

EMN FOCUSSED STUDY 2013

The Organisation of Reception Facilities for Asylum Seekers in the Slovak Republic

Important Notice

*The definition of the term “reception facility / facilities” was adjusted according to the Slovak legislation and differs from the definition of the term set in the specification for this Study. Furthermore, please note that the definition of the term “reception facility / facilities” differs vastly from the definition of the term „reception centre” due to the Slovak context. Both terms are used in this Study. For more information please see the **definitions on page 33**.*

Please also note that some tables and questions in the specification were adjusted (changes in blue) according to the above mentioned. The term “reception centre/s” was substituted by the term “reception facility/s”.

Top-line “Factsheet”

(National Contribution)

Executive Summary

(Synthesis Report)

Overview of the National Contribution – introducing the study and drawing out key facts and figures from across all sections of the Focussed Study, with a particular emphasis on elements that will be of relevance to (national) policymakers.

In the framework of the EMN Annual Work Programme 2013, the EMN Steering Board approved elaboration of a focussed study on the *Organisation of Reception Facilities for Asylum Seekers*. The contribution by the Slovak Republic will form part of a synthesis report with the same focus at EU level, summarising the results of national contributions compiled by EU Member States and Norway on the basis of a common specification in the form of a questionnaire. The aim of this focussed study is to provide an overview of the organisation of reception facilities in the SR for applicants for asylum and subsidiary protection, and to identify good practices and existing mechanisms to ensure efficiency and flexibility of such facilities, while maintaining the required quality and cost level. In line with the specifications for this study, the study covers, mainly with regard to statistics, the period from 2008 to 2012. The synthesis report compiled by the EC in the framework of the EMN will subsequently inform about the organisation of reception facilities in EU Member States and Norway, and will provide an overview of the types of facilities, categories of applicants, and competent institutions making decisions on the placement of applicants in particular types of facilities. The synthesis report prepared by the EC will also describe the good practices of those Member States that have successfully coped with pressure on their asylum system with a focus on used mechanisms, as well as on the efficiency of such types of facilities from the point of view of costs and the number of received and evaluated applications for international protection.

The central state administration body responsible for the creation and implementation of the migration policy of the SR in the field of asylum is the Migration Office of the Ministry of

Interior of the Slovak Republic, established on the basis of Government Resolution No. 501 of 13 July 1993. The MO MoI SR is responsible for the admission of asylum applicants, for the organisation of reception facilities in the SR, and for the making of decisions on applications for asylum.

Section 1 of this study briefly describes the developments in the number of applications for asylum and decisions on granting a particular form of international protection. Since its birth, the SR has observed a gradually growing number of applications for asylum which reached its peak in 2004. Since that year, the number of applications has been declining, and has reached approximately 500 to 900 applications per year.

At EU level, the admission of asylum seekers is regulated by the Reception Conditions Directive which was also transposed to the Slovak Act on Asylum. The standards for the reception of asylum seekers laid down in the Directive form the basis for the organisation of reception facilities in the SR, which is described in more details in Section 2 of this focused study. Section 2 specifies the types of reception facilities run in the SR, and briefly maps their development and the number of applicants accommodated in these facilities in the period 2008-12. In connection with the running of the reception facilities, Section 2 also deals with the activities of non-governmental organisations working in such facilities.

Section 3 explains which applicants have the right to be accommodated in reception facilities, what factors are taken into account when placed in particular types of facilities, and who decides on the placement of applicants.

During stay in such facilities, which is free of charge, asylum seekers are provided with food and allowances, elementary sanitary products, emergency health care, pocket money, and other items that they need for living, such as clothing. Their stay in a facility is also influenced by other factors, for example, the number of social workers, available surface, or spare-time activities. The quality of reception conditions in reception facilities, described in more details in Section 4, is monitored by non-governmental organisations working in these facilities, as well as by international organisations, such as UNHCR and the ENARO international network.

From the perspective of the admitting country, but also of applicants, important factors related to the admission of asylum seekers include flexibility and efficiency of reception facilities, as described in Sections 5 and 6 of this study. These sections present several statistics on the total number of applicants accommodated in different facilities, the maximum capacities of reception facilities, the occupation rate of such facilities, the possibilities of capacity expansion in the case of a sudden influx of asylum seekers or reduction in the event of a small number of asylum seekers, as well as an overview of operating costs of reception facilities and what such costs cover.

Section 1
Different types of Reception Facilities and different Actors
(Maximum 4 pages)

Q1. Please indicate in Table 1 below what type of reception facilities exist in your (Member) State.

In case your (Member) State offers a different type of facility which is not listed in the table below, please include and describe this by adding additional rows to the table below. Please also indicate how many of these facilities exist and indicate what their capacity is and how many applicants were accommodated in these facilities per year starting from 1 January 2008 to 31 December 2012.

Should your (Member) State not be able to provide the maximum capacity, please provide a brief explