adoption and implementation of proposals concerning the European Border and Coast Guard.

33 Source: www.emn.sk (consulted on 04/04/2016).

34 Source: <http://www.rokovania.sk/Rokovanie.aspx/BodRokovaniaDetail?idMaterial=25364> (consulted on 04/04/2016).

35 Information provided by the MoFEA.

36 Source: <http://spravy.pravda.sk/domace/clanok/355754-nova-iniciativa-vyzve-vladu-na-prijatie-utecencov/> (consulted on 04/04/2016).

37 Source: <https://dennikn.sk/224724/v-slovenskom-nakladnom-aute-v-rakusku-nasli-50-mrtvych-utecencov/> (consulted on 04/04/2016).

38 Source: <http://www.vyzvakludskosti.sk/> (consulted on 04/04/2016).

39 Resolution of the Government of the Slovak Republic No. 568/2015 of 21 October 2015 on the Information on the Support of Activities of Non-Governmental Organisations in the Framework of Humanitarian and Integration Support of Refugees, submitted by the initiators of the petition Declaration for Humanity.

40 Source: <http://domov.sme.sk/c/8022971/vlada-ponukla-pomoc-iniciative-vyzva-k-ludskosti.html> (consulted on 04/04/2016).

41 Source: <http://osf.sk/financny-prispevok-vyzvy-k-ludskosti/> (consulted on 04/04/2016).

42 Source: <http://www.clovekvohrozeni.sk/sk/spravy/aktualne/1636-pomahajte-v-srbsku-ako-dobrovolnici-ludom-na-uteku>; <http://www.noviny.sk/c/zahranicie/slovenski-dobrovolnici-pomahaju-utecencom-na-balkane> (consulted on 04/04/2016).

43 Source: http://www.hrl.sk/sites/default/files/files_downloads/iniciativa_mvo_utecenci_final_0.pdf (consulted on 04/04/2016).

Compared to previous years, many public events were held in 2015 tackling topics related to migration and international protection – various discussion evenings⁴⁴, the screening of features and documentaries⁴⁵, the concert Appeal to Humanity⁴⁶, a candlelight vigil⁴⁷ or a football match⁴⁸. On the other hand, several protests against immigrants and the Islamisation of Europe were held in Bratislava and in several regional capitals in Slovakia.⁴⁹

As a reaction to the Memorandum of Understanding between the Ministry of Interior SR and Austria on Temporary Accommodation of Asylum Seekers who have applied for asylum in Austria (see 4.3), a *local referendum* was held in Gabčíkovo. The referendum was organised on the basis of a petition and aimed to explore the opinion on the opening of a temporary asylum facility in this municipality. Out of 2,603 voters who cast their vote, 96.67% voted against the opening of the asylum facility.⁵⁰ Since the local referendum is not binding for state authorities, the MoI SR went ahead on opening the accommodation facility.⁵¹

Several public opinion polls were conducted in Slovakia in 2015 on issues related to migration and international protection. According to these opinion polls, Slovak citizens mostly had a negative attitude towards mandatory quotas and the admission of refugees to the Slovak territory in general, which was relatively independent from supporting any political party (government or opposition ones).⁵² The opinion poll from the end of 2015 can serve as illustration; according to this poll, 38.8% of Slovak respondents did not perceive any event in 2015 on the domestic or foreign political scene as positive. 11.3% of respondents considered the government's position on migrants as the most positive event; on the other hand, 38.8% of respondents considered the influx of migrants into the EU as the most negative one.^{53, 54}

Migration in the Mass Media

Migration and international protection were among the most covered topics in Slovakia in 2015.⁵⁵ Compared to the past, it was a radical change in the trend, as the media monitoring obtained by EMN from the press agency was marked as critical given the number of press articles per month (5,159 on average).⁵⁶

44 E.g. <https://dennikn.sk/206212/debata-o-utecencoch-sulik-by-prenajal-kus-afriky-politici-su-podla-flasikovej-benovej-hystericki-video-zaznam/> ; <http://emn.sk/sk/aktivita-emn/stretnutia-a-konferencie/225-diskusny-vecer-emn-europa-alebo-smrt-26-augusta-2015-bratislava.html> ; <https://www.citylife.sk/ina-akcia/cafe-europa-na-filmovom-festivale-jeden-svet-utecenci-medzi-nami> (consulted on 04/04/2016).

45 E.g. <http://emn.sk/sk/aktivita-emn/stretnutia-a-konferencie/223-premietanie-filmu-the-good-lie-25-augusta-2015-bratislava.html> ; <http://bratislava.dnes24.sk/kino-lumiere-uvadzaja-cyklus-o-legalnych-aj-nelegalnych-migrantoch-217838> (consulted on 04/04/2016).

46 Source: <http://www.teraz.sk/kultura/bratislava-koncert-vyzva-na-ludskost/155343-clanok.html> (consulted on 04/04/2016).

47 Source: <http://www.aktuality.sk/clanok/310364/svieckova-vigilia-za-vyhasnute-zivoty-migrantov/> (consulted on 04/04/2016).

48 Source: <http://osf.sk/pribehy/pribehy-eea/sport-spaja-ukazal-futbalovy-zapas-utecencov/> (consulted on 04/04/2016).

49 E.g. <http://www.hlavnespravdy.sk/v-bratislave-prebieha-protest-proti-islamizacii-eurovy/677589> ; <http://www.webnoviny.sk/slovensko-clanok/972347-obrazom-proti-kotlebovcam-sa-v-ziline-postavil-druhy-tabor/> ; <http://spravy.pravda.sk/regiony/clanok/371035-protest-proti-islamizacii-v-kosiciach-prebehol-bez-incidentov/> (consulted on 04/04/2016).

50 Source: <http://spravy.pravda.sk/regiony/clanok/363392-referendum-je-platne-obyvatelia-gabcikova-odmietli-utecencov-vo-svojej-obci/> (consulted on 04/04/2016).

51 Source: <http://spravy.pravda.sk/regiony/clanok/363392-referendum-je-platne-obyvatelia-gabcikova-odmietli-utecencov-vo-svojej-obci/> (consulted on 04/04/2016).

52 E.g. <http://europskenoviny.sk/2015/06/18/migrantov-u-nas-odmieta-80-percent-vo-licov-smeru-ukazal-prieskum/> ; <https://dennikn.sk/blog/co-si-myslia-ludia-o-utecencoch-vysledky-prieskumu-verejnej-mienky/> ; <http://www.webnoviny.sk/slovensko/clanok/1046177-prieskum-slovaci-sa-stale-obavaju-migrantov-a-ich-kultury/> ; <http://domov.sme.sk/c/8038731/slovaci-odmietaju-solidaritu-s-uniou-aj-jej-rozhodnutia.html> ; <http://spravy.pravda.sk/domace/clanok/358731-slovensko-by-nemalo-prijat-utecencov-mysli-si-70-percent-respondentov/> (consulted on 04/04/2016).

53 This was followed by the terrorist attacks in Paris (19.4%), persistent corruption (13.3%), unemployment (12.8%), the invitation for migrants to come to the European Union by German Chancellor Angela Merkel (12.5%) or the government activities (8.4%).

54 Source: <http://spravy.pravda.sk/domace/clanok/378174-prieskum-ludia-nevnimaju-za-rok-2015-ziadnu-udalost-ako-pozitivnu/> (consulted on 04/04/2016).

55 The unsorted version of media monitoring for 2015 contains 61,908 news reports. The monitoring includes a small percentage of irrelevant or marginal press articles.

56 Information provided by the IOM.

The mass media mainly tackled the situation in the Mediterranean, Greece, Italy, Balkan transit countries and Hungary. In Slovakia, there were mainly topics concerning refugee quotas, temporary accommodation in Slovakia of asylum seekers who applied for asylum in Austria, humanitarian admission of Iraqi refugees into Slovakia and EU measures related to the continuing arrival of migrants in Europe.⁵⁷

57 Source: Media monitoring from 2015 (unsorted version).

03

International Protection Including Asylum

In 2015, Slovakia amended the Act on Asylum mainly with respect to vulnerable groups of migrants, began preparing the first state integration programme for persons under international protection, and provided temporary accommodation facilities in Gabčíkovo to asylum seekers in Austria. Slovakia continued with humanitarian transfers through its territory in the framework of resettlement of refugees and persons under UNHCR protection into countries of permanent resettlement, having increased the capacity of the transit centre from 150 to 250 persons. Slovakia also carried out ad-hoc humanitarian admission of 149 refugees from northern Iraq and discussed the possibilities of co-operation with the first voluntary initiative in the field of integration of persons under international protection.

The number of asylum applications in Slovakia has been small for a long period of time. Since Slovakia's entry into the Schengen Zone at the end of 2007, the number of asylum applications did not exceed one thousand, and is on the decline⁵⁸. In 2015, 330 asylum applications were lodged, including 271 first-time applications. In the same year, Slovakia granted 8 asylums and 41 subsidiary protections; decided to abort the procedure in 148 cases; refused to grant asylum in 70 cases and subsidiary protection in 41 cases. In 2015, the most numerous groups of asylum seekers were applicants from Iraq, Afghanistan and Ukraine. Compared to the previous year,

⁵⁸ 732 asylum applications were lodged in 2012; 441 in 2013, and 331 in 2014.

there was a decline in the number of applicants from Syria (from 40 to 8 applicants) and Vietnam (from 25 to 4 applicants). The on-going declining trend in terms of the number of applications was also reported with respect to applicants from Somalia. In 2012, there were 222 applicants from Somalia; their number dropped to 57 in 2013 and to 19 in 2014, and in 2015 there were four asylum seekers from Somalia.^{59 60}

3.1 Common European Asylum System (CEAS) and Legislative Changes

Legislative and Institutional Changes

Act No. 131/2015 Coll. amended, *inter alia*, the Act on Asylum mainly due to the need to transpose Recast Procedural Directive⁶¹ and Recast Reception Directive⁶². The deadline for the transposition of the both Directives is 20 July 2015, except for Article 31(3) to (5) of the Recast Procedural Directive, where the transposition deadline is 20 July 2018.

Act No. 131/2015 Coll. brought the following changes to the Act on Asylum:

- With respect to the registration of asylum applications, Article 3(9) was added, which stipulates that an alien applying for asylum or subsidiary protection at a police department which is not competent to receive the declaration shall be considered an applicant for three days since lodging of the asylum application for the purposes of providing accommodation, catering or allowances, basic sanitary needs and other items necessary for survival, and healthcare;
- The cases of lodging subsequent applications were reviewed. The new provision⁶³ enables the Ministry of Interior of the Slovak Republic to refuse an application as inadmissible in case it is a subsequent asylum application and a final decision was issued under the asylum procedure in the past on refusal of the application as manifestly unfounded, on not granting asylum, on withdrawal of asylum, on not extending subsidiary protection or on cancellation of subsidiary protection, and the factual situation did not change substantially (this fact constituted previously a reason for suspending the procedure). In addition, the reason for refusing an application as manifestly unfounded has also been updated in Article 12. The Ministry of Interior of the Slovak Republic can refuse an asylum application as manifestly unfounded also in case the applicant fails to meet the conditions for being granted asylum or subsidiary protection and lodges a subsequent asylum application, and if it is not possible to refuse the application as inadmissible due to the lodging of a subsequent application under Article 11(1)(f) as the factual situation has substantially changed;
- A new criterion was added for designating a country a safe country of origin or a safe third country;⁶⁴
- The identification of the need for special procedural guarantees for asylum seekers and a special procedure against such applicants was introduced. Under Article 39 of the Act on Asylum, the MoI SR is required to create appropriate conditions for the accommodation of aliens in

⁵⁹ Source: Statistical Report of the Migration Office of the Ministry of Interior SR – Year 2015.

⁶⁰ Source: Statistical Report of the Migration Office of the Ministry of Interior SR – Year 2014.

⁶¹ Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection (recast).

⁶² Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (recast).

⁶³ Art. 11(1)(f) of the Act on Asylum.

⁶⁴ A safe third country is a country in which the returned alien may not be exposed to serious harm.

asylum facilities, while taking into account the special needs of vulnerable persons identified on the basis of an individual assessment of their condition. It is now also defined who is considered a vulnerable person for the purposes of this provision;

- The list of organisations to be notified about the decision issued under the asylum procedure was extended;
- In connection with returns or the right to stay in the Slovak territory in the case of applicants whose procedures terminated with the issue of a decision, the respective provision⁶⁵ modified the situations under which applicants are or are not authorised to stay in the Slovak territory. Such authorisation expires if it is a subsequent asylum application and the Mol SR refused the asylum application in the past under Article 11(1)(f) or Article 12(2)(g). The applicant who lodged to the court a motion for postponement of the enforceability of the contested decision together with an appeal against the decision issued in the asylum procedure is authorised to stay in the Slovak territory until a decision on such motion is issued, except for cases where the Mol SR refused the asylum application under Article 11(1)(f) and where it was ruled that the asylum application was lodged solely with the intention to avert the risk of being immediately expelled from Slovakia;
- The period after the expiry of which asylum seekers have the right to access the labour market was reduced from one year to nine months;
- The obligation to attend trainings for the staff of the Ministry of Interior and members of the Police Force was introduced;
- The reasons for suspending the procedure on cancellation of temporary shelter were defined;
- Article 17a introduced the possibility for an applicant without a legal representative in the first-instance proceedings to submit a request for information concerning his/her asylum application to be provided by authorised ministry staff member other than the one who conducted the interview with the applicant or who assessed his/her application. In addition, this provision introduced the obligation of the authorised ministry staff to enable the applicant's representative to give opinion on the interview;⁶⁶
- With respect to interpreting, applicants now have the right to request the Ministry of Interior SR to provide for an interpreter of the same sex as the applicant.⁶⁷ Under the previous provision, only cases of exceptional circumstances were considered. However, in both cases, the possibilities of the ministry are taken into account;
- Regarding investigations related to signs of persecution or serious harm caused in the past, Article 19c added the possibility of launching the given type of investigation either with the applicant's consent where the Mol SR considers it necessary for the purposes of assessing the asylum application, or at the applicant's proposal;
- The period for lodging an appeal against a decision on refusal of an application for temporary shelter and on cancellation of temporary shelter was extended;
- The conditions under which the lodging of an appeal against a decision on refusal of the application as inadmissible or manifestly unfounded has or does not have a suspensory effect were defined.

⁶⁵ Article 22(1) of the Act on Asylum.

⁶⁶ Article 6(7) of the Act on Asylum.

⁶⁷ Article 6(4) of the Act on Asylum.

Among other things, the Act No. 131/2015 Coll. brought the following changes to the Code of Civil Procedures⁶⁸:

- It was laid down what state of procedure is decisive for a court decision on the asylum or subsidiary protection procedure. Unlike the previous legal condition, the factual situation at the time of declaration or issue of the decision is decisive for the court with respect to the assessment of the legality of the decision on asylum or subsidiary protection.
- The court shall annul the decision of the administrative authority on asylum or subsidiary protection and return the case for further proceedings also in case it came to the conclusion after assessment of the decision that the circumstances of the case related to the fulfilment of the conditions for granting asylum or subsidiary protection have substantially changed since the issue of the decision by the administrative authority.

The following changes were made to Act No. 404/2011 Coll. on Residence of Aliens and on changes and amendments to some acts, as amended, through Act No. 131/2015 Coll.:

- It was laid down that in case an alternative to detention is imposed upon an asylum seeker, such applicant is not required to prove accommodation and financial coverage of his/her stay;
- It was introduced that asylum seekers are not required to provide a financial contribution to food while detained;
- The provisions on aliens' passports were modified.⁶⁹

Act No. 131/2015 Coll. also amended Act No. 327/2005 Coll. on Provision of Legal Assistance to Persons in Material Need and on changes and amendments to Act No. 586/2003 Coll. on Advocacy and on changes and amendments to Act No. 455/1991 Coll. on Trade Licensing (Trade Licence Act), as amended. Among other things, this act modified the ways of providing legal assistance in detention procedures of third-country nationals and asylum seekers.

In 2015 no relevant institutional changes took place in Slovakia.

Dublin procedure

The Dublin procedure continued to be conducted in accordance with the Regulation of the European Parliament and of the Council (EU) No. 604/2013, whereas the Slovak Republic applied the Dublin procedure rules against all Member States, including transfers, with the exception of Greece.

Country of Origin Information

Regarding search, processing and provision of information on the countries of origin of asylum seekers, the Migration Office focused in 2015 on the compilation of Q&As for case workers. Over 300 Q&As were prepared in total. In its activities, the MO complied with the national and EU legislation and with the still applicable Internal Guideline of the Director of the Migration Office of the Ministry of Interior of the Slovak Republic laying down the procedure for the submission of questions and the processing of information on the countries of origin of asylum seekers (2010).

⁶⁸ The Code of Civil Procedures will be replaced with effect from 01 July 2016 with the following procedural acts: Act No. 160/2015 Coll. Code of Civil Procedures for Adversarial Proceedings, Act No. 161/2015 Coll. Code of Civil Procedures for Non-Adversarial Proceedings, and Act No. 162/2015 Coll. Code of Administrative Procedures.

⁶⁹ Article 74(1) and (2) of the Act on Asylum.

The quality of these activities was improved also thanks to the involvement of COI specialists in various networks under the aegis of EASO (namely for Somalia, Syria, Afghanistan and Ukraine), including participation in the common drafting of COI reports under EASO (on Somalia, Afghanistan and Syria) at different positions (co-drafter, researcher, reviewer). Slovakia also seconded its expert to EASO to work in the field of COI during a two-year period.

The internal COI database, called MIGDOC, was regularly updated. In 2016, it is planned to be technically updated and possibly connected to the Common European Portal administered by the EASO. The number of COI experts did not increase in the course of the year; some changes are expected to take place in 2016.⁷⁰

Vulnerable groups

In 2015, the authorities began using documentation which was specifically created for the recording of important data about applicants with respect to their reception to an asylum facility. It is a kind of a social profile which also specifies the level of vulnerability and related special needs of the person. Besides procedural department staff, the applicant's situation is also assessed by social workers, nurses, physicians, a psychologist and other persons from non-profit organisations and projects who come into contact with the given person. The social profile is used to assess the overall condition of the applicant not only on the basis of factors such as sex, age, health condition, pregnancy, illiteracy, incomplete family, or information whether the person became a victim of violence, torture, etc., but also behaviour among other applicants and other family members within the facility, the applicant's behaviour in conflict situations, the applicant's ambitions and interests, involvement in various activities and attitudes to work, and compliance with rules. Such assessment facilitates the work of social workers and of those responsible for integration, and, understandably, the fulfilment of the applicant's specific needs.

With the exception of the social profile, we do not record any changes in the reception of applicants and related measures in the field of accommodation or access to healthcare. Applicants are first placed in the Reception Centre in Humenné, which also serves as a quarantine facility, and later in the Accommodation Centre in Opatovská Nová Ves in the case of women, families with children and elder people, or to Rohovce in the case of male individuals. The state provides healthcare to such persons. Applicants have a nurse and a physician who is present directly in the facility twice a week, and if needed, they can visit a physician or, vice versa, the physician visits the applicants.

With respect to unaccompanied minors, legislative changes were made by Act No. 131/2015 Coll. which amended Act No. 480/2002 Coll. on Asylum, as amended. This act amended, *inter alia*, the provisions concerning the implementation of measures related to socio-legal protection of children and social guardianship (SPCSG) of UAMs in Act No. 305/2005 Coll. on Social Protection of Children and on Social Guardianship, having enhanced the possibilities of SPCSG authorities and facilities for enforcement of court decisions in providing care and ensuring the protection of the rights and protected interests of unaccompanied minors. Under this amendment, foster homes are required to create the conditions for the conducting of interviews with UAMs under asylum procedures usually in foster homes, while UAMs stay in the foster home for UAMs throughout the asylum procedure. Once reaching full age, unaccompanied minors can

⁷⁰ Information provided by the MO Mol SR.

apply for staying in the foster home after termination of institutional care, and are entitled to receive a contribution to facilitate their independence after reaching full age.⁷¹ According to this amendment, such contribution is also granted to UAMs who were placed in a foster home and reached full age.

Return of rejected asylum applicants

The provisions of the Act on Residence of Aliens and the Act on Asylum concerning the enforcement of decisions on the administrative expulsion of rejected asylum applicants changed; under the amended provisions, such decision can in special cases be enforced immediately after issuing a decision on non-granting asylum and, in special cases, it is necessary to wait for the final decision on non-granting asylum (lodging an appeal against a decision on non-granting asylum). This legislative change is due mainly to the transposition of the new Reception Directive into the Slovak national legislation.⁷²

Resettlement

In 2015, Slovakia did not carry out any resettlements under the EU Joint Resettlement Programme. Further to the conclusions of the meeting of the JHA Extraordinary Council on 20 July 2015, Slovakia undertook to resettle 100 persons on a voluntary basis.

External dimension

In 2015, Slovakia did not specifically co-operate and did not conduct activities with third countries in the external dimension of the CEAS.

3.2 Co-operation with the European Asylum Support Office (EASO)

In 2015, the Migration Office was again actively involved in EASO activities which were characterised, due to the persisting migration crisis, by the seeking of new approaches and several new activities.

In addition to traditional areas of focus, such as quality of asylum procedures, information about applicants' countries of origin (COI), improving the qualifications of the EU Member States staff in the field of asylum and operational assistance provided to EU Member States which found themselves in emergency situation, EASO activities also focused on new activities in 2015, such as joint assessment of asylum applications, monitoring of compliance of the asylum system with EU standards, co-operation with third countries or preparation of relocations.

In 2015, the EASO did not send any AST (Asylum Support Teams) or SST (Special Support Teams), but it performed several other activities involving Slovakia.

The Slovak Republic provided a trainer for the training module for managers working in the field of asylum. The training was held in Malta in November 2015 with the participation of 14 asylum

⁷¹ Article 66(4) of the Act on Social Protection of Children and Social Guardianship. The information was provided by the MoLSAF SR.

⁷² Information provided by the BBAP PFP.

managers from various Member States (namely from BL, EL, MT, DK and FI). In co-operation with the Czech Republic, Slovakia organised national training courses on the modules Inclusion (25 participants) and Interview Technique (16 participants) for the staff of the MO Mol SR. Both national training courses were attended by the staff of the Procedural Department of the MO Mol SR and their Czech colleagues from the Mol CR.

Slovakia was involved in the preparation of several COI reports, namely in the position of co-drafter in updating the reports on Somalia (Somalia Security Update), in the position of researcher in updating the report on Afghanistan (Security Update), and in the position of reviewer on the Syria factsheet for Greece and Bulgaria.

In addition, a Seconded National Expert was directly posted to the EASO unit dealing with information on countries of origin from December 2013, terminating his activities in August 2015⁷³.

Slovakia also participated through one staff member in the preparation of a training module on the conditions of reception.

In 2015, the MO staff attended a training for trainers on the modules Dublin Regulation (1 participant – Malta), Interview techniques (1 participant – Malta), Information on countries of origin (1 participant - Malta) and Evaluation of Evidence (3 participants – regional training in Vienna).

3.3 Intra-EU Solidarity Including Relocations

In 2015, as an expression of solidarity with the most burdened EU Member State as a result of the large numbers of incoming migrants, Slovakia provided to Austria temporary accommodation capacities for persons who applied for asylum in Austria for the period of their asylum procedure.⁷⁴ Temporary assistance began to be provided on the basis of the *Memorandum of Understanding* signed by Slovakia and Austria on 21 July 2015 for a period of two years. According to this Memorandum, maximum 500 asylum seekers can be accommodated in the facility – special facility of the Slovak University of Technology in Gabčíkovo – at the same time. Slovakia provides to “Austrian” asylum seekers accommodation and food, and the Austrian Ministry of Interior has its social workers in Gabčíkovo. The regime in the facility is free. The first asylum seekers from Austria arrived in Gabčíkovo on 17 September 2015, and as of 16 December 2015 the facility was used by 743 asylum seekers in total.

The new Council decisions on relocations began to be implemented mainly in the 2nd half of 2015, with EASO playing one of the key roles with respect to the coordination and secondment of experts from EU Member States to assist in Italy and Greece. Slovakia actively collaborated with the EASO in the assessment of the actual needs, and seconded one expert specialised in Dublin procedures to Rome in October to assist the Special Support Team during a one-month period.

⁷³ Information provided by the MO Mol SR.

⁷⁴ Source: <http://www.minv.sk/?tlacove-spravy&sprava=slovensko-rakuska-spolupraca-v-oblasti-migracie-a-azyly> (consulted on 04/04/2016).

Other four experts participated at the following operation activities throughout the year:

- Project of Joint processing of asylum applications in Poland targeting Dublin procedures, January – February 2015;
- Mapping mission in Hungary focusing on the study of compliance of the Hungarian asylum system with European and international standards, March 2015; and
- in Bulgaria in the framework of a support programme in the field of reception and social activities, September – October 2015.⁷⁵

In 2015, Slovakia did not participate in any relocation programme, and no applicant for international protection was relocated to the Slovak territory (see Table 7 in the Annex). Slovakia was actively involved in negotiations on relocation decisions, appointed a national contact point in line with the European Commission’s requirements, as well as liaison officers for Greece and Italy.⁷⁶

3.4 Enhancing the External Dimension Including Resettlement

In 2015, Slovakia did not carry out any resettlement activities on the basis of the EU resettlement scheme or in co-operation with the UNHCR. Slovakia is involved in resettlement activities solely on a voluntary ad-hoc basis, and is currently not planning to participate in the EU Joint Resettlement Programme.

In December 2015, Slovakia resettled into its territory in the framework of the humanitarian admission programme 149 refugees (25 families) from northern Iraq who were granted asylum in January 2016 (see Table 8 in the Annex). All resettled persons are Iraqi nationals. In the initial integration phase, Slovakia provides assistance to them in the form of intensive language training, social assistance, labour or social counselling. Slovakia ensures the integration of these persons in co-operation with the Catholic Church and the civic organisation Pokoj a dobro (Peace and Goodness). The costs of the integration of refugees into society are covered from funds provided by foreign donors and from state funds allocated in the state budget.⁷⁷

In 2015, Slovakia continued carrying out humanitarian transfers through its territory as part of the resettlement of refugees and persons under UNHCR protection to third countries – countries of permanent resettlement – and provided temporary shelter to another 98 refugees. A great part of them were Somali families with children, and the rest were refugees from Ethiopia and Sudan. During their stay in the Emergency Transit Centre (ETC) in Humenné, Slovakia provides to these persons comprehensive services, accommodation, food and basic sanitary needs. Healthcare and social care is provided to refugees by the UNHCR. The IOM is responsible for the transport of refugees from the refugee camp to Slovakia and from Slovakia to the country of resettlement, for the conducting of security interviews, medical examinations, vaccination and cultural orientation courses. In 2015, 146 refugees who arrived in the ETC in 2014 and 2015 were resettled, all of them having been received by the USA. Most families resettled in 2015 were Somali families with children.⁷⁸

⁷⁵ Information provided by the MO Mol SR.

⁷⁶ Information provided by the MO Mol SR.

⁷⁷ Source: <http://www.minv.sk/?tlacove-spravy&sprava=na-slovensko-prislo-149-asyrskych-krestanov> (consulted on 04/04/2016).

⁷⁸ Source: <http://iom.sk/sk/novinky-a-podujatia/757-iom-activities-and-achievements-2015> (consulted on 04/04/2016).

Slovakia is one of the two countries in the world (along with Romania) which help refugees in this manner. Assistance is provided to persons who are forced to urgently leave the country of their temporary residence due to deterioration of their situation and immediate threat to their lives or health, in particular vulnerable persons, such as single women with children or families with children.⁷⁹ The Slovak Government, the UNHCR and the IOM have collaborated in the project since August 2009; ever since until the end of the year 2015, 797 refugees from Afghanistan, Eritrea, Ethiopia, Iraq, Somalia and Sudan were resettled through the ETC in Humenné. Most of these refugees were resettled to the USA, others to Canada and Norway.⁸⁰

Humanitarian transfers are carried out on the basis of the trilateral *Agreement between the Government of the Slovak Republic, the UNHCR and the IOM on humanitarian transfer of refugees in need of international protection through the SR*. Under the current agreement,⁸¹ the maximum ETC capacity increased from 150 to 250 persons who can be present in the Slovak territory at the same time.^{82 83}

3.5 Integration of Asylum Seekers and Persons under International Protection

In 2015, Slovakia began to prepare the first state Integration Programme for Persons under International Protection with the following priorities: housing, employment and education. The programme began to be prepared also in connection with Government Resolution No. 568/2015 on the Information on the support of activities of non-governmental organisations related to humanitarian and integration support of refugees, submitted by the initiators of the petition Declaration for Humanity.⁸⁴ According to this resolution, the MoI SR is due to prepare a temporary solution from 2016 and a systemic one from 2017 onwards for the integration of persons granted asylum or subsidiary protection. The IOM as the EMN coordinator in Slovakia, in co-operation with the MO MoI SR which was in charge of the preparation of the programme, organised the EMN national conference *Integration Programmes for Persons under International Protection* in Bratislava at the beginning of December 2015 and a follow-up *Expert Roundtable*. Among conference speakers, there were representatives of the Office of the UN High Commissioner for Refugees (UNHCR), the European Council on Refugees and Exiles (ECRE), the state administration of the Visegrad Group countries, and national experts in this field.⁸⁵

In 2015, Slovakia actively integrated around 120 persons granted asylum or subsidiary protection. Until March 2015, the integration of such persons was carried out mainly through projects funded from the ERF which was part of the general Programme Solidarity and management of migration flows for the period 2007 – 2013. The situation was subsequently addressed through an integration project which was financed from state budget funds until the end of November 2015 by means of public procurement and was implemented by the Slovak Catholic Charity. Since 01 December 2015, the integration project has been implemented from finances by the Asylum, Migration and Integration Fund (AMIF).

Willingness to join the process of integration of persons under international protection was for the first time manifested in Slovakia by volunteers gathering under the civic initiative *Who Will Help If Not Us*. This initiative was founded in April 2015, and called upon the Slovak Government to receive 100 refugee and displaced persons from Syria and Iraq.⁸⁶ This appeal also aimed to present a viable vision of integration of these families into Slovak society, and began therefore registering volunteers, having reported over 2,000 volunteers (families and individuals)⁸⁷ by the end of 2015.⁸⁸

79 Information provided by the IOM. General information on the programme is available at <http://www.iom.sk/en/activities/resettlement-of-refugees>.

80 IOM, Resettlement of Refugees; information available at: <http://www.iom.sk/sk/aktivita/presidlovanie-utecencov> (consulted on 24/01/2016).

81 The current agreement on humanitarian transfer was signed on 07 October 2015 and is in effect until 31 December 2017.

82 Source: <http://www.minv.sk/?tlacove-spravy-6&sprava=sr-bude-nadalej-pomahat-utecencom-formou-humanitarneho-transferu-pomocsa-navysi> (consulted on 24/01/2016).

83 The SR issues a free national visa to refugees or persons under protection to enter the Slovak territory. The costs of accommodation, food and sanitary needs for refugees and persons under protection are covered by the Government of the Slovak Republic from the state budget for the given year. The UNHCR ensures name lists of refugees and persons under protection with respect to which humanitarian transfer is proposed, issues documents to mandate refugees and ensures the issue of travel documents for persons who are subject to humanitarian transfer, covers the costs of healthcare, delivers reports on the situation of refugees in the asylum facility, etc. The IOM organises international transport to Slovakia and subsequently to the asylum facility in Slovakia, provides services related to the transfer of refugees and persons under protection to the country of resettlement.

84 Source: http://www.rokovania.sk/File.aspx/ViewDocumentHtml/Uznesenie-15172?listName=Uznesenia&prefixFile=m_ (consulted on 24/01/2016).

85 Source: <http://emn.sk/sk/aktivita-emn/stretnutia-a-konferencie/243-narodna-konferencia-emn-integracne-programy-pre-osoby-s-medzinarodnou-ochranou-a-expertny-okruhly-stol-emn-bratislava-1-2-decembra-2015.html> (consulted on 24/01/2016).

86 Source: <http://spravy.pravda.sk/domace/clanok/355754-nova-iniciativa-vyzve-vladu-na-prijatie-utecencov/> (consulted on 29 March 2016).

87 During their registration, the volunteers could choose among the following activities: assistance with accommodation, assistance with finding a job, integration of the refugees to their society or community, introduction of the refugees to the people they know and assistance with building friendships and relations.

88 Source: <http://www.ktopomoze.sk/> (consulted on 29 March 2016).



Unaccompanied Minors and Other Vulnerable Groups

In 2015, certain legislative amendments were adopted concerning, in particular, unaccompanied minors under the asylum procedure and the stay of UAMs in the foster home for UAMs. The amendment to the Act on Asylum also introduced a procedure for the identification of the special needs of vulnerable persons. Migrants as such were identified as a vulnerable group in the National Strategy for the Protection and Support of Human Rights in Slovakia⁸⁹, approved by the Slovak Government on 18 February 2015.⁹⁰

The AMIF activities, aimed to provide services to third-country nationals, will also seek to satisfy the needs of vulnerable groups of persons. Since the needs of the vulnerable groups of persons have a cross-cutting nature, as of 2016, these needs will be satisfied under the priorities of the specific objectives of the AMIF National Programme.⁹¹

4.1 Unaccompanied Minors

Slovakia did not record increased numbers of UAMs, not even in 2015. A total of 23 UAMs were apprehended upon illegal state border crossing and illegal stay in Slovakia, almost half of them

⁸⁹ Source: <http://www.rokovania.sk/Rokovanie.aspx/BodRokovaniaDetail?idMaterial=24253> (consulted on 29 March 2016).

⁹⁰ Source: <http://www.teraz.sk/slovensko/dala-zelenu-celostatnej-strategii-ludske/121156-clanok.html> (consulted on 29 March 2016).

⁹¹ Information provided by the FAD EPS Mol SR.

being nationals of Afghanistan.⁹² In 2015, 26 UAMs, mostly males, were placed in the foster home for UAMs in Medzilaborce. In 2015, the asylum procedure with such applicants commenced in three cases compared to 11 cases in 2014 and five cases in 2013. The number of UAMs who did not apply for asylum declined from 70 in 2013 to 10 in 2014 and 26 in 2015. The statistics is provided in Table 9 in the Annex.

One of the main changes tackled by the *amendment to Act No. 480/2002 Coll. on Asylum*⁹³ with effect from 20 July 2015 is the placement of unaccompanied minors whose asylum applications are lodged by their respective guardians appointed by court. Unaccompanied minors stay in SPCSG facilities also during the asylum procedure⁹⁴. This means that they would not be moved to the asylum facilities of the Mol SR for this purpose. This amendment thus takes into account the interests of a minor to a larger extent, and fully complies with the respective applicable directive. In order to provide as good care for young adults as possible, unaccompanied minors who reach full age during the asylum procedure can stay in the facility of social protection of children and social guardianship on the basis of their request and concluded agreement. The related *amendment to Act No. 305/2005 on Social Protection of Children and Social Guardianship* also brings the following changes:

- Provision of a contribution to facilitate the independence of the unaccompanied minor who was placed in a foster home and reached full age;
- The obligation of the foster home to create the conditions for conducting an interview with an unaccompanied minor usually in the foster home;
- The obligation of the foster home to create conditions for the meeting of unaccompanied minors with representatives of international organisations;
- The obligation of the foster home to inform the Mol SR that a minor who applied for asylum left the foster home without consent. In case the child stays outside such facility without consent for more than seven days, this shall constitute a reason for suspending the procedure under the Act on Asylum;
- Co-operation of the authority for social protection of children and social guardianship with the International Organization for Migration in ensuring voluntary return or departure.
- The provision concerning unaccompanied minors placed in a foster home pursuant to which the enforcement of a court decision (enforcement of an interim measure, enforcement of institutional care) terminates upon the submission of an asylum application was deleted.⁹⁵

The activities in this field were also covered by two national projects financed from EU funds (EIF)⁹⁶ and implemented until the end of June 2015:

⁹² Source: Statistical Overview of Legal and Irregular Migration 2015.

⁹³ The main reason for changes in the act is the transposition of Directive of the European Parliament and of the Council on common procedures for granting and withdrawing international protection (Recast Procedural Directive) and Directive laying down standards for the reception of applicants for international protection (Recast Reception Conditions Directive). The transposition of these directives means the end of the 2nd phase of building the Common European Asylum System. The Reception Directive lays down, inter alia, the obligation of the Member State to ensure the placement of children applying for international protection (asylum or subsidiary protection) in another accommodation facility suitable for minors. The deadline for the transposition of both directives was 20 July 2015, except for Article 31(3) to (5) of Directive 2013/32/EU of the EP and of the Council regarding the deadlines for the issue of a decision and its extension, where the deadline for transposition is 20 July 2018. The amendment to the Act on Asylum also amends the Code of Civil Procedures, the Act on Social Protection of Children and Social Guardianship, the Act on Residence of Aliens, and the Act on Provision of Legal Assistance to persons in Material Need.

⁹⁴ The specialised Foster Home for Unaccompanied Minors in Horné Orechové in Trenčín was closed on 01 January 2014. This foster home operated since 2009, and its function has been taken over by the Foster Home and Children's Centre in Medzilaborce, Eastern Slovakia.

⁹⁵ Source: <http://www.minv.sk/?tlacove-spravy&sprava=novela-zakona-o-azyle-sa-zaobera-aj-maloletymi-ziadatelmi-bez-sprivedu> (consulted on 07/03/2016).

⁹⁶ Source: <http://www.minv.sk/?podporene-projekty-3> (consulted on 07/03/2016).

The Bakhita IV project (see sub-section 5.5.6), implemented by the Slovak Catholic Charity, follows up on the previous projects of this organisation, which focused on work with minor refugees. The project ensured psychological, pedagogical and social counselling to UAMs in the Foster Home and Children's Centre in Medzilaborce, concentrating on their optimal psychosocial development and adaptation in an unfamiliar environment. The expert team consisted of a psychologist, a social counsellor, and a teacher. The task of the psychologist was to analyse the psychological needs and to conduct therapy to mitigate the bad psychological conditions of UAMs. The teacher was responsible for Slovak language teaching in an appropriate form. The organising of cognitive and educational activities was the role of the social counsellor.⁹⁷

The project Legal counselling on residence and citizenship 5 (see sub-section 5.5.6), implemented since July 2014, followed up on the project of the Human Rights League with the same title, which, among others, focused on legal assistance and counselling to UAMs.⁹⁸ In addition, brochures in several language versions are published for this category of migrants.

Slovakia also joined the multi-national project Best practice in the determination and implementation of durable solutions for separated children in Europe with the participation of the Human Rights League and in co-operation with the advisory committee in which the competent state authorities of Slovakia were also represented. The project resulted in the compilation of the National Report of the Slovak Republic^{99, 100}

4.2 Other Vulnerable Groups

Other changes brought by *amendment to Act No. 480/2002 Coll. on Asylum* with effect from 20 July 2015 are:

- Identification of the special needs of vulnerable persons (e.g. minors, disabled persons, pregnant women, victims of trafficking in human beings, etc.). Their needs will be taken into account in the creation of appropriate conditions for accommodation and care.
- The mandatory presence of the minor upon the submission of his/her declaration (claim) about applying for asylum or subsidiary protection. (The declaration is submitted by the minor's legal representative or guardian appointed by court.)
- The Ministry of Interior ensures, if possible, the conducting of the interview and interpreting by a same-sex person also based on the asylum seeker's request, and not only for reasons in exceptional circumstances, as previously stipulated in the legislation.
- Introduction of a special procedure with respect to asylum seekers who need special procedural guarantees, such as postponement of conducting of the interview.

In connection with the transposition of the Recast Procedural Directive, the *amendment to Act No. 327/2005 on Provision of Legal Assistance to Persons in Material Need* explicitly stipulates the rules of providing legal assistance during the detention procedure of third-country nationals and asylum seekers. Legal assistance related to such procedures will be provided in a similar manner in procedural terms as in the case of administrative expulsion procedure.¹⁰¹

⁹⁷ Source: <http://www.charita.sk/stranky/pomoc-utecencom> (consulted on 07/03/2016).

⁹⁸ Source: <http://www.hrl.sk/projekty/pravna-poradna-pre-pobyt-obciansvo-5> (consulted on 07/03/2016).

⁹⁹ Available at: <http://www.hrl.sk/en/publications> (consulted on 07/03/2016).

¹⁰⁰ Source: <http://www.hrl.sk/aktuality/narodna-sprava-o-trvalych-rieseniach-pre-odlucene-deti-na-slovensku> (consulted on 07/03/2016).

¹⁰¹ Information provided by the MO Mol SR.

In order to increase participation of the most vulnerable persons and persons exposed to threats, including participation in the labour market, the COLSAF prepared for the new programming period a national project Supporting the integration of foreigners in facilities for social protection of children and social guardianship. The target groups are a) children, adult individuals and families who are subject to measures of social protection of children and social guardianship; b) staff implementing policies and measures in the field of the prevention of discrimination and/or social inclusion in the public and non-public sectors; c) entities implementing measures related to social protection of children and social guardianship; d) entities carrying out activities in public interest. The project activities include: a) increasing the effectiveness of work with foreigners who are subject to SPCSG measures (exploring the opinions of children in their mother tongue or in the language reasonably understood by the child given his/her age and mental development, Slovak language training for foreigners); b) staff training in SPCSG facilities and offices of labour, social affairs and family, increasing the effectiveness of socio-psychological care for foreigners; c) ensuring access to international protection, legal counselling and legal assistance to foreigners.¹⁰²

¹⁰² Information provided by the COLSAF.

05

Legal Migration and Mobility

5.1 Economic Migration

5.1.1 Satisfying Labour Market Needs – Admission Policies and Legislation

Policies

No substantial changes occurred in 2015 with respect to the labour market policy compared to 2014. At present, Slovakia does not have quotas for labour migration. Labour migration focuses on compensating for the shortages of available labour forces on the labour market, in particular on scarce jobs. The COLSAF publishes monthly statistics on the situation, development and structure of employment at its website, and carries out analyses and prognoses of labour market developments.

The influx and outflow of third-country nationals and EU nationals to and from the Slovak labour market are monitored in monthly intervals. The impacts of the labour migration of foreign workers on the Slovak labour market are not analysed.¹⁰³

The preparation of a *list of scarce jobs* is still a planned activity, e.g. jobs requiring higher education which are difficult to fill with domestic labour force for longer periods of time. These jobs would

¹⁰³ Source: http://www.upsvar.sk/statistiky/zamestnavanie-cudzincov-statistiky.html?page_id=10803 (consulted on 07/03/2016).

not require a labour market test by verifying the possibility of filling the vacancy with job applicants recorded by the office of labour, social affairs and family, and job applicants would be only required to prove the education/qualification needed in line with the applicable legislation.¹⁰⁴

In connection with support of entrepreneurship and vocational preparation of migrants from third countries in the context of the migration crisis, the Ministry of Economy SR identified the following potential activities within its scope of operation¹⁰⁵:

1. Startup visas for third-country nationals enabling persons with innovative ideas from outside the EU to stay in the Slovak territory during one year on the basis of a national visa.¹⁰⁶ Authors of startup projects will be able to use all existing services for the implementation of their projects under the condition of establishing a company in Slovakia. The proposed measure forms a part of the *Concept of Supporting Startups and Startup Ecosystem in the Slovak Republic*¹⁰⁷ of June 2015 and is envisaged to be fully implemented by the MoE SR by the end of March 2016.¹⁰⁸
2. Training centres available also to third-country migrants. In 2015, the MoE SR and the MoESRS SR in co-operation with other ministries began to prepare the strategy of national training centres. The training centres will be established by higher territorial units for strategic sectors (automotive industry and mechanical engineering, electrical engineering, ICT, metallurgy) and prospective sectors (automation, robotics, light metals, chemical industry, creative and energy industries) both of which struggle with the shortage of qualified labour forces. The pilot Training Centre for Automotive Industry in Nitra is envisaged to be established in 2016. The training centres could also be used for retraining courses for migrants.
3. Supporting the entrepreneurship of migrants from third countries. In co-operation with SBA and the MoI SR, it is necessary to eliminate barriers to the business activities of third-country nationals, as identified in the project Improving the labour market conditions and entrepreneurship of third-country nationals, implemented in 2014–2015. As part of the building of the SBA national business centre, special business counselling will also be provided to third-country nationals.¹⁰⁹

¹⁰⁴ Information provided by the MoLSAF SR.

¹⁰⁵ The list of these activities forms part of Resolution of the Government of the Slovak Republic No. 568/2015 of 21 October 2015 on the Information on the Support of Activities of Non-Governmental Organisations in the Framework of Humanitarian and Integration Support of Refugees, submitted by the initiators of the petition *Plea for Humanity*.

¹⁰⁶ A third-country national may enter Slovakia on the basis of a national visa which must be requested at the diplomatic mission abroad. The applicant for national visa is required to submit together with the application and required documents a statement issued by the respective committee (selection committee) composed of the representatives of state administration (in particular the MoF SR, MoE SR and MoESRS SR) and the private sector confirming that the project was approved by the committee as part of the startup programme. The applicant is also required to present a bank account balance statement with a minimum of EUR 8,000 for the purposes of operating in Slovakia. In the case of a favourable opinion of the MoI SR, the applicant is issued a national visa in the interest of Slovakia for a period of 12 months. The diplomatic mission must decide on the application within ten days. The national visa is issued in Slovakia's interest.

If the third-country entrepreneur plans to stay in Slovakia for more than 12 months, s/he is required to apply for temporary residence for the purpose of business by the last day of the visa validity at the latest.

¹⁰⁷ Source: http://www.rokovania.sk/File.aspx/ViewDocumentHtml/Mater-Dokum-189244?prefixFile=m_ (consulted on 07/03/2016).

¹⁰⁸ Information provided by the MoE SR.

¹⁰⁹ Resolution of the Government of the Slovak Republic No. 568/2015 of 21 October 2015 on the Information on the Support of Activities of Non-Governmental Organisations in the Framework of Humanitarian and Integration Support of Refugees, submitted by the initiators of the petition *Declaration for Humanity*, available at: <http://www.rokovania.sk/Rokovanie.aspx/BodRokovaniaDetail?idMaterial=25067> (consulted on 24/01/2016).

Legislation

In 2015, the following legislative changes were made with respect to the reception and employment of third-country nationals with effect from 02 January 2016:

By Act No. 353/2015 Coll. on changing and amending Act No. 5/2004 Coll. on Employment Services and on changes and amendments to some acts, as amended, and amending some other acts:

- Article 21b(5) of Act No. 5/2004 Coll. was amended in such way that the confirmation of possibility to fill a vacancy, which contains a consent to filling the vacancy, is issued for the anticipated period of employment and for not more than two years.
- Amendment to Article 23(3) and (4) concerning work permit. Under Article 23(3) of Act No. 5/2004 Coll., the COLSAF shall grant the work permit maximum for the anticipated duration of employment and for not more than two years or for not more than five years, if so stipulated in an international treaty by which the Slovak Republic is bound and, in the absence of such treaty, if reciprocity is guaranteed; in the case of employment for the purpose of seasonal work, the work permit shall be issued for a maximum of 180 days during 12 consecutive months.
- Article 23(4) of Act No. 5/2004 Coll. on Employment Services stipulates that, on the request of a third-country national, the COLSAF may extend, also repeatedly, the work permit to maximum two years. The total period of the work permit of a third-country national who was granted the work permit under Article 22(8)¹¹⁰ may not exceed 48 months during the period of five consecutive years. Article 21(5)¹¹¹ and Article 22 (work permit) shall reasonably apply to the extension of the work permit; this shall not apply to third-country nationals who were granted a work permit for more than two years under Article 23(3).

Further to the amendments to the Act on Employment Services related to the extension of the period for which the confirmation of possibility to fill a vacancy is issued and for which the work permit is granted, the maximum period for which temporary residence for the purpose of employment is granted or renewed was also modified to a maximum period of five years in Act No. 404/2011 Coll. on Residence of Aliens and on changes and amendments to some acts, as amended, with effect from 01 January 2016:

- Article 23(3) (temporary residence for the purpose of employment) of Act No. 404/2011 Coll. stipulates that the police department shall grant temporary residence for the purpose of employment for the anticipated period of employment and for a maximum period of five years;
- Article 34(1)(c) (renewal of temporary residence) of Act No. 404/2011 Coll. stipulates that the police department may renew temporary residence for a maximum period of five years in the case of third-country nationals as per Article 23 (temporary residence for the purpose of

¹¹⁰ Article 22(8) of Act No. 5/2004 Coll. on Employment Services reads as follows: The Office shall grant the work permit to the third-country national who has an employment relationship with an employer who has his registered office or the office of its organisational unit with no institutional changes.

legal personality outside the territory of the Slovak Republic and which posts such worker on the basis of a contract concluded with a legal entity or a natural person to perform work in the territory of the Slovak Republic upon arrangement of the numbers and occupations of posted workers and the period of their posting with the legal entity or natural person with which the third-country national will be posted to perform work.

¹¹¹ The employer who is willing to employ a third-country national under Article 22(6) is obliged to inform the Office in writing about vacancies, their numbers and description by at least 15 working days prior to the submission of the application for the work permit.

employment), Article 24 (temporary residence for the purpose of studies) or Article 27 (temporary residence for the purpose of family reunification), if the anticipated stay of the third-country national will last at least five years.¹¹²

Directive 2014/66/EU of the European Parliament and of the Council of 15 May 2014 on the conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer and Directive 2014/36/EU of the European Parliament and of the Council of 26 February 2014 on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers will be transposed into the Act on Residence of Aliens and the Act on Employment Services in 2016. The draft amendment is supposed to be submitted to the National Council of the SR by September 2016.

Preparations for the transposition of Directive of the EP and of the Council on the conditions of entry and residence of third-country nationals for the purposes of research, studies, pupil exchange, remunerated and unremunerated training, voluntary service and au pairing (recast) are foreseen to begin in 2016.

5.1.2 Efforts to Avoid Social Dumping

In 2015, Slovakia did not adopt any changes or measures whose objective would be avoiding social dumping.

5.1.3 Facilitating admission of migrants to Slovakia

With respect to all categories of migrants listed below, as well as other categories of migrants whose admission is subject to the Act No. 404/2011 Coll. on Residence of Aliens, changes were made in connection with the facilitation of admission of aliens applying for temporary residence on the territory of Slovakia. With effect from 20 July 2015, the amendment to the legislation introduced the possibility of extending the period for the submission of the medical opinion confirming that the third-country national does not suffer from a disease threatening public health. This change responds to practical needs when third-country nationals due to additional and recurrent medical examinations related to the assessment of their health condition and subsequent issue of the medical opinion were not able to present the medical opinion to the police department within 30 days upon up/receiving the residence document.

Highly-qualified workers

No legislative changes were made in this field compared to 2014. Slovakia declares in its Migration Policy its willingness to attract highly-qualified migrants and researchers, which is supported, *inter alia*, by enabling free access of the family members of researchers and highly-qualified migrants to

¹¹² Under the current legislation, the confirmation or permit is issued for the period of employment and maximum for two years with the possibility of repeated extension under the conditions stipulated in the law. Some third countries would enable simplified access of Slovak citizens to their labour market by issuing work visas for a period longer than two years subject to a reciprocal approach by the Slovak Republic on the basis of a bilateral agreement or by guaranteeing reciprocity. In cases specified in an international treaty by which the Slovak Republic is bound or where reciprocity between the SR and the third country is ensured (in simplified form – by exchange of diplomatic notes), changes to the Act on Employment Services and to the Act on Residence of Aliens will enable third-country nationals to be issued the respective confirmation or permit, in the case of the first application, for a longer period of time and for a maximum of five years. This change of provision provides for the possibility of a reciprocal approach to this matter. Resolution of the Government of the Slovak Republic No. 394/2015 of 8 July 2015 on the draft act on changing and amending Act No. 5/2004 Coll. on Employment Services and on changes and amendments to some acts, as amended – new wording, explanatory statement – are available at <http://www.rokovania.sk/Rokovanie.aspx/BodRokovaniaDetail?idMaterial=24822> (consulted on 24/01/2016).

the labour market immediately after being settled in Slovakia. Compared to the previous year, the number of applicants for the Blue Card also increased (year 2014 – 6, year 2015 – 11).

In the framework of cooperation with third countries in the field of economic migration, the MoL-SAF SR prepared together with the MoI SR and the MoFEA SR the *Working Holiday Programme in Slovakia for Participants from Australia*. The programme was approved by the Slovak Government on 26 August 2015¹¹³ and was officially signed on 27 May 2015. The programme aims to facilitate the necessary procedures for entry and stay of young people aged 18 to 30 years from Slovakia and Australia who intend to spend their holiday in the other country with the possibility to work and study. During their stay in Slovakia and Australia, they can enter temporary employment with one employer for a maximum period of six months. They can also begin study or vocational preparation for a period of not more than four months. The participants can use the programme only once.

This programme can be used each year by 200 young people from Slovakia and from Australia who will be granted a visa for a period of 12 months, provided that they meet the set conditions. The conditions are defined in the Memorandum of Understanding signed by the Slovak and Australian Governments in May 2015. The Memorandum does not have the nature of an international treaty, as a result of which it is necessary to adjust the working holiday programme for participants from Australia on the territory of Slovakia according to the Act on Employment Services.^{114 115}

Slovakia concluded similar working holiday programmes with Canada (2011), New Zealand (2012) and Taiwan (2014).^{116 117} Other programmes are at the stage of preparations.

Intra-Corporate Transferees

No new developments compared to 2014.

In 2016, Directive 2014/66/EU of the European Parliament and of the Council of 15 May 2014 on the conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer is envisaged to be transposed into the national legislation (in the form of an amendment to the Act on Residence of Aliens). The deadline for the transposition of the directive by the end of November 2016 is expected to be met.

At the national level, Slovakia does not have any national scheme in place for intra-corporate transferees.

Seasonal workers

No new developments compared to 2014. Even though legislation defines a seasonal work permit, the areas of work which correspond to seasonal employment and which can be filled only on the basis of a seasonal work permit are not specified.

¹¹³ Source: <http://www.rokovania.sk/Rokovanie.aspx/BodRokovaniaDetail?idMaterial=24843> (consulted on 02/04/2016).

¹¹⁴ Source: <http://www.minv.sk/?tlacove-spravy&sprava=vlada-schvalila-program-pracovnej-dovolenky-pre-mladych-z-australie> (consulted on 02/04/2016).

¹¹⁵ Source: <https://www.employment.gov.sk/sk/informacie-media/aktuality/unknown.html> (consulted on 02/04/2016).

¹¹⁶ Source: <https://www.employment.gov.sk/sk/ministerstvo/medzinarodna-spolupraca/europska-unia/zmluvy-mobilite-mladych/> (consulted on 02/04/2016).

¹¹⁷ Source: http://www.upsvar.sk/buxus/generate_page.php?page_id=467839 (consulted on 02/04/2016).

Directive 2014/36/EU of the European Parliament and of the Council of 26 February 2014 on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers is planned to be transposed into the national legislation in 2016. The areas of work which can be covered by seasonal employment will be defined, thus creating an effective tool for seasonal migration. The draft amendment will be presented to the Slovak Government by April 2016.

Entrepreneurs

Under Government Resolution No. 307/2015 of 10 June 2015 on the *Concept for Supporting Startups and Startup Ecosystem in the Slovak Republic*, the Vice-Prime Minister and Minister of Interior and the Vice-Prime Minister and Minister of Foreign and European Affairs are imposed task 1.2.B.19 with the deadline 31 August 2015 to arrange granting of national visa in the interest of the Slovak Republic to selected third-country nationals on the basis of a document on approval of development of an innovative idea in the territory of Slovakia.

Government Resolution No. 568/2015 of 21 October 2015 on Information on the promotion of activities of non-governmental organisations related to humanitarian and integration support of refugees, submitted by the initiators of the petition Plea for Humanity, states that in connection with the support with promotion of entrepreneurship and vocational preparation in the context of the migration crisis, the MoE SR identified within its scope of work, *Startup Visa* as a potential activity in the future.¹¹⁸

The Concept for Supporting Startups and Startup Ecosystem in the Slovak Republic identified several problems¹¹⁹ related, for example, to the stay of foreign innovative individuals in Slovakia. The proposed solution¹²⁰ is the granting of national visa to startups from non-EU countries (“startup visas”).

¹¹⁸ Resolution of the Government of the Slovak Republic No. 568/2015 on the Information on the support of activities of non-governmental organisations related to humanitarian and integration support of refugees, submitted by the initiators of the petition Declaration for Humanity – new wording. Information available on the website http://www.rokovania.sk/File.aspx/ViewDocumentHtml/Mater-Dokum-192972?prefixFile=m_ (consulted on 24/01/2016).

¹¹⁹ Problem V: Stay of innovative individuals in Slovakia: Foreigners, citizens of third-countries (countries which are not European Union Member States, state parties to the Agreement on the European Economic Area or the Swiss Confederation) may enter the territory of the Slovak Republic and stay here for more than 90 days within 180 days only on the basis of a national visa or a residence permit. Since before arrival of a foreign startup (individual or team) from a third country to the Slovak Republic it is not clear whether the project will be successful in the long term, they would enter the Slovak Republic on the basis of the (D) national visa as per Act No. 404/2011 Coll. on Residence of Aliens and on changes and amendments to some acts, as amended. If the startup project proves to be successful and it is reasonable to continue the project in Slovakia by the foreign innovative organisation, the individual is required to apply for temporary residence for the purpose of business within 90 days prior to the expiry of the national visa. The application for national visa needs to be submitted to the respective diplomatic mission of the SR, and the application for temporary residence at the local department of the Aliens Police of the Police Force.

¹²⁰ Solution V: Granting of national visas to startups from countries from outside the European Union (“startup visas”) Information on the possibility to obtain national visas and temporary residence for the purpose of business for startups will be published by the MoE SR and the MoI SR on the respective website dedicated to programmes for the support of startups or entrepreneurship, and also through economic diplomats at diplomatic missions. An individual, willing to file an application for national visa for his/her startup, is first required to consult the project with an economic diplomat and send the project together with the opinion of the economic diplomat to the committee for approval via an on-line system (see section Solution I). The committee would assess the innovative approach of the startup projects for the purposes of granting any of the forms of support proposed in this document. The author of the startup project will be able to enter the Slovak Republic on the basis of a national visa issued in Slovakia’s interest. The national visa applicant is required to submit, together with the application and documents specified in Act No. 404/2011 Coll. on Residence of Aliens and on changes and amendments to some acts, as amended, a confirmation issued by the respective committee (see section Solution I) stating that the committee has approved the applicant’s project in the framework of the startup programme, based on the purpose of the creation of the innovative product or service. Due to this, the issue of the national visa is in Slovakia’s interest. The bank account balance statement submitted by the applicant must certify a minimum deposit of EUR 8,000 serving for the purposes of living and working in Slovakia.

Au pair

No new developments compared to 2014. The legislation does not define “au-pair” activities, and no such definition is considered in the short term.

5.1.4 Facilitating the admission to Slovakia of migrants who are already legally residing in the EU

Long-term residence

No new developments occurred in Slovakia concerning long-term residence compared to 2014.

Equal treatment

In 2015, the new wording of temporary equalizing measures in practice was implemented further to the entry into effect of amended Act No. 365/2004 Coll. on Equal Treatment in Some Areas and on Protection against Discrimination and on changes and amendments to some acts, as amended (Anti-Discrimination Act) from 01 April 2013. On the proposal of the Department of Gender Equality and Equality of Opportunities of the MoLSAF SR, the approved amendment contains, with respect to gender equality, a negative definition of discrimination in connection with equalizing measures. In this regard, the amendment extends the possibility of adopting such measures also on the grounds of sex/gender for all state administration bodies, and also provides such possibility to other legal entities.¹²¹

5.2 Students and Researchers

No new policies or measures were adopted in 2015 to facilitate greater mobility of students and researchers.

The Government of the SR approved, by Resolution No. 23/2015 of 14/01/2015, the draft Agreement on Cooperation between the Government of the Slovak Republic and the Government of the United States of Mexico in the field of education, youth, sports and culture (“draft agreement”). Article 2 (Education) of the draft agreement stipulates, *inter alia*, that the parties to the agreement collaborate in the field of education mainly in the form of exchange of information concerning the education system of both countries; support of direct co-operation between universities and other education institutions of the state parties, mainly through the exchange of students, teachers, scientists and researchers; support of scholarships and programmes of cooperation with a focus on PhD studies and research by public higher education institutions; mutual recognition of qualifications documents, diplomas, academic degrees and titles awarded by the state parties in accordance with their respective legislation; provision of training and consultations relating to their joint projects and participation at expert seminars and conferences; other forms agreed between the parties.

¹²¹ Information provided by the MoLSAF SR.

Paragraph 3.5 (Government Scholarship Programme) of the areas of focus of Slovakia’s bilateral official development aid (ODA) 2015 stipulates that the programme of granting government scholarships to students from development countries in Slovakia for studying at Slovak public higher education institutions is a traditional form of Slovak ODA. The programme is organised by the MoESRS SR in co-operation with the MoFEA SR. Starting from the academic year 2014–2015, Slovakia reduced the territorial and sectoral focus for the implementation of this tool. The number of partner countries was reduced from 35 to 12, and emphasis is placed on compliance of selected fields of study with the SlovakAid priority sectors for individual partner countries. The programme is financed from the budget chapter of the MoESRS SR.¹²²

5.3 Family Reunification

Amendment to Act No. 404/2011 Coll. on Residence of Aliens with effect from 20 July 2015 extended the category of persons who can be granted permanent residence by the police department for an indefinite period of time – through Article 46(1)(b) of Act No. 404/2011 Coll. on Residence of Aliens. Another category includes the third-country nationals who are children under 18 years of age, entrusted into the personal care of a third-country national with permanent residence for an indefinite period of time. This change will positively influence the possibility to ensure a care for a third-country national even when entrusted into the personal care of a person with recognised status of a third-country national with permanent residence for an indefinite period of time.¹²³

5.4 Managing Migration and Mobility

5.4.1 Visa Policy

The Visa Information System (VIS) of the MoI SR acquired a new functionality – VISMAIL II. Recently, Slovakia has successfully completed an international testing prior to the launch of VISMAIL II, planned on 20 January 2016.

The schedule of the VIS roll-out (fingerprinting upon receipt of visa applications) complied with the Commission’s plan, i.e. Region 17 – 23 June 2015, Region 18 – 14 September 2015, Region 19 – 12 October 2015, Region 20 – 02 November 2015 (Slovakia launched the system in India as soon as on 16 June 2014), and Regions 21, 22, 23 – 20 November 2015.

Since 23 January 2015, Slovakia uses outsourcing for the taking of fingerprints in Ukraine and the Russian Federation. For the moment, the outsourcing centres of the company Pony-express in Kiev and Uzhgorod, Ukraine, and of Frightlink in Moscow and Sankt Petersburg in Russia. The number of work places in Russia and Ukraine is expected to increase in 2016 with contractual partners providing outsourcing services related to the collection of visa applications (including fingerprinting).

¹²² Resolution of the Government of the Slovak Republic No. 26/2015 of 14 January 2015 on the Areas of focus of bilateral development cooperation of the Slovak Republic in 2015; information available at: <http://www.rokovania.sk/Rokovanie.aspx/BodRokovaniaDetail?idMaterial=24201> (consulted on 24/01/2016).

¹²³ Information provided by the BBAP PFP.

The following third countries were shifted to the list of visa-free countries with the entry into effect of Regulation (EU) No 509/2014 of the European Parliament and of the Council of 15 May 2014 amending Council Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement: Dominica, Grenada, Kiribati, Marshall Islands, Micronesia, Nauru, Palau, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Solomon Islands, Timor-Leste, Tonga, Trinidad and Tobago, Tuvalu, the United Arab Emirates, Vanuatu, Colombia and Peru. The shifting of these countries to the visa-free list does not automatically mean exemption of their citizens from the visa requirement. In all these cases, exemption from the visa requirement is contingent on concluding an agreement between the EU and the particular third country on exemption from the visa requirement. Such agreements have so far been signed only with Colombia, the United Arab Emirates, Tongo, Kiribati and Palau; a visa-free regime actually applies only with respect to these countries.¹²⁴

(Member) State with which the visa representation agreement exists	Country acting as representative
1. Belgium	Democratic Republic of Congo – Kinshasa Burundi – Bujumbura
2. Czech Republic	Afghanistan – Kabul (DP a SP from 01/01/2015) Algeria – Algiers Ethiopia – Addis Abeba (from 2015) Philippines – Manila Ghana – Accra Iraq – Erbil (from 2015) Democratic People’s Republic of Korea – (from 2015) Mongolia - Ulaanbaatar Pakistan – Islamabad
3. Lithuania	Georgia
4. Latvia	Azerbaijan
5. Hungary	Albania – Tirana Moldova – Chisinau Saudi Arabia – Riyadh India – Mumbai (from 2015) China – Chongqing (from 2015)
6. Poland	Armenia – Yerevan

¹²⁴ Information provided by the BBAP PFP.

7. Portugal	Angola – Luanda, Benguela Guinea-Bissau – Bissau Cape Verde – Praia Mozambique – Maputo Sao Tomé and Príncipe – Sao Tomé East Timor – Dili
8. Austria	Jordan – Amman Lebanon – Beirut Morocco – Rabat United Arab Emirates – Abu Dhabi (from 2015) USA – Los Angeles (Alaska, Arizona, Colorado, Hawaii, Idaho, California, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming, dependent American territories) from 2015
9. Slovenia	Montenegro – Podgorica
10. Spain	Haiti – Port-au-Prince Jamaica – Kingston Columbia – Bogota Peru – Lima
11. Switzerland	Nepal – Kathmandu Tanzania – Dar es Salaam South Africa – Cape Town (provinces of Eastern Cape, Northern Cape and Western Cape) from 2015 Sudan – Khartoum, from 2015 Tunisia – Tunis, from 2015 Kyrgyzstan – Bishkek, from 2015
12. Sweden	Nigeria – Abuja (for the citizens of Nigeria, Liberia and Sierra Leone)
13. Italy from 2015	Bangladesh – Dhaka Bolivia – La Paz Kongo – Brazzaville Eritrea - Asmara Oman – Muscat Sri Lanka – Colombo Uganda – Kampala Zambia – Lusaka Zimbabwe – Harare

Regarding issuance of visas, Slovakia substitutes/acts for the Czech Republic in Kenya (Nairobi) and in Cyprus (Nicosia), Lithuania in China (Shanghai), Latvia in South Korea (Seoul), Mexico (Mexico) and Romania (Bucharest), Hungary in Cyprus (Nicosia), Portugal in Belarus (Minsk), Slovenia in Cyprus (Nicosia), Romania (Bucharest) and Ukraine (Uzhgorod).

In 2015, Slovakia ceased to represent/ended the representation of Belgium and Switzerland in Iraq.¹²⁵

In 2015, the Ministry of Economy SR worked on new startup visas (see sub-section.1.1.). Slovak diplomatic missions issued 74,114 visas in 2015, as compared to 93,817 visas in 2014 (see Table 5).

5.4.2 Schengen Governance

The SK Government approved, by Resolution No. 128 of 18 March 2015, the *National Border Control Management Plan of the Slovak Republic 2015–2018*. The new national plan follows up on the National Border Control Management Plan of the Slovak Republic 2011–2014, aiming at ensuring continuity in the process of building integrated border management in the SR and sets out Slovakia's main tasks in the development of integrated border management for the next four years. These include, for example, the completion of static control systems in the northern section of the border with Ukraine (building of a 20km detection monitoring system in the northern section of the external border of Slovakia with Ukraine).

Act No. 131/2015 Coll. on changing and amending Act No. 480/2002 Coll. on Asylum and on changes and amendments to some acts, as amended, changed and amended Act No. 404/2011 Coll. on Residence of Aliens and on changes and amendments to some acts with effect from 20 July 2015. Besides other changes, this amendment imposed on a person intending to install technical equipment for visual image or voice recording at a land in the proximity of the external border to inform in advance the police department responsible for the external border about such intention in writing, with the effect from 20 July 2015.

Act No. 404/2011 Coll. on Residence of Aliens and on changes and amendments to some acts was changed and modified also in connection with legislative measures related to fight against terrorism. The new provision which entered into effect on 01 January 2016 introduced, among other things, the obligation to deny departure through the external border to a Union citizen in case s/he fails to present a valid identity document or a valid travel document, or to a family member of a Union citizen if s/he fails to present a valid travel document. The police department shall also deny departure through the external border to a Union citizen or a family member of a Union citizen if there are reasonable grounds to believe that s/he would join combating or other activities abroad in favour of an organised armed group. The air carrier will be obliged to provide information about passengers transported to the Slovak territory through the external border (API data) at request and to the Slovak Intelligence Service.

5.4.3 Ensuring Slovakia against Fluctuating Migration Pressures

By *Measure on staff to address increased irregular migration flows*, the Minister of Interior SR set up a mechanism (staff) within the ministry with the main task to deal with increased irregular migration flows in the territory of Slovakia in a prompt, efficient and comprehensive manner. The

¹²⁵ Information provided by the BBAP PFP.

main tasks of the staff include decision-making on the reinforcement of service in the detection of irregular migration on the territory and constant monitoring and evaluation of the state of irregular migration on the territory of Slovakia through Slovakia's external or internal borders. If needed, the staff is expected to deploy sufficient forces and funds to detect irregular migration on the territory of Slovak and implement other related measures.

In 2015, it was necessary to adopt immediate internal measures in connection with the need to address the situation of overfilled police detention facilities for aliens which were not able to receive new persons for capacity reasons. It was necessary to seek new solutions for the placement of aliens, mainly with regards to the families with children. Since Slovakia has only two such facilities, steps have been made to create a new facility for the placement of aliens.¹²⁶

In October 2015, concurrence training of the members of the Police Force and Armed Forces of SR was held with the support of the Fire and Rescue Service. This training aimed to ensure joint deployment of police and soldiers in mixed guards at designated check-points all along the Slovak-Hungarian border.

A foreign police unit was set up in November 2015 to protect the EU Schengen border, which can be used not only abroad, but also within Slovakia (see sub-section 7.1.1 in Policies, Training and Cross-Border Cooperation).

5.5 Integration

Main programme document in the migrant integration from third countries was in 2015 *Integration Policy of the Slovak Republic*,^{127, 128} based on which MOLSAF SR elaborated first cross-ministerial *Summary Report on the State of Fulfilment of the Aims and Measures of Integration Policy of the Slovak Republic in 2014*.¹²⁹

Integration projects implemented in Slovakia in 2015 were mainly financed from the EIF, AMIF fund was approved on 29 July 2015 (see sub-section 5.5.6). No national project on migration and integration of third-country nationals was supported through the EU Funds Section of the ESF. In 2016, it is planned to implement the project Promoting foreigners' integration in SPCSG facilities (see sub-section 5.5.2).

5.5.1 Socio-Economic Participation

In the EIF framework, the Slovak Business Agency implemented the project *Improving labour market conditions and the entrepreneurship of third-country nationals* from March 2014 until the end of June 2015. This project dealt with the description and evaluation of the labour market and business conditions of third-country nationals and with a proposal for measures to improve the economic integration of third-country nationals. The research part of the project resulted in a qualitative research report made on the basis of a selected group of different types of mi-

¹²⁶ Information provided by the BBAP PFP.

¹²⁷ Integration Policy of the Slovak Republic was approved by the Resolution of the Government of the Slovak Republic No. 45/2014 of 29 January 2014 on the draft Integration Policy of the Slovak Republic. The Government Resolution tasks the Minister of Labour, Social Affairs and Family to submit to the government the Summary Report.

¹²⁸ Source: <https://www.employment.gov.sk/sk/ministerstvo/integracia-cudzincov/zameranie-integracnej-politiky-sr.html> (consulted on 21/04/2016).

¹²⁹ Source: http://www.rokovania.sk/File.aspx/ViewDocumentHtml/Mater-Dokum-184443?prefixFile=m_ (consulted on 21/04/2016).

grants from third countries with a residence permit in Slovakia for the purpose of business, and a manual for the promotion of entrepreneurship of third-country nationals in various language versions. Two focus group debates and a public conference on improving the economic integration of third-country nationals were held as well.

5.5.2 Promoting Integration of Specific Migrant Groups

As far as the promotion of integration of UAMs is concerned, the national project *Promoting foreigners' integration in SPCSG facilities* is planned to be implemented in 2016 from ESF funds through the EU Funds Section.¹³⁰ The project aims to address issues related to the integration of this vulnerable group¹³¹ in a comprehensive and systemic manner. The project activities aim to improve the effectiveness of work with foreigners subject to SPCSG measures, organise training for staff of SPCSG facilities and labour offices, improve social-psychological care of foreigners, and ensure access to international protection, legal counselling and legal assistance to foreigners.

Besides standard actors from the state and the non-governmental sector, volunteers from the Who Would Help initiative (see sub-section 5.5) also joined the process of integration of persons under international protection in Slovakia for the first time in 2015.

In 2015, the SK Government imposed the MoESRS SR to ensure through universities of the third age standardised instruction of Slovak as a foreign language and Slovak realities for asylum seekers and persons under subsidiary protection from 2016. The MoESRS SR is due to organise a 10-month course of the Slovak language and vocational preparation for a maximum of 30 Syrian citizens with temporary residence from 01 September 2016.¹³²

Further to the migration situation, the SK Government decided to set up the first state integration programme for beneficiaries of international protection as an interim scheme until 30 November 2015 and as a systemic solution to the integration of this migrant group until 31 December 2016.¹³³ This state integration programme is expected to become an extended programme of the Integration Policy of the SR mainly in the field of housing, education and access to the labour market. The IOM as the EMN coordinator in Slovakia organised in cooperation with the MO Mol SR which was in charge of the programme preparation the EMN conference *Integration programmes for persons under international protection* in Bratislava in December 2015 and a follow-up *Expert roundtable* (see sub-section 3.5) with the aim to obtain knowledge and recommendations from national and foreign experts.

The amendment to the Act on Asylum¹³⁴ reduced, with effect from 20 July 2015 and in compliance with Article 15(1) of the Reception Directive¹³⁵, the period after the expiry of which asylum

¹³⁰ The intention of the the national project was approved by the commission for Priority Axes 2, 3 and 4 of the Monitoring Committee for the Operational Programme Human Resources in 2015. At present, the project is at the stage of preparation of the grant application. The national project beneficiary is the COLSAF, and the project partners are the Foster Home Dľaň Medzilaborce, the IOM and legal aid centres.

¹³¹ On the grounds of age, other cultural background, lack of knowledge of the language and of the situation in the country in which they stay (culture, traditions, religion) and lack of knowledge about their families and their country of origin.

¹³² Resolution of the Government of the Slovak Republic No. 568/2015 on the Information on the support of activities of non-governmental organisations related to humanitarian and integration support of refugees, submitted by the initiators of the petition Declaration for Humanity.

¹³³ Resolution of the Government of the Slovak Republic No. 568/2015 on the Information on the support of activities of non-governmental organisations related to humanitarian and integration support of refugees, submitted by the initiators of the petition the Plea for Humanity.

¹³⁴ The Act on Asylum was amended by Act No. 131/2015 Coll. on changing and amending Act No. 480/2002 Coll. and on changes and amendments to some acts, as amended.

¹³⁵ Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (recast).

seekers are free to access the labour market from one year to nine months without the need to obtain the work permit. In case the asylum application is rejected as inadmissible or manifestly unfounded, asylum seekers are free to enter the labour market after nine months if the court decides to postpone the enforcement of such decision (i.e. the decision of the Mol SR to the appeal against has a suspensory effect).

Once acquiring international protection, third-country nationals are normally free to enter the labour market and are considered disadvantaged job seekers.

5.5.3 Citizenship and Naturalisation

No new developments with regard to third-country nationals. In 2015, the Act No 40/1993 Coll. on the state citizenship was not amended.

5.5.4 Cooperation and activities at local level

Until the end of June 2015, the Association of Slovak Towns and Cities (ZMOS) pursued the project *BUK: Capacity building in the field of integration policy at the level of local territorial self-governments*. The project financed from EIF funds aims to provide assistance to local authorities and ZMOS members in the management of TCNs integration at the level of local self-governments through the testing of pilot measures in participating towns (Svidník, Snina, Senec, Prievidza, Michalovce, and also Dolný Kubín and Banská Bystrica from December/January 2015) as well as through other supportive activities.¹³⁶

5.5.5 Involvement of Countries of Origin

Until the project completion in June 2015, the MoLSAF SR was the expert partner of the IOM national project *Headstart: Fostering Integration before Departure* which aimed to increase, on the basis of shared information and good practice, the capacities in countries of origin for the provision of relevant and efficient pre-departure integration services to third-country migrants coming to the EU through better networking among European countries and with countries of destination, as well as through better coordination of pre-departure and post-departure integration services. One of the project outcomes was a handbook for practitioners on information and counselling centres in countries of origin *Running an Effective Migrant Resource Centre: a Handbook for Practitioners*.¹³⁷

5.5.6 Integration Projects

Practical measures promoting foreigners' integration and exchange of experience continued to be implemented in 2015 mainly by international and non-governmental organisations in the framework of on-going projects from the previous year, financed from EIF¹³⁸:

¹³⁶ Source: <http://www.projektbuk.sk/> (consulted on 07/03/2016).

¹³⁷ Source: Bachtíková, Oboňová (2015): Annual Report on Migration and Asylum Policies. Slovak Republic 2014. European Migration Network, IOM Bratislava.

¹³⁸ Source: <http://www.minv.sk/?podporene-projekty-3> (consulted on 14/03/2016).

a) Projects supporting migrant integration

IOM Migration Information Centre to Support Integration of Migrants in Slovakia (Phase VII)

The main project objective was to contribute to the effective social, economic and cultural integration of foreigners in Slovakia through counselling, training and information services. The project also supported effective cooperation between foreigners' communities and the general population and created space for intercultural dialogue, supported foreigners' community life, improved selected skills of the representatives of foreigners' communities, thus creating the conditions for efficiently addressing issues related to foreigners' integration.

Since 2006, the *IOM Migration Information Centre (MIC)*, with its offices in Bratislava and Košice, has been the first and so far the only information centre in Slovakia providing TCNs with complex services "under one roof" in the field of legal counselling, labour market inclusion and support of migrants' community life. Among other things¹³⁹, the MIC in Bratislava and Košice organised in 2015 eight *INFO days for foreigners* which were used by 138 foreigners from 30 countries. The model of integrated counselling enabled foreigners in Slovakia to deal with their agenda and obtain information under one roof from MIC legal consultants, members of aliens police departments and the staff of labour offices, trade licence offices, citizenship and civil register offices and health insurance companies.¹⁴⁰

Legal counselling on residence and citizenship 5

The project of the Human Rights League aimed to provide complex legal aid and legal representation to third-country nationals and unaccompanied minors, including on-line legal counselling (see sub-section 4.1).¹⁴¹

Bakhita IV

Project implemented by the Slovak Catholic Charity with the main objective to support the integration of unaccompanied minor foreigners into society through professional services focused on their psycho-social development and adaptation (see sub-section 4.1).

New minorities in images, tones and live

Project by the Milan Šimečka Foundation with the main objective to support the process of integration of foreigners into Slovak society through mutual cultural and social exchanges between foreigners' communities and Slovak citizens via selected communication channels (see sub-section 3.1.3).¹⁴²

¹³⁹ By means of e-mail, phone or personal consultations, supporting education – re-training courses, individual labour counselling, regional multicultural and information events on migration and cultural diversity, and field work together with cultural mediators.

¹⁴⁰ Source: <http://www.iom.sk/sk/novinky-a-podujatia/757-iom-activities-and-achievements-2015> (consulted on 14/03/2016).

¹⁴¹ Information provided by the FAD EPS MoI SR.

¹⁴² Information provided by the FAD EPS MoI SR.

b) Projects for experience sharing among experts and reinforcement of their capacities

Improving labour market conditions and the entrepreneurship of third-country nationals

Project by the Slovak Business Agency (National Agency for the Development of Small and Medium-Sized Entrepreneurship until February 2014) aimed to characterise and evaluate the labour market and the entrepreneurship conditions of TCNs and to propose measures to improve the economic integration of TCNs (see sub-sections 5.1.1. and 5.5.1).

BUK: Capacity building in the field of integration policy at the level of local territorial self-governments

Project by ZMOS (see sub-section 5.5.4).

Enhancing the intercultural skills and regional cooperation of experts working with migrants in

Slovakia V

Project by IOM aimed at capacity building of experts providing services to the target group¹⁴³; active involvement of cultural mediators from different foreigners' communities in the project supported the mutual interaction of the respective groups and ensures the taking into account of foreigners' needs.

In March 2015, the IOM organised two two-day training sessions for members of alien police departments and the staff of the offices of labour, social affairs and family, district offices, legal aid centres, MoLSAF SR, local councils and offices of self-governing regions. The trainings were followed by two workshops in Banská Bystrica and Trnava. The workshops formed the second part of the training programme for public administration staff working with foreigners from non-EU countries (see MIC project above).¹⁴⁴

5.6 Provision of Information and Awareness Raising

5.6.1 Legal Migration Conditions and Possibilities/Channels

No new developments.

Unlike the stipulation in the Migration Policy of the SR of 2011 and Integration Policy of the SR of 2014, no information and consultation centres were set up in countries of origin as one of the measures in 2015 in the framework of raising migrants' awareness prior to their arrival in Slovakia.

Foreigners continued to be provided with information on the conditions of entry, residence, work, business, studies, etc. by Slovak diplomatic missions abroad. In Slovakia, migrants receive

¹⁴³ The target group of the training sessions consisted of representatives of APDs PF, labour offices, legal aid centres, district offices, labour inspectorates, as well as the representatives of towns, municipalities, higher territorial units and health insurance companies.

¹⁴⁴ Source: <http://iom.sk/sk/aktivita/17-aktivita/integracia-migrantov/18-posilnenie-interkulturnych-zrucnosti-a-regionalnej-spoluprace-odbornikov-pracujucich-s-migrantmi-v> (consulted on 14/03/2016).

information and necessary documents from the APD PF¹⁴⁵. The Bratislava office of the APD PF prolonged its office hours in 2015. Third-country migrants could use the helpline, personal consultations and the website of the IOM Migration Information Centre (MIC)¹⁴⁶ offering up-to-date information and brochures in several languages, or the on-line counselling centre of the Human Rights league¹⁴⁷. They can also consult the websites of the MoI SR www.minv.sk, the MoFEA SR www.mzv.sk, the MoLSAF SR www.employment.gov.sk, labour offices www.upsvar.sk, the on-line EU Immigration Portal¹⁴⁸ 132, and the website of the EURES network¹⁴⁹.

The MIC also provided professional counselling and presented its services at the pre-departure preparation training for consular officers at diplomatic missions abroad under the umbrella of the training centre of the MoFEA SR.¹⁵⁰

5.6.2 Awareness Raising on Migration in Slovakia

The SK Government imposed the MoI SR, the MoLSAF SR and the MoESRS SR the task to create by 2016 and administer an *internet information portal on foreigners' integration in Slovakia* as a comprehensive up-to-date source of information.¹⁵¹ Since January 2016, the portal is available on the MoLSAF SR website, section on "Information for foreigners", and provides basic information on entry and residence of foreigners in Slovakia, and on housing, employment and education.¹⁵²

The project by the Milan Šimečka Foundation *New minorities in images, tones and live* under the EIF, running until the end of June 2015 (see sub-section 5.5.6), aimed to support the process of foreigners' integration into Slovak society through mutual cultural and social exchange between foreigners' communities and Slovak citizens by means of selected communication channels. The project involved 12 migrant communities, produced ten parts of a TV programme for the support of foreigners' integration, and organised ten community events for the general public (in the framework of the [fjúžn] festival and "Sunday Parade" events which promoted migration and foreigners' integration topics.¹⁵³

In the framework of the project *IOM Migration Information Centre to Support Integration of Migrants in Slovakia (Phase VII)* (see sub-section 5.5.6), the centre prepared four regional multi-cultural and information events on migration and cultural diversity. The basic focus of the events was the promotion of community life through intercultural dialogue mainly in Slovak regions – in four selected towns: Prešov, Žilina, Banská Bystrica and Košice. The events were attended by over 600 persons.¹⁵⁴

145 Besides receiving residence applications, APDs provide third-country nationals and their legal representatives information regarding legal migration.

146 Source: <http://mic.iom.sk/en/> (consulted on 10/01/2016).

147 Source: <http://www.hrl.sk/> (consulted on 10/01/2016).

148 Source: <http://ec.europa.eu/immigration/> (consulted on 10/12/2016).

149 Source: <http://www.eures.sk/> (consulted on 14/03/2016).

150 Information provided by the IOM.

151 Tasks related to Resolution of the Government of the Slovak Republic No. 568/2015 on the Information on the support of activities of non-governmental organisations related to humanitarian and integration support of refugees, submitted by the initiators of the petition Declaration for Humanity.

152 Source: <https://www.employment.gov.sk/sk/informacie-cudzincov/> (consulted on 14/03/2016).

153 Information provided by the FAD EPS MoI SR.

154 Source: <http://www.iom.sk/sk/novinky-a-podujatia/757-iom-activities-and-achievements-2015> (consulted on 14/03/2016).

In 2015, the EMN in Slovakia prepared again events designed for the public – the premiere of the Hollywood movie *The Good Lie* on refugees from Sudan resettled to the United States¹⁵⁵, and a discussion evening *Europe or Death?* accompanied by the screening of a foreign documentary.¹⁵⁶

5.7 Guaranteeing Migrant Rights and Non-discrimination

On 18 February 2015, the SK Government approved the *Nationwide Strategy for the Protection and Promotion of Human Rights in the Slovak Republic*¹⁵⁷, which focuses on vulnerable groups of people, including migrants. The strategy imposes several tasks, such as a comprehensive analysis of the state of enforcement and protection of human rights in Slovakia to be performed by the MoFEA SR by the end of 2016.^{158 159} On the basis of this strategy, the new *Action Plan on Prevention of All Forms of Discrimination 2015–2019* was prepared and approved.¹⁶⁰ Other important sources to support the Action Plan activities include, in addition to common activities, projects supported under the *Operational Programme Human Resources (OP HR)*¹⁶¹ and *Effective Public Administration (OP EPA)*.¹⁶²

In October 2015, the Government Council for Human Rights, National Minorities and Gender Equality was entrusted to set up a *working group of the Council on refugee and migrant rights* in order to prepare for the Council documents needed for its further work in the field of respect for the human rights of refugees and migrants. The working group will be led by the State Secretary of the MoI SR and will include representatives of responsible ministries, NGOs, civic associations and church communities providing assistance to refugees and migrants in Slovakia, as well as representatives of foreigners' communities living in Slovakia.¹⁶³ The Government Council also asked the Committee for Children and Youth to present information on the situation of foreign minors placed in the facilities of the MoI SR and unaccompanied minors placed in foster homes.

In 2015, the ombudsman¹⁶⁴ continued exploring the conditions in police detention cells. In her *Report on the Results of the Survey*¹⁶⁵ from February 2015, she came to the conclusion that improvements are needed with respect to material conditions and guarantees against maltreatment.¹⁶⁶

The draft *Concept of Work of the Legal Aid Centre for 2016–2017* envisages a recodification of the Act on Provision of Legal Aid to Persons in Material Need in 2016.

155 Source: <http://emn.sk/sk/aktivita-emn/stretnutia-a-konferencie/223-premietanie-filmu-the-good-lie-25-augusta-2015-bratislava.html> (consulted on 14/03/2016).

156 Source: <http://emn.sk/sk/aktivita-emn/stretnutia-a-konferencie/225-diskusny-vecer-emn-europa-alebo-smrt-26-augusta-2015-bratislava.html> (consulted on 14/03/2016).

157 Resolution No. 71/2015 of 18 February 2015 on the draft Nationwide Strategy for the Protection and Promotion of Human Rights in the Slovak Republic.

158 Source: <http://www.rokovania.sk/Rokovanie.aspx/BodRokovaniaDetail?idMaterial=24253> (consulted on 14/03/2016).

159 Source: <http://www.teraz.sk/slovensko/dala-zelenu-celostatnej-strategii-ludske/121156-clanok.html> (consulted on 14/03/2016).

160 On the grounds of age, other cultural background, lack of knowledge of the language and of the situation in the country in which they stay (culture, traditions, religion) and lack of knowledge about their families and their country of origin.

161 The OP HR has specifically allocated funds for the support of prevention of and protection against discrimination.

162 Information provided by the MoLSAF SR.

163 Resolution of the Government Council for Human Rights, National Minorities and Gender Equality No. 140 of 15 October 2015.

164 In 2015, the function of the ombudsman was executed by Jana Dubovcová. For more details on the independent ombudsman authority in Slovakia see <http://www.vop.gov.sk/> (consulted on 12/03/2016).

165 Report on the survey of the protection of and respect for the human rights and freedoms of persons placed in police detention cells.

166 Source: <http://www.vop.gov.sk/spravny-z-prieskumov-a-priority-za-rok-2015> (consulted on 14/03/2016).

06

Migration and Development

In 2015, Slovakia did not perform special activities or systemic measures to support the development impacts of migration.¹⁶⁷ Slovakia's activities focused mainly on changing the mechanism of providing official development aid and given the development of forced and irregular migration into the EU humanitarian aid and voluntary contributions to international organisation and EU funds have become one of the key areas of Slovakia's development cooperation.

Development cooperation and humanitarian aid

In 2015, Slovakia implemented development cooperation and humanitarian aid in accordance with the *Middle-Term Strategy of Development Cooperation of the SR*¹⁶⁸ 2014–2018 and Focus of Bilateral Development Cooperation of the SR in 2015.¹⁶⁹ Given the migration situation in Europe, the strategy has not been and will probably not be revised.¹⁷⁰ The developments in the field of forced and irregular migration into the EU was reflected in the newly prepared draft of the *Focus*

¹⁶⁷ E.g. activities/measures for the mainstreaming of migration in development and sectoral policies, brain drain mitigation in countries of origin or cooperation with third countries in the field of economic migration (e.g. partnerships in the field of labour mobility and the set-up of Migration and Mobility Resource Centres), cooperation with diasporas and in connection with remittances.

¹⁶⁸ The strategy identifies eight key programmes of bilateral development cooperation of the SR: Development Interventions Programme, Programme of Handing Over of Transformation Experience, Business Partnerships Programme, Humanitarian Aid Programme, Government Scholarships Programme, Programme of Secondment of Voluntaries and Experts to Developing Countries, Programme of Development Training and Public Awareness in Slovakia, and Capacity Building Programme. The strategy defines the following ten territorial priorities for Slovakia: Afghanistan, Kenya, Moldova (programme countries with which Slovakia concluded special development strategies); Albania, Belarus, Bosnia and Herzegovina, Georgia, Kosovo, the Ukraine; and South Sudan (country with extreme humanitarian and development needs).

¹⁶⁹ Source: <http://www.slovakaid.sk/sk/dokumenty-publikacie/strategicke-dokumenty> (consulted on 02/04/2016).

¹⁷⁰ Information provided by the MoFEA SR.

of *Bilateral Development Cooperation of the SR in 2016*¹⁷¹, according to which Syria and its neighbouring countries in the Middle East should be added as territorial priorities of Slovakia's ODA as countries with extreme development and humanitarian needs.¹⁷² The proposal counts with increased funds for humanitarian aid and, from the academic year 2017/2018, with government scholarships for Syrian students who could join a ten-month preparatory course of Slovak language and vocational training from 2016 onwards.^{173 174}

Due to the developments in the area of forced and irregular migration into the EU, humanitarian aid became one of the key areas of Slovakia's development cooperation in the 2nd half of 2015. This situation also had a secondary impact on the mechanism of providing humanitarian aid, leading to the establishment of a well-working partnership between the government and the non-governmental sector, while highlighting the absence of continuous replenishment of usable material stock.¹⁷⁵

Compared to the previous years, in 2015 Slovakia spent several times more resources on development cooperation, humanitarian aid and on supporting solutions to the causes and consequences of the crisis situation in the field of forced and irregular migration:

1. Under bilateral humanitarian aid (financial and material)¹⁷⁶, Slovakia supported the countries affected by the migration crisis with a total amount of EUR 1 201 950 (as of 16/12/2015).
2. Regarding voluntary contributions to international organisation and EU funds, Slovakia sent:
 - EUR 300,000 to the World Food Programme (WFP);
 - EUR 50,000 to the Funding Facility for Immediate Stabilisation of Iraq (UNDP)
 - EUR 300,000 to the Migrant and Refugee Fund of the Development Bank of the Council of Europe;
 - EUR 50,000 to UNRWA to finance projects for Palestinian refugees;
 - EUR 10,000 to the UNHCR budget;
 - EUR 600,000 to the newly created EU Emergency Trust Fund for stability and addressing root causes of irregular migration and displaced persons in Africa, approved by the SK Government in 2015. This contribution will be paid in 2016 and 2017.¹⁷⁷
3. Mandatory contribution to the IOM central budget of CHF 81,845.

In 2015, Slovakia also declared voluntary contributions to the funds of international organisation and the EU related to the migration crisis. The granting of such contributions was approved by the SK Government in February 2016¹⁷⁸:

¹⁷¹ Source: <http://www.rokovanie.sk/Rokovanie.aspx/BodRokovaniaDetail?idMaterial=24959> (consulted on 02/04/2016).

¹⁷² The extension of the territorial priorities is based on the principal thesis of the Proposal for further actions of the Slovak Republic in addressing the migration crisis, which was discussed by the SK Government and approved by Resolution No. 498/2015 on 02/09/2015.

¹⁷³ Source: <http://www.webnoviny.sk/slovensko/clanok/1029787-slovensko-da-na-rozvoju-pomoc-miliony-eur/> (consulted on 02/04/2016).

¹⁷⁴ Resolution of the Government of the Slovak Republic No. 568 of 21 October 2015 on the Information on the Support of Activities of Non-Governmental Organisations in the Framework of Humanitarian and Integration Support of Refugees, submitted by the initiators of the petition Plea for Humanity imposes the MoESRS SR the task "to ensure the granting of development scholarships during studies at public higher education institutions in Slovakia to a maximum of 30 Syrian citizens with temporary residence for the 1st level of tertiary studies and a ten-month course of Slovak language and vocational preparation from 01 September 2016."

¹⁷⁵ Source: http://slovakaid.sk/sites/default/files/zameranie_bilateralne_oda_2016_vlastny_materila_final_17_12_2015.pdf (consulted on 02/04/2016).

¹⁷⁶ Financial humanitarian aid does not include aid to Ukraine which represents a separate budget item in the framework of cooperation with Ukraine. Material humanitarian aid may only be provided on the basis of the conclusions of the coordination meeting with the participation of the MoFEA SR and the MoI SR (and possibly other competent ministries and organisations) and upon a favourable opinion of both ministers.

¹⁷⁷ The original amount of EUR 500,000 increased upon agreement with the other members of the Visegrad Four; according to this agreement, the V4 contribution should increase to 3 million euros, which ensures a voting right to the group in the trust fund bodies.

¹⁷⁸ Source: Resolution of the Slovak Government No. 38/2016 of 3 February 2016 the Proposal for Granting Voluntary Financial Contributions of the Slovak Republic to EU and UN funds for activities related to the addressing causes of migration crisis. Available at: <http://www.rokovania.sk>

- EUR 3 million to the EU Regional Trust Fund as a reaction to the crisis in Syria (MADAD)¹⁷⁹;
- EUR 1.7 million to UN funds and programmes involved in the addressing of the humanitarian aspects of the migration crisis, namely EUR 300,000 to the World Food Programme (WFP), EUR 600,000 to the UN High Commissioner for Refugees (UNHCR), EUR 400,000 to UNICEF, and EUR 400,000 to the International Organization for Migration (IOM);
- EUR 600,000 to support conflict prevention and mediation, of which EUR 250,000 to the Trust Fund for Mediation and Preventive Diplomacy (DPA); EUR 100,000 to the Crisis Prevention and Recovery Thematic Trust Fund (UNDP); EUR 150,000 to the UN Peacebuilding Fund (PBF); and EUR 100,000 to the Trust Fund to support security sector reform activities (DPKO).
- Approx. EUR 10 million to the Refugee Fund in Turkey according to the EU agreement on the amount of contributions by EU Member States. Contribution of the SR was agreed in the amount of 10,506,934 EUR which will be paid in installments during the period 2016 – 2019 (Note: This contribution is not included in the above-mentioned Government Resolution).

In 2015, the Slovak Republic provided material humanitarian assistance in the field of migration to Ukraine, Serbia, Hungary, Slovenia and Croatia. Besides state authorities, also non-governmental organisations and private companies (e.g. pharmaceutical companies¹⁸⁰ or retail chains) participated in the material humanitarian assistance, beyond the ODA framework.¹⁸¹

As a result from the tasks defined in the Government Resolution, the first round of calls for applications for official development aid projects in 2016 will aim at expanding current humanitarian activities of the Slovak organisations, thus contributing to stabilisation of conditions for migrants on the migration routes to the EU and to enhancing living conditions of the refugee communities in the countries of the Near and Middle East neighbouring with Syria. The projects should be focused on basic education for children living in the refugee camps in the school year 2016/2017 including necessary infrastructure, on the education of junior and support medical personnel as well as on ensuring of humanitarian aid for the residents returning to their original environment and on migration routes to the EU. It will be an accelerated project cycle corresponding to the respective Resolution.¹⁸²

The National Council of the SR approved on 18 November 2015 a new *Act No. 392/2015 Coll. on Development Cooperation*. This act came into effect on 01 January 2016 and replaced Act No. 617/2007 on Development Aid from 2007.¹⁸³ The MoFEA SR expects greater flexibility and better cooperation both at the international level and with partner organisations in countries of destination. The drafting of the act was based on the Government Resolution according to which the Slovak Government will seek to increase the effectiveness, flexibility and transparency of providing development aid with the aim to achieve concurrence in the support of Slovakia's economic activities. The new act therefore changes the previous mechanism of implementation of official development aid – among other things, by enabling the establishment of new partnerships for obtaining funds for development aid by involving the civil society (including NGOs from outside Slovakia), self-governments, the private and the academic sectors, international organisations

sk/Rokovanie.aspx/BodRokovaniaDetail?idMaterial=25318 (consulted on 02/04/2016).

179 The contribution of EUR 3 million ensures Slovakia's membership and voting rights in the MADAD management bodies. The fund was established with the aim to respond to the needs of Syrian refugees in neighbouring countries; the portfolio later extended to affected countries of the Western Balkans.

180 E.g. https://www.mzv.sk/web/belehrad/detail/-/asset_publisher/bZtjMy3iNwbo/content/oftalmologicka-pomoc-pre-migrantov/10182?p_p_auth=fSYvU8YB&_101_INSTANCE_bZtjMy3iNwbo_redirect=%2Fweb%2Fbelehrad%2Fspravy%3Fstrana%3D2 (consulted on 02/04/2016).

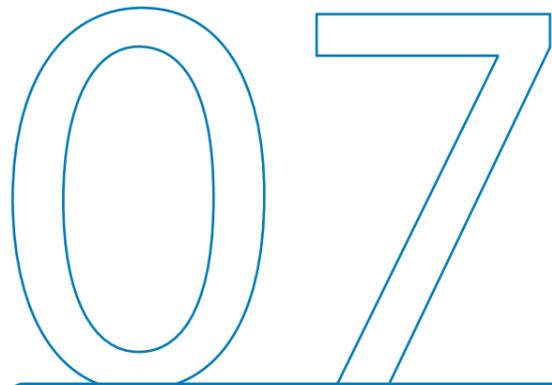
181 Information provided by the MoFEA SR.

182 Information provided by the MoFEA SR.

183 Source: <http://www.nrsr.sk/web/Default.aspx?sid=zakony/zakon&MasterID=5601> (consulted on 02/04/2016).

and other entities. Moreover, it introduces in the Slovak legislation, along with the granting of subsidies, financial contributions and government scholarships, new development cooperation tools – awarding directly in the partner country, donation of the state's movable property, debt relief in the partner country, granting of soft export loans and other instruments decided by the government.¹⁸⁴ The new instruments in the field of humanitarian aid include humanitarian subsidies and the awarding of contracts which enable Slovakia to respond more flexibly to the demands of the international community.

184 Source: https://www.mzv.sk/zahranicna_politika/oficialna_rozvojova_pomoc-aktuality/-/asset_publisher/O1f52wVJAPL/content/novy-zakon-o-rozvojovej-pomoci-v-nr-sr (consulted on 02/04/2016).



Irregular Migration and Smuggling

Slovakia has long reported low irregular migration rates. In terms of statistics, it did not observe sharp increases in irregular migration in 2015: cases of irregular state border crossing were detected to a similar extent as in the previous year (in 222 cases, out of which 92 were Ukraine nationals and 42 were nationals of Afghanistan); on the other hand, the number of detected cases of unauthorised stays in Slovakia was twice as high as in 2014 – an increase from 1,064 to 2,313. The most numerous group was formed by nationals of the Ukraine (775, with 619 persons found at the border crossing point upon exit from Slovakia), Syria (576), Afghanistan (223) and Iraq (136). Overall, 2,535 cases of irregular migration were detected in 2015, of which 867 cases concerned Ukrainian nationals, 582 Syrian nationals, 265 nationals of Afghanistan and 146 Iraqi nationals.¹⁸⁵ Statistics on smuggling is provided in Tables 4 and 5 in the Annex and is detailed in sub-section 4.3.1.

In connection with the situation in the field of migration into the EU, Slovakia did not launch temporary border controls in 2015 and did not report increased pressures on its external border. The strategic documents concerning irregular migration in Slovakia is the new *National Border Control Management Plan of the SR 2015 – 2018* and the *Schengen Action Plan of the SR*, which is regularly updated.

¹⁸⁵ Source: http://www.minv.sk/swift_data/source/policia/hranicna_a_cudzinecka_policia/rocniky/rok_2015/2015-rocenka-UHCP-SK.pdf (consulted on 14/03/2016).

In September 2015, Slovakia implemented temporary measures at the Slovak-Austrian and Slovak-Hungarian border crossing points. These measures formed a reaction to temporary implementation of border controls by Germany at its borders with Austria.¹⁸⁶

7.1 Enhanced Border Management at the External Borders

7.1.1 Border Control Measures

EU Entry Exit System

In 2015, 47 pieces of EBAS MS distributed components with a total length of 5,823.22m were installed in the state border sections of the BCD PF Ulič and BCD PF Ubl'a from HZ 92 to HZ 129 for the purposes of data collection. The detection and monitoring system – EBAS MS distributed components for data collection – enable better monitoring of the movement of persons along the border who could attempt to illegally cross the state border with Ukraine outside border crossing points, which would increase the capacity of BCD PF staff to control and detect unauthorised crossing of the external land border of Slovakia with Ukraine.

Under Priority 1 of EBF “Supporting further gradual building of the integrated system of external border management with regard to checks of persons and surveillance of the external borders”, one project by the BBAP PFP and another one by the Financial Directorate of the SR were implemented:

The priority of the BBAP PFP project Measures to protect the northern section of the Slovak-Ukrainian land border by means of a detection and monitoring system was to support further gradual development of the integrated system of external border management with respect to checks of persons and surveillance of the external borders. Another objective was to create better conditions to improve the effectiveness of the control and surveillance of the external border of the Schengen Area, including control of irregular migration and other cross-border crimes in the northern section of Slovakia’s state border with Ukraine. By extending the number of distributed components in the northern section of Slovakia’s state border with Ukraine, it is possible to obtain information about cases of unauthorised state border crossing. The project was implemented from 10 April 2015 to 30 June 2015.¹⁸⁷

The project by the Financial Directorate of the SR entitled Purchase of special means of transport to improve the effectiveness and quality of control, surveillance and protection of the external border of the Schengen Area aimed to ensure efficient monitoring of the Schengen border with Ukraine to prevent unauthorised border crossing by persons and unauthorised goods transport through the purchase of special means of transport suitable for the protection of difficult terrains along this external border section. The project was implemented from 17 April 2014 to 30 June 2015.

EU Registered Traveller Programme

Under EBF Priority 4 “Supporting the development of information systems for the implementation of EU legal instruments with respect to external borders and visas”, the MoFEA SR im-

¹⁸⁶ Source: <http://www.aktuality.sk/clanok/304098/slovensko-poslalo-policajtov-na-hranice-foto/> (consulted on 14/03/2016).

¹⁸⁷ Information provided by the FAD EPS Mol SR and BBAP PFP.

plemented the project Replacement and completion of hardware system components of the national part of the VIS at Slovak diplomatic missions. The project included the purchase and instalment of hardware for 36 Slovak diplomatic missions abroad with the aim to ensure and maintain the functionality of the national part of the Visa Information System and its smooth use at the European level with respect to visa data processing and exchange. The project was implemented from 01 July 2014 to 30 June 2015.

Schengen Information System (SIS II)

Under EBF priority 5 "Supporting an efficient and effective application of EU legal instruments in the field of external borders and visas, in particular the Schengen Border Code and the European Visa Code", the BBAP PFP implemented the project Ensuring equipment for the BBAP PFP training room for the purposes of training of the border and alien police staff. The implementation of this project created the conditions for expert training and preparation of the border and alien police staff, using modern didactic technology and innovative methods of teaching. The conditions of the training process improved thanks to new equipment for the training room – supply of new technologies, such as computer sets, interactive board or multi-purpose laser equipment. The project was implemented from 05 September 2014 to 30 June 2015.

European Border Surveillance System (EUROSUR)

Policies, training and cross-border cooperation

On 18 March 2015, the Slovak Government approved the *National Border Control Management Plan of the Slovak Republic for years 2015–2018*. It is the main strategic document on the development of integrated border management in Slovakia, which follows up on the national plan for the period 2010–2014. The principal measures include, for example, the completion of static control systems in the northern part of the border with Ukraine (building of a 20km detection monitoring system in the northern section of Slovakia's external border with Ukraine), monitoring of the security situation development on Slovakia's external border with Ukraine and ensuring increased BCD PF headcounts within the competences of the Border and Alien Police Directorate Sobrance in the case of deteriorated situation, and completion and renewal of the camera system at Schengen airports (in Bratislava, Poprad and Košice).¹⁸⁸

At its meeting on 03 November 2015, the Slovak Government adopted Resolution No. 600/2015 on the proposal to increase the number of positions in the Police Force and at the Ministry of the Interior of the SR. The number of staff in the Police Force would increase by 300 to create a foreign police unit for the protection of the EU Schengen border which will be ready to leave the country to abroad within 24 hours to solve crisis situations; in the case of the MO Mol SR, the number of staff would increase by 20. The secondment of police staff can be carried out on the basis of bilateral agreements with EU Member States on police assistance. They can also operate in joint EU activities organised by Frontex. These police staff members will be primarily prepared for the fulfilment of tasks abroad, and can also be used within Slovakia. This measure is based on the urgent need to enhance the personnel capacities of the Mol SR in connection with the current development of migration flows within the European area, fulfilment of Slovakia's international commitments related to the implementation of the migration policy, as well as

¹⁸⁸ Source: <http://www.minv.sk/?tlacove-spravy-2&sprava=vlada-schvalila-narodny-plan-riadenia-kontroly-hranic-sr-na-roky-2015-az-2018> (consulted on 14/03/2016).

coordinated implementation of related security measures.¹⁸⁹

Members of the Border and Alien Police regularly attend training activities organised by Frontex, thus being practically involved in the process of training and deepening of their expert knowledge not only at the national level, but also at the level of the EU. Further to the National Border Control Management Plan of the SR 2015–2018, training within the BBAP PFP runs in the form of training activities and projects based on the applicable Schengen acquis, results of risk analyses, as well as new trends in the forging and alteration of travel documents, countering smuggling and trafficking in human beings. Great emphasis in the creation of training curricula is placed on the protection of and respect for human rights and freedoms, which is manifested in close cooperation with non-governmental organisations and the third sector.¹⁹⁰ Further to the recommendations of the updated Schengen catalogue, emphasis should also be placed on professional preparation, regular evaluations, programme of professional preparation during working time (e.g. suitable training material available at the place of service, e-learning, refreshment courses organised after certain periods of service) and on the ability of the police to communicate in foreign languages.¹⁹¹

Regarding practical cross-border cooperation in the protection of EU external borders, the representatives of Slovakia and Hungary agreed on 12 October 2015 to deploy 50 members of the Police Force to guard the Hungarian-Serbian border during a one-month period, commencing on 20 October 2015.¹⁹² Slovakia provided the deployed police staff with equipment, night vision devices and motor vehicles. The Hungarian side ensured accommodation, catering and fuel.^{193, 194} On 06 November 2015, Slovakia also deployed 20 police staff members for one month to guard the Slovenian-Croatian border and keep public order inlands in connection with the migration situation in the country.¹⁹⁵

7.1.2 Cooperation with Third Countries in the Area of Border Management

No agreement was signed in the area of bilateral and multilateral cooperation between Slovakia and third countries with an objective to strengthen the operational capacity in combatting irregular migration and enhancing the controlling of external borders.

Slovakia fully applies readmission agreements both at the bilateral and EU levels, and did not report any problems in cooperation with third countries. The practical use of readmission agreements is influenced mainly by the composition of irregular migrants and the ways of their unau-

¹⁸⁹ Resolution of the Government of the Slovak Republic No. 300/2015 of 03/11/2015.

¹⁹⁰ Information provided by the BBAP PFP.

¹⁹¹ Information provided by the BBAP PFP.

¹⁹² Slovakia considers its decision to deploy Police Force staff members to Hungary for the purposes of protecting the EU external borders as its confirmation of solidarity within the V4. In the given period, the Hungarian border was one of the most exposed sections of the EU external border. This action by the Slovak Government fully complies with EU legislation, in particular Council Decision on stepping up cross-border cooperation to combat terrorism and cross-border crime (Prüm Decision). Slovakia's decision also complies with the Declaration adopted during the extraordinary meeting of the European Council on migration on 23 September 2015, which confirms the need to address the dramatic situation at the EU external borders.

¹⁹³ Information on the deployment of Police Force staff to perform patrolling in Hungary, document no. UV-35043/2015, information available at <http://www.rokovania.sk/Rokovanie.aspx/BodRokovaniaDetail?idMaterial=25052> (consulted on 24/01/2016).

¹⁹⁴ Source: <http://www.minv.sk/?tlacove-spravy-2&sprava=slovenskych-policajtov-pomahajucich-chranit-vonkajsiu-schengensku-hranicu-v-madarsku-po-mesiaci-vystriedali-kolegovia> (consulted on 14/03/2016).

¹⁹⁵ Source: <http://www.minv.sk/?tlacove-spravy&sprava=do-slovenska-zapasiaceho-s-vlnou-migrantov-odisli-pomahat-slovenski-policajti> (consulted on 14/03/2016).

thorised entry in Slovakia or stay in our territory. For objective reasons, the Readmission Agreement between the EU and Ukraine is used most frequently.¹⁹⁶

In 2015, border experts of the MoI SR continued the activities of the advisory committee which is involved in the protection of the US land border with Mexico. Cooperation between Slovakia and the US has the form of information exchange and technology testing.¹⁹⁷

On 02 June 2015, the *Agreement between the Government of the Slovak Republic and the Government of the Russian Federation on Cooperation in Combatting Irregular Migration*¹⁹⁸ was signed in Moscow. The agreement came into force on 25 September 2015 and defines cooperation in the exchange of:

- a) statistical, legal and scientific-methodological information on violations of migration legislation and on irregular migration routes; information on legal entities and natural persons operating on the territories of the state parties and involved in irregular migration; on the ways of acquiring visas and other documents and on their use for the purposes of irregular migration; on legal migration legislation of the state parties, including regulations governing the migration processes, the ways of granting asylum and citizenship, organisation of the fight against irregular migration, as well as on changes in the given scope of legal regulations; on practical measures to prevent irregular migration; and on the methods of regulating external migration;
- b) personal information of persons staying illegally in the territories of both countries;
- c) personal information of persons performing illegal work in the territories of both countries.¹⁹⁹

If needed, the parties to the Agreement may exchange experience and provide practical assistance related to issues which arise in the process of cooperation in the following forms:

- a) Preparation and increasing the qualifications of competent state authorities dealing with migration issues, including organisation of seminars and internships in the given area;
- b) Setting up of working groups and exchange of experts;
- c) Organisation of scientific and practical conferences, seminars and use of other forms of cooperation requiring common actions;
- d) Getting acquainted with the work of territorial bodies and subordinated organisations and offices of competent state authorities;
- e) Implementation of common projects with the involvement of international organisations.

This Agreement does not prevent the state parties to pursue and develop other forms of cooperation as well.²⁰⁰

¹⁹⁶ Information provided by the BBAP PFP.

¹⁹⁷ Source: <http://spravy.pravda.sk/domace/clanok/341370-slovenski-experti-pomahaju-americanom-strazit-mexicku-hranicu/> (consulted on 14/03/2016).

¹⁹⁸ On the basis of Resolution of the Government of the Slovak Republic No. 287 of 27 May 2015 on the proposal to conclude an Agreement between the Government of the Slovak Republic and the Government of the Russian Federation on Cooperation in Combatting Irregular Migration, available at <http://www.rokovania.sk/Rokovanie.aspx/BodRokovaniaDetail?idMaterial=24656> (consulted on 14/03/2016).

¹⁹⁹ In order to identify/determine the identity and legal status of persons under letters b) and c), the countries can exchange the following personal data: surname, name, name after father (if such exists) in Latin and Cyrillic transcription; sex; birth date; place of birth; citizenship; number of valid travel document registered in accordance with the legislation of the state of citizenship; information on existence of infringement liability; on existence of criminal liability; on registration at the place of stay (residence) in the territories of the state parties; on denying entry to the territories of the state parties or restriction of departure from the territories of the state parties, including periods; photograph; dactyloscopic information (if such exists).

²⁰⁰ Source: https://www.mzv.sk/zahranicna_politika/medzinarodne_zmluvy-vsetky_zmluvy (consulted on 14/03/2016).

7.2 Tackling Misuse of Legal Migration Channels

7.2.1 Visa Liberalisation

In 2015, no special measures were introduced to monitor the effects of visa free regimes in Slovakia.

7.2.2 Family Reunification

In 2015, no legislative changes or new measures were introduced in this area in Slovakia. As for the number of cases of misuse of the family reunification in 2015, the NUCIM BBAP PFP recorded 11 complaints referring to suspicions of misuse of family reunification; charges were brought against 13 persons in 8 cases pursuant to Art. 356 of the Criminal Code^{201,202}.

7.2.3 Study

No legislative changes occurred in Slovakia in 2015. SR continues to record only rare cases of misuse of temporary residence permit for the purpose of study. In 2015, 2 claims to initiate prosecution were submitted and related to facilitation of misuse of temporary residence for the purpose of study, 1 case is still being investigated. In 1 case charges of migrant smuggling pursuant to Art. 356 of the Criminal Act were brought up against 2 persons.²⁰³

SR does not collect statistics regarding misuse of temporary residence permit for the purpose of study. Generally, misuse of the permit results in cancellation or non-renewal of the residence which is, however, not recorded as misuse of that instrument.²⁰⁴

7.2.4 Falsified and Forged Travel Documents

In 2015, Slovakia reported an increase in the number of detected falsified and forged documents (travel documents, ID cards, PNP, visas, border crossing stamps, supporting documents). Overall, 235 persons with falsified or forged travel, residence and other documents were identified in 2014. In these cases, 180 documents and 244 border crossing stamps were detected. Falsified or illegally obtained border crossing stamps are most frequently detected at border crossing points along the land border upon entry to/exit from Slovakia. Compared to 2014, increased falsification was reported with respect to passports (quadruple), ID cards (fivefolds), as well as other documents (medical opinions, criminal records, permanent residence cards, documents on acquiring citizenship, driving licences, visas, residence permits, civil register documents and documents on acquired qualification).

A new modus operandi was observed at the M. R. Štefánik Airport in August: nationals of Ukraine presented authentic Hungarian documents upon border control. The photograph and finger-

²⁰¹ Article 356 of the Criminal Act: "Any person who, with the intention of obtaining financial or other material benefit for himself or another either directly or indirectly, enables or helps a person who is neither a citizen of the SR nor the national of another EU MS or of a contracting state to the EEA Agreement, nor a person with permanent residence in their territory, to stay in the territory of the SR, or of another EU MS or of a contracting state to the EEA Agreement or get an illegal job, shall be liable to a term of imprisonment of two to eight years."

²⁰² Information provided by the BBAP PFP.

²⁰³ Information provided by the BBAP PFP.

²⁰⁴ Information provided by the BBAP PFP.

prints in the passports pertained to the person presenting the passport (UKR), but the personal information related to another person (HU). In addition to passports, they also presented other supporting documents which were also issued illegally due to corruption in Hungary. Two similar cases were also reported from a border crossing point at the land border.

The most frequent method of falsification and forging of travel documents along the land border is unauthorised interventions (damage, covering of certain parts, removal of wet stamps). Foreigners also had in their passports chemically or mechanically removed stamps of diplomatic missions on denial of visa, which were most frequently covered by Egyptian visa labels, including Egyptian border crossing stamps in some cases without fluorescent reaction. There were also cases where Hungarian, Polish and Slovak visas were used to cover the changes in the passports. With such visa labels, foreigners covered the stamps of diplomatic missions on denial of visa in order to be issued a new visa by another diplomatic mission.

Alien police departments most frequently faced falsified medical opinions certifying that aliens do not suffer from a disease threatening public health. Such opinions are issued by doctors specialised in infectology. In most cases, medical opinions and medical certificates from healthcare facilities in Košice and Martin were falsified. In the case of falsified medical opinions, the description part of the opinion was produced by different printing technology (inkjet printing) as was on authentic medical opinions. The stamp of authorised person was also produced by coloured ink printing technology, since authentic stamp of authorised person on authentic medical opinion is printed and produced in blue. As for forged medical opinions, the documents bore stamp imitations and doctors' signature was scanned and printed by inkjet printer.

False border crossing stamps are also detected outside Slovakia – at the Consulate General in Uzhgorod. The number of detected forged border crossing stamps declined, but the number of forged passports increased, using the same modus operandi as on the land border. In two cases, the wet stamps of diplomatic missions were partially removed and covered with falsified Vietnamese visas.

Further to the results of risk analysis conducted by Frontex and the definition of intra-Schengen routes as potential risk points of occurrence of falsified documents, it was proposed to carry out checks of selected persons on such routes.²⁰⁵

7.2.5 Free Movement Rights

No new developments.

7.3 The Fight against Facilitation of Irregular Migration (Smuggling)

7.3.1 Policies, Measures, Activities and Collecting Statistics

With regard to the tackling of irregular migration, NUCIM cooperates with the BAPD departments which are involved in state border protection by means of concurrence meetings of the NUCIM

²⁰⁵ Information provided by the BBAP PFP.

Director and heads of Operations Departments with directors of BAPDs. Cooperation is also developed with PFP departments with respect to actions involving several PFP units. This group focused on close cooperation of its members in combatting irregular migration and smuggling mainly with regard to Schengen border protection, as well as the provision, exchange and sharing of important relevant information which largely influenced the detection and subsequent investigation by NUCIM BBAP PFP staff of nine crimes related to irregular migration and unauthorised state border crossing.²⁰⁶

Slovakia do not face problems related to the collection of statistical data on smuggling. According to national statistics, 659 smuggled persons were identified in 2015 (356 in 2014). 98 persons were apprehended (81 in 2014) and 78 smugglers were sentenced (36 in 2014) (see Tables 4 and 5 in the Annex).²⁰⁷ The increased number of smuggled persons also relates to the implementation of temporary measures at the Slovak-Austrian and Slovak-Hungarian border crossing points in September 2015, which focused, among other things, on the detection of migrant smuggling and responded to the temporary introduction of border controls by Germany on its border with Austria.²⁰⁸

7.3.2 Monitoring and Identifying Migration Routes

Slovakia has not appointed immigration liaison officers yet, though the *National Border Control Management Plan of the SR 2015–2018* counts on their gradual posting.²⁰⁹

Long-term measures include the identification, monitoring and collection of information on irregular migration in Slovakia. An important role in this field is played by the Department of Risk Analysis and Statistics of the BBAP PFP which collects and analyses information on irregular migration on a daily basis. Such information is collected not only from internal, but also from external sources. Information from such sources facilitates the identification of threats which can have a negative impact on developments in the field of internal security not only in the Slovak Republic, but also within the EU as a whole. Once processed in the form of a statistical file, analytical report or ad-hoc information, such information is presented to officials for the purposes of taking appropriate measures, planning and setting of objectives. The analytical outputs include information on the modus operandi used, and on migration routes and trends preferred by irregular migrants.²¹⁰

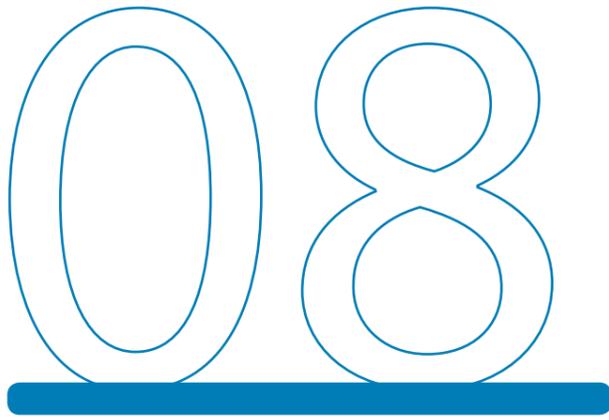
²⁰⁶ Information provided by the BBAP PFP.

²⁰⁷ Source: http://www.minv.sk/swift_data/source/policia/hranicna_a_cudzinecka_policia/rocniky/rok_2015/2015-rocenka-UHCP-SK.pdf (consulted on 14/03/2016).

²⁰⁸ Source: <http://www.teraz.sk/slovensko/sr-madarsko-rakusko-hranicne-kontroly/155518-clanok.html> (consulted on 14/03/2016).

²⁰⁹ Source: Bachtíková, Oboňová (2015): Annual Report on Migration and Asylum Policies. Slovak Republic 2014. European Migration Network, IOM Bratislava.

²¹⁰ Information provided by the BBAP PFP.



Returns

During the programming period 2014–2020, Slovakia continued supporting the new AMIF fund²¹¹ by implementing measures to ensure swift, sustainable and effective returns of third-country nationals who were issued a decision on administrative or judicial expulsion. Slovakia's priority is to ensure appropriate and decent returns irrespective of the type of return (voluntary or forced). In line with the Return Directive, voluntary return is the preferred form of return with the possibility of being provided reintegration assistance, which contributes to the sustainability of returns.²¹²

In 2015, Slovakia carried out 560 forced returns (compared to 275 in 2014), 567 voluntary departures of irregular migrants and unsuccessful asylum seekers (compared to 362 in 2014), and 92 assisted voluntary returns through the IOM (compared to 57 in 2014). This suggests an increase in all return categories compared to 2015 (see Table 6 in the Annex).

In 2015, the IOM carried out 92 assisted voluntary returns of migrants to 15 countries of origin. Most returnees left for the Republic of Serbia – Kosovo (55) and Iraq (15). In 2015, the IOM provided reintegration assistance to 17 individuals or entire families in Georgia, India, Iraq, Kenya, Kosovo, Mexico, Moldova and Vietnam.²¹³

²¹¹ The AMIF National Programme was approved on 29 July 2015.

²¹² Source: Bachtíková, Oboňová (2015): Annual Report on Migration and Asylum Policies. Slovak Republic 2014. European Migration Network, IOM Bratislava.

²¹³ Source: <http://www.iom.sk/sk/novinky-a-podujatia/757-iom-activities-and-achievements-2015> (consulted on 14/03/2016).

8.1 Forced Returns and Readmissions

The forced returns agenda is covered by the BBAP PFP which implemented the following projects until the end of June 2015 under the RF: Forced returns (with a follow-up under the new AMIF programme as Forced return – AMIF 1 from November 2015), and Modernisation and equipment of the PDCA Medvedov and PDCA Sečovce premises. The project Training of BBAP PFP staff in English and Russian language was organised by Plus Academia n.o. in the reference period.

The needs of TCNs placed in the PDCAs Medvedov and Sečovce were satisfied in 2015 by the non-governmental sector via RF projects. The project by the civic association Marginal GARANT 2 focused on providing legal assistance, and the project by the Slovak Humanitarian Council entitled Complex coverage of special needs of third-country nationals in PDCAs in Slovakia II sought to provide social and psychological counselling and material assistance and organise spare-time activities.²¹⁴

8.1.1 EU Readmission Agreements

Readmission agreements represent an important tool of the EU and its Member States for effective returning to third countries of TCNs residing in the EU without authorisation. Readmission agreements also constitute the basis for cooperation between the SR and EU Member States, as well as between the EU and third countries in managing migration and asylum. In 2015, Slovakia did not conclude any new bilateral readmission agreement but worked on implementing protocols for the following EU readmission agreements:

EU Readmission agreement (country)	National development (i.e. implementing protocol, cooperation)	Date of agreement (if relevant)
Agreement between the EC and Bosnia and Herzegovina on the readmission of persons residing without authorisation	Negotiations on the bilateral implementing protocol completed in April 2013. The SK Government approved the implementing protocol by Resolution No. 548 of 26 September 2013.	Signed on 05 June 2015, entry into force on 08 February 2016.
Agreement between the EU and Georgia on the readmission of persons residing without authorisation	Negotiations on the bilateral implementing protocol completed in 2012. The SK Government approved the implementing protocol by Resolution No. 317 of 19 June 2013.	Signed on 13 November 2015, entry into force on 01 March 2016.
Agreement between the EC and Ukraine on the readmission of persons without residence permit	Exchange of drafts of the bilateral implementing protocol via correspondence.	-
Agreement between the EU and Turkey on the readmission of persons without a residence permit	Exchange of information on contact persons with Turkey in order to begin the exchange of opinions on concluding the bilateral implementing protocol.	-

²¹⁴ Source: <http://www.minv.sk/?podporene-projekty-2> (consulted on 14/03/2016).

8.1.2 Prevention of Irregular Migration from Third Countries in Specific Regions

Countries of the Eastern Region

The NUCIM BBAP PFP fulfils tasks arising from the *Plan of Development of Cooperation between the Bureau of the Presidium and the State Border Service of Ukraine*. During the reference period, 33 mutual operative border meetings of the Operations Department East of NUCIM BBAP PFP and staff of the Chop Operations Department were held in line with the plan. The meetings were held on the basis of the current operational situation at the Ubl'a – Velykyj Bereznyj border crossing point or at Vyšné Nemecké – Uzhgorod border crossing point.

The work meeting at the level of the Director of the NUCIM BBAP PFP was organised in the framework of the meeting of operational services of V4 countries dealing with the combatting of trafficking in human beings, irregular migration and smuggling, with the representatives of the State Border Service Administration of Ukraine in Krpáčovo on 13–14 April 2015.

On 08 October 2015, an operational meeting was held in Uzghorod between the Director of NUCIM BBAP PFP and with the representatives of the State Border Service Administration of Ukraine in line with the Plan of Development of Cooperation and in connection with the infringement of the SK-UA state border by aircrafts. The meeting resulted in the setting up of a working group for exchange of operational information and investigations.

In 2015, information was exchange between Ukraine and the Slovak Republic also in the form of written queries. Given the current security situation in Ukraine, the cooperation of the operational border units is considered satisfactory.²¹⁵

Western Balkans

In 2015, the NUCIM BBAP PFP participated at several activities/meetings concerning the Western Balkans, namely:

10–12 March 2015 – The Hague, the Netherlands – Operational meeting FP CHECKPOINT on the ANIMA operation;

08–09 June 2015 – Zakopane, Poland – Meeting of head officials on irregular migration through the Western Balkans – FIMATHU operation;

24–25 September 2015 – Raciborz, Poland – operational meeting on cases of irregular migration from Western Balkans through the territories of Slovakia and Poland;

19–20 October 2015 – Sofia, Bulgaria – Salzburg Forum – Meeting of the representatives of national units for combatting smuggling – Meeting of the representatives of the Salzburg Forum member states, representatives of the „Group of Friends of the Western Balkans and Moldova“ with a Europol representative;

²¹⁵ Information provided by the BBAP PFP.

26–29 October 2015 – Istanbul, Turkey – FIMATHU project activity – establishment of cooperation with Turkish police forces in the suppression and detection of irregular migration in Turkey and mutual exchange of information on related issues;

During annual bilateral talks 2014, Slovakia undertook to deploy 14 members of police and pieces of equipment (surveillance aircraft + 5 police crew members) to the joint operations coordinated by Frontex in 2015. Given the development and directions of migration flows, Slovakia responded positively to additional calls by Frontex and deployed 39 members of police (+ 278.6%) and 3 pieces of technical equipment (+300%) to joint operations. Members of the European Border Guard Team (EBGT) and crew members of technical equipment (surveillance aircraft + 5 police crew members) and 2 dog handlers were deployed in all operational activities.²¹⁶

8.1.3 Enhancing Migration Management and Cooperation on Return Practices

Since 2007, Slovakia has recorded in the SIS all entry bans imposed at the national level with respect to persons with identity verified according to the document issued by the home country. Since the launch of the SIS II, a photograph is also uploaded for each entry. In the future, Slovakia also plans to record in the SIS II all persons with unverified identity where biometric data is available.²¹⁷

8.2 Voluntary Returns and Reintegrations

Voluntary returns from Slovakia and subsequent reintegration in third countries are carried out by the IOM in close cooperation with the BBAP PFP. Assistance under the AVRR programme has been provided by the IOM in Slovakia since 1998 based on the *Agreement on Cooperation between the IOM and the Ministry of Interior of the SR on the assistance with the return of unsuccessful asylum seekers and irregular migrants to the country of origin*. Under the project *Voluntary return and reintegration in the country of origin*, the IOM assists with informing the target group about AVRs, safe return of a foreigner home, and reintegration of a foreigner in the country of origin.²¹⁸

In 2015, the IOM carried out 92 assisted voluntary returns of migrants to 15 countries of origin, most of them to Kosovo (55) and Iraq (15). In the same year, the IOM provided reintegration assistance to 17 individuals of entire families in Georgia, India, Iraq, Kenya, Kosovo, Mexico, Moldova and Vietnam.²¹⁹

In 2015, the IOM continued in operating the *information helpline 0850 211 262* (providing basic information on the return programme and individual consultations to migrants registered in the programme), as well as the website on voluntary returns www.avr.iom.sk, was actively involved in asylum and detention facilities of the MoI SR and across Slovakia according to the demand of the target group, and informed the target group about the possibility to return to the country of origin on a voluntary basis with IOM assistance and obtain reintegration assistance after returning to their country of origin.²²⁰

²¹⁶ Information provided by the BBAP PFP.

²¹⁷ Information provided by the BBAP PFP.

²¹⁸ Source: http://avr.iom.sk/index.php?option=com_content&view=article&id=74&Itemid=346&lang=sk (consulted on 09/03/2016).

²¹⁹ Source: <http://www.iom.sk/sk/novinky-a-podujatia/757-iom-activities-and-achievements-2015> (consulted on 09/04/2015).

²²⁰ Source: http://avr.iom.sk/index.php?option=com_content&view=category&layout=blog&id=20&Itemid=379&lang=sk (consulted on 09/04/2016).

8.3 EMN Return Expert Group (REG)

The Return Expert Group (REG), which has been gathering practical experts within the EMN since 2014, serves for practical cooperation, sharing of information and good practice between EU Member States (except for Denmark), Norway and the Commission in ensuring forced and voluntary returns and reintegration of irregular migrants in their countries of origin or in other third countries. Slovakia is represented in this group by an expert of the BBAP PFP and an IOM expert. Since 2015, experts from Frontex and representatives of the European projects EURLO, ERIN and EURINT also actively joined the REG work.²²¹



Counter-Trafficking in Human Beings

Slovakia is usually considered a country of origin and a transit country, as well as a country of destination mainly for nationals of Ukraine and some African countries. The information of operational police departments focused on counter-trafficking in human beings suggest that mainly the nationals of Ukraine, Moldova and Vietnam transit through Slovakia to Western European countries. However, the detection of such victims is not reported statistically in criminal procedures, and such victims cannot be found not even among victims included in the Programme of Support and Protection of Victims of Trafficking in Human Beings.²²²

The number of identified foreign victims of human trafficking is low. Like in the previous year, only one victim of human trafficking, a third-country national, was identified in 2015 (see Tables 9 and 10 in the Annex). The statistics of the Police Force and of the Ministry of Justice suggests that in 2015 prosecution was initiated in 15 cases of human trafficking, charges were brought against 34 persons and 28 persons were sentenced.²²³

9.1 Legislation, Policies and International Monitoring

According to *amended Act No. 480/2002 Coll. on Asylum* of July 2015, the MoI SR is required to create suitable conditions for the accommodation and care for aliens in asylum facilities, includ-

²²¹ Information provided by the IOM.

²²² Information provided by the OZVEZ KMV.

²²³ Source: <http://www.minv.sk/?obchodovanie-s-ludmi-a-slovenska-republika> (consulted on 09/04/2016).

ing provision of protection to victims of trafficking in human beings.²²⁴ There was a retraining provided to those employees who come to the contact with victims as the first ones as well as to experts dealing with the topic of trafficking in human beings.²²⁵

In 2015, the Ministry of Justice SR conducted a *partial transposition of Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA into Slovak legislation with respect to the part on ensuring the procedural rights of victims under criminal proceedings*. The transposition of this part was carried out by *changes and amendments to the Criminal Code by Act No. 397/2015 Coll. with effect from 01 January 2016*. The other parts of the Directive will be transposed by adopting a *special act on victims of crimes*, planned in the second half of 2016.²²⁶

The Expert Group on Combatting Trafficking in Human Beings adopted in November 2015 a new *National Referral Mechanism*²²⁷ which, formalises the system of providing assistance and help to victims of human trafficking. According to the National Referral Mechanism, the identified victim is every potential or presumed victim, included in the Program of Support and Protection for Victims of Human Trafficking. Mechanism also states that the only the law enforcement bodies in the Slovak Republic are authorised to formally identify a victim of human trafficking.²²⁸

On 04 February 2015, the Slovak Government approved the *National Programme for Combatting Trafficking in Human Beings 2015–2018*²²⁹, which replaces the national programme of 2011–2014. The draft of the new national programme does not bring major changes in terms of contents nor budget. The document defines the original aims and objectives which should be pursued also in the period 2015 – 2018. The document also includes the *National Action Plan for Combatting Trafficking in Human Beings*. The objectives and activities of the action plan focus on four basic areas of countering human trafficking in line with European standards: partnership, prevention, protection of victims, and prosecution.²³⁰

The Group of Experts of the Council of Europe on Action against Trafficking in Human Beings (GRETA) published in November 2015 its *second evaluation report on the Slovak Republic*.²³¹ The report mentions the progress achieved in Slovakia during the past four years since the first evaluation report in September 2011 in the framework of implementation of the Council of Europe Convention on Action against Trafficking in Human Beings. GRETA highlighted the new procedures for the identification of victims of human trafficking, which enables them to get access to state financial contributions, and improves collection of data on human trafficking. At the same time, the report calls upon Slovakia to better identify and support child victims of human trafficking, in particular on finding a solution to the problem of UAMs disappearing from social care facilities for children and early provision of legal representatives. Since no victims of human trafficking were compensated in Slovakia, the report calls upon Slovakia to inform such victims

224 Source: Bachtíková, Oboňová (2015): Annual Report on Migration and Asylum Policies. Slovak Republic 2014. European Migration Network, IOM Bratislava.

225 Information provided by the MO MoI SR.

226 Evaluation of the National Action Plan to Combat Trafficking in Human Beings 2015–2018 in 2015.

227 Source: http://www.minv.sk/?referencny_mechanizmus (consulted on 09/04/2016).

228 Národný referenčný mechanizmus SR (verzia z novembra 2015)

229 Source: <http://www.rokovania.sk/Rokovanie.aspx/GetUznesenia?idRokovanie=784> (consulted on 09/04/2016).

230 Source: <http://www.minv.sk/?tlacove-spravy-2&sprava=vlada-schvalila-novy-narodny-program-boja-proti-obchodovaniu-s-ludmi> (consulted on 09/04/2016).

231 Source: http://www.coe.int/t/dghl/monitoring/trafficking/Docs/Profiles/SLOVAKREPUBLICProfile_en.asp (consulted on 09/04/2016).

about their right to claim indemnification and on related procedures.²³²

According to the last Trafficking in Persons Report, published annually by the US State Department, Slovakia was among the first group of countries in satisfying the minimum standards of elimination of human trafficking in 2015.²³³

9.2 National Projects, Campaigns and Other Activities

In 2015, several activities, events and training sessions were held with a focus on capacity building, development of the national reference mechanism, information exchange and the raising of awareness on trafficking in human beings. These activities did not specifically focus on the target group of victims of human trafficking who are TCNs. Since some of them have a general nature or can be applied/used with respect to all victims of trafficking irrespective of their nationality, below is an overview of some of them:

In 2015, Slovakia continued providing the possibility of reporting potential victims of trafficking or the obtaining of preventative information on how not to become the victim of such crime through the free National helpline for victims of human trafficking 0800 800 818. This service has been provided on a continuous basis since 2008 and has been operated by the Slovak Crisis Centre Dotyk (Touch) since 15 December 2014.²³⁴

Issues related to trafficking in human beings form an integral part of the preparation of consular staff prior to their posting in abroad, and re-training in this field is held in regular half-year intervals. In the framework of the pre-departure preparation of consuls, the Information Centre for Combating Human Trafficking and Crime Prevention of the MoI SR together with the IOM and the MoFEA SR in 2015 re-trained 22 consular workers of the MoFEA SR in total.²³⁵

9.3 Co-operation at the bilateral and multilateral levels

At present, no co-operation with third countries in combating trafficking in human beings is developed. The Police of the SR collaborates mainly with those countries of destination (United Kingdom, Germany, Austria) in which Slovak citizens become victims of trafficking in human beings.

The MoI SR perceives the arrangement of effective functioning of the transnational reference mechanism as an important step towards ensuring the protection of the victims of human trafficking. Slovakia therefore joined the project funded by the European Commission Transnational Action - Safe and sustainable return and reintegration for Victims of Trafficking returning to Albania, Morocco and Ukraine (TACT)²³⁶. In terms of the occurrence of victims – third-country nationals, mainly Ukraine is a priority country for Slovakia. The project will be implemented until the end of October 2016.

232 Source: <http://www.teraz.sk/slovensko/rada-europy-upozornila-sr-na-nedostatky/165328-clanok.html?mostViewedArticlesInSectionTab=2> (consulted on 09/04/2016).

233 Source: <http://www.state.gov/documents/organization/243561.pdf> (consulted on 09/04/2016).

234 Source: <http://www.doty.sk/06-linka/index.php> (consulted on 07/03/2016).

235 Source: <http://www.iom.sk/sk/novinky-a-podujatia/757-iom-activities-and-achievements-2015> (consulted on 07/03/2016).

236 TACT: Transnational Action - Safe and sustainable return and reintegration for Victims of Trafficking returning from France, Greece, Italy, Poland and Spain to priority countries (Albania, Morocco and Ukraine).

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Annex: National Statistics

The Annex contains selected migration and international protection statistics for 2015 which are not collected at EU level through Eurostat²³⁷ or Frontex Agency²³⁸.

National statistics for Slovakia are available mainly in the yearly statistical overviews of BBAP PFP²³⁹, yearly statistical reports of MO Mol SR²⁴⁰, statistics of COLSAF²⁴¹ and SO SR²⁴². Basic annual statistical data on migration in Slovakia provide EMN Country Factsheets²⁴³ or the website of the IOM Office in the SR²⁴⁴.

Table 1: Number of first residence permits issued by the Slovak Republic to third-country nationals in 2015 by reason²⁴⁵ and gender

Gender / reason	Total	Family formation and reunification (family reasons)	Education and study	Remunerated activities	Other ²⁴⁶
Total	9,332	2,559	1,507	3,145	2,121
Female	3,637	:	:	:	:
Male	5,695	:	:	:	:

Source: BBAP PFP.

²³⁷ Source: http://ec.europa.eu/eurostat/statistics-explained/index.php/Migration_and_migrant_population_statistics (consulted on 02/04/2016).

²³⁸ Source: <http://frontex.europa.eu/publications/> (consulted on 02/04/2016).

²³⁹ Source: <http://www.minv.sk/?rocnky> (consulted on 02/04/2016).

²⁴⁰ Source: <http://www.minv.sk/?statistiky-20> (consulted on 02/04/2016).

²⁴¹ Source: http://www.upsvar.sk/statistiky/zamestnavanie-cudzincov-statistiky.html?page_id=10803 (consulted on 02/04/2016).

²⁴² Source: https://slovak.statistics.sk/wps/portal/ext/themes/demography/population/news!/ut/p/b1/jdDRColwFAbgZ-kF3HFbc7ucRnM-l5jTLdhMWEVJqUBS9fRbeZp27A9_wznlogLZprXx_JWtU15fu-WbY2nue-7Eri_wqC9OHXnxqi5Szuw6UCgZEi9CIBHagxahnkqDCEgyX95-DIS-fuVnyFa72nnsawccAEKx4lJQzoCxsSBojexgRe71YJolWAqqgkm6mJJeBphnEcOg2A8Abg-GnvABA1fGYVsfUHY9oUudF89MV8IRj5AKItt/dl4/d5/L2dBISEvZ0FBIS9nQSEh/ (consulted on 02/04/2016).

²⁴³ Source: <http://emn.sk/sk/vyrocnne-spravy-emn.html> (consulted on 02/04/2016).

²⁴⁴ Source: <http://www.iom.sk/sk/migracia/migracia-na-slovensku> (consulted on 02/04/2016).

²⁴⁵ Reasons for issuing residence are in accordance with the respective EU legislation (Commission Regulation (EU) No. 216/2010 of 15 March 2010 implementing Regulation (EC) No 862/2007 of the European Parliament and of the Council on Community statistics on migration and international protection, as regards the definitions of categories of the reasons for the residence permits) and are divided into four categories: 1. Family formation and reunification, 2. Education and study, 3. Remunerated activities, and 4. Other reasons. National types of and reasons for residence permits are divided into these four categories.

²⁴⁶ The category "Other reasons" includes the following categories of temporary residence:

1. temporary residence – special activity – providing healthcare and accompanying a TCN who is provided healthcare; 2. temporary residence – execution of duties by civilian units of armed forces; 3. temporary residence – a Slovak citizen living abroad; 4. permanent residence for an indefinite period of time (if needed due to providing protection and assistance to a witness under a special regulation; or to a stateless person for reasons worth considering; or to an adult person with granted tolerated stay as UAMs, and who for a minimum period of three years studied at school within the territory of the SR); 5. tolerated stay – Art. 58 par. 1a, b; Art. 58 par. 2a, Art. 58 par. 2c, Art. 58 par. 3, Art. 58 par. 4a-d; 6. subsidiary protection and 7. asylum.

Table 2: Administrative fees of applications for residence permits by reason and length

Purpose of residence / length and cost	Length of the permit (in months)	Cost of the permit (in EUR)		
		Cost of the permit at the police department (APD PF)	Cost of the permit at the Slovak diplomatic mission	Fee for the issuance of the residence card *
Temporary residence for the purpose of family reunification (Directive 2003/86)	60	132.50€	135€	4.50€
Temporary residence for the purpose of studies, pupil exchange, unremunerated training or voluntary service (Directive 2004/114)	72	0€ (for the purpose of studies)	0€ (for the purpose of studies)	4.50€ (for the purpose of studies)
	24	99.50€ (for the purpose of special activity - unremunerated training or voluntary service)	100€ (for the purpose of special activity - unremunerated training or voluntary service)	4.50€ (for the purpose of special activity - unremunerated training or voluntary service)
Long-term residence (Directive 2003/119)	Indefinite period	165.50€	-	4.50€
Temporary residence for the purpose of scientific research (Directive 2005/71)	24	0€	0€	4.50€
Temporary residence for the purpose of highly qualified employment (EU Blue Card) (Directive 2009/50)	36	165.50€	170€	4.50€
Temporary residence for the purpose of seasonal employment (Directive 2014/36)	6 (180 days)	33€	35€	4.50€

Purpose of residence / length and cost	Length of the permit (in months)	Cost of the permit (in EUR)		
		Cost of the permit at the police department (APD PF)	Cost of the permit at the Slovak diplomatic mission	Fee for the issuance of the residence card *
Temporary residence for the purpose of intra-corporate transfer (Directive 2014/66)	36 (the Directive has not been transposed yet, the transferees will be issued temporary residence for the purpose of employment)	-	-	-
Tolerated stay for victims of human trafficking (Directive 2004/81)	6 (180 days)	0€	0€	0€
Temporary residence for the purpose of employment –single permit to reside and work (Directive 2011/98)	60	165.50€	170€	4.50€
Other national permits	-	-	-	-

Source: BBAP PFP.

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

Table 3: Number of visas issued by the Slovak Republic to third-country nationals in 2015 by type and gender

Gender / type	Total	(Schengen) short stay visas (A, C and LTV types of visa)		National visas (D type of visa)	
		Issued to TCNs coming directly from a third country	Issued to TCNs resident in another EU Member State	Issued to TCNs coming directly from a third country	Issued to TCNs resident in another EU Member State
Total	76,177	74,114	597	1,464	2

Source: MoFEA SR.

Notes: Number of visas issued differ from data contained in the statistical publication of BBAP PFP *Statistical Overview of Regular and Irregular Migration in the Slovak Republic in 2015*. At the time of publishing of the overview, the number of processed visas in the system were not mirrored with printed, i.e. issued visas.

Explanations:

A type of visa – airport transit visa

C type of visa – tourist visa

D type of visa – national visa

LTV visa – visa with limited territorial validity

Table 4: Number of third-country nationals identified as smuggled persons, number of reflection periods provided to smuggled persons, and number of residence permits granted to smuggled persons in the Slovak Republic in 2015²⁴⁷

	Total	Female	Male
Number of third-country nationals identified as smuggled persons	659	:	:
Number of reflection periods provided to smuggled persons (e.g. in accordance with Directive 2004/81/EC if implemented for smuggled persons)	-	-	-
Number of residence permits granted to smuggled persons (e.g. in accordance with Directive 2004/81/EC if implemented for smuggled persons)	-	-	-

Source: BBAP PFP.

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

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

²⁴⁷ According to the Art. 355 and Art. 356 of the Act No. 300/2005 Coll. Criminal Code, smuggling is defined as follows:

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

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

Table 5: Number of smugglers arrested as suspects or otherwise involved in a criminal proceeding and number of smugglers convicted in the Slovak Republic in 2015

	Arrested as suspects / otherwise involved in a criminal proceeding	Convicted
Total	98*/82**	81
Charge brought under Art. 206, par. 1 of Act No. 301/2005 Coll. Criminal Procedure Code	:	-
Criminal prosecution initiated under Art. 199, par. 1 of Act No. 301/2005 Coll. of the Criminal Procedure Code	:	-
Convicted under Art. 355 of new Criminal Code No. 300/2005 Coll.	-	65
Convicted under Art. 356 of new Criminal Code No. 300/2005 Coll.	-	13
Convicted under Art. 171a of old Criminal Code No. 140/1961 Coll. (by nature of criminal offence)	-	3

Source: BBAP PFP and Ministry of Justice of the SR.

* The number of persons against whom criminal prosecution was started (i.e. were suspects).

** The number of persons indicted on charges of migrant smuggling.

Table 6: Number of third-country nationals returned from the Slovak Republic in 2015 by type, country of return, nationality and gender

Country/type of return, nationality and gender	Returned as part of forced return measures*				Returned voluntarily (incl. AVR)**				Returned voluntarily within AVRs				Reintegrated within AVR			
	Total	F	M	Min	Total	F	M	Min	Total	F	M	Min	Total	F	M	Min
Total	560	65	418	77	668	185	466	17	92	14	54	24	17****	3	14	0
Top 5 Nationalities	1. Ukraine (166) 2. Syria (153) 3. Afghanistan (76) 4. Kosovo*** (24) 5. Stateless (19)				1. Ukraine (575) 2. Kosovo*** (48) 3. Iraq (15) 4. Russia (5) 5. Moldova (4)				1. Kosovo*** (59)***** 2. Iraq (15) 3. Afghanistan / Brasil / China / Somalia / Tunisia (2) 4. Georgia / India/ Iran / Libanon / Palestine / Philippines / Sudan / Vietnam (1)				1. Vietnam 2. Kosovo*** / Iraq 3. Georgia, India 4. Mexico / Moldova / Kenya			
Top 5 Countries of Return	1. Ukraine 2. Hungary 3. Austria / Georgia / India 4. Czech Republic / Macedonia / Serbia 5. Moldova / Russia				1. Ukraine 2. Kosovo*** 3. Iraq 4. Afghanistan / Brasil / China / Somalia / Tunisia 5. Georgia / Hungary / India / Iran / Lebanon / Russia / United Kingdom				1. Kosovo*** 2. Iraq 3. Afghanistan / Brasil / China / Somalia / Tunisia 4. Georgia / India/ Iran / Libanon / Palestine / Philippines / Sudan / Vietnam				1. Vietnam 2. Kosovo*** / Iraq 3. Georgia, India 4. Mexico / Moldova / Kenya			

Source: BBAP PFP²⁴⁸ and IOM.

* Forced return – This category refers to the execution of decision on administrative or judicial expulsion by Police Force escort: a) to Ukraine; b) by airplane to a third country; c) to the Member State (readmission, Dublin cases).

** Returned voluntarily – This category includes: a) voluntary departures of TCNs from the territory of the SR via border crossing point (a TCN voluntarily met the obligation to leave the territory of the SR within the set deadline stated in the decision on administrative expulsion issued due to his/her irregular stay within the Slovak territory); b) cases where irregular stay was detected at the border crossing point when a TCN was leaving the SR and where s/he was imposed a decision on administrative expulsion which was subsequently carried out by him/her leaving the territory of the SR through the border crossing point (refers almost exclusively to Ukrainian nationals); c) AVR if that was preceded by the decision on administrative expulsion.

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

**** Including 13 migrants who were returned in 2014, but were provided with the reintegration assistance in 2015.

***** The number includes 11 Kosovar nationals (2 families) who were travelling from Slovakia by airplane and transiting through Vienna where they left the transit area of the airport and did not return to their country of origin that day.

F – female

M – male

Min – minor

AVR – assisted voluntary returns

Table 7: Number of third-country nationals relocated to the Slovak Republic in 2015 by countries from which TCNs were relocated, countries of origin and gender

EU Member State or country of origin and gender	Total	Female	Male	Top 3 countries
Total	0	0	0	-

Source: MO Mol SR.

Table 8: Number of third-country nationals resettled in the Slovak Republic in 2015 by countries from which TCNs were resettled and gender

Countries from which TCNs were resettled/gender	Total	Female	Male	Country from which TCNs were resettled
Total	149*	80	69	Iraq

Source: MO Mol SR.

*Resettled within ad-hoc humanitarian admission from Iraq to Slovakia.

Table 9: Number of unaccompanied minors from third countries in the Slovak Republic in 2015 by legal status and gender

Legal status / gender	Unaccompanied minors not applying for asylum	Unaccompanied minors applying for asylum	Total
Total	23	3	26
Female	1	2	3
Male	22	1	23

Source: MO Mol SR and COLSAF.

248 BBAP PFP provided return statistics based on data provided to Eurostat for 2015. BBAP PFP collected statistical data on returns (forced and voluntary) for 2015 in compliance with the Art. 7.1. of the Regulation No. 862/2007 on Community Statistics on Migration and International Protection and with current Eurostat technical instructions (Technical Guidelines for the Data Collection – Enforcement of Immigration Legislation EIL Statistics).

Table 10: Number of human trafficking victims from third countries, number of reflection periods granted to human trafficking victims from third countries, and number of residence permits requested by and granted to human trafficking victims from third countries in the Slovak Republic in 2015

		Total	Female	Male
TCNs presumed to be victims of trafficking in human beings (presumed victims)²⁴⁹		1	1	0
Age	Over 18 years of age	1	1	0
	Under 18 years of age	0	0	0
Form of exploitation ²⁵⁰	Sexual exploitation	0	0	0
	Labour exploitation	1	1	0
	Other:	0	0	0
Citizenship (top 3 countries)		Confidential data.	Confidential data.	Confidential data.
TCNs identified as victims of trafficking in human beings (identified victims)²⁵¹		0	0	0
Age	Over 18 years of age	0	0	0
	Under 18 years of age	0	0	0
Form of exploitation ²⁵²	Sexual exploitation	0	0	0
	Labour exploitation	0	0	0
	Other:	0	0	0
Citizenship (top 3 countries)		-	-	-

249 Presumed victims are persons who fulfil the definition of victim of trafficking in human being, as outlined in Directive 2011/36/EU, but whom have not been formally identified by the relevant authorities (i.e. the national person/body authorised to formally identify victims). More than one form of exploitation may be associated with each victim, therefore the statistics presented in this section may not necessarily agree with the overall totals entered above.

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

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

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

Reflection periods granted	1	1	0
Directive 2004/81/EC	0	0	0
Other	1	1	0
Residence permits requested	0	0	0
Directive 2004/81/EC	0	0	0
Other (e.g. humanitarian grounds etc.)	0	0	0
Residence permits granted	0	0	0
Directive 2004/81/EC	0	0	0
Other (e.g. humanitarian grounds etc.)	0	0	0

Source: BBAP PFP and Mol SR.

Table 11: Number of traffickers arrested as suspects or otherwise involved in a criminal proceeding and number of traffickers convicted in the Slovak Republic in 2015

	Arrested as suspects / otherwise involved in a criminal proceeding	Convicted
Total	41/22*	28
Under Art. 246 of old Criminal Code No. 140/1961 Coll.	-	7
Under Art. 179 of new Criminal Code No. 300/2005 Coll.	-	21

Source: BBAP PFP and Ministry of Justice of the SR.

* 41 persons were suspected in 2015, out of whom 22 persons were indicted on charges of human trafficking in Slovakia in 2015.

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International Organization for Migration (IOM)
Medzinárodná organizácia pre migráciu (IOM)

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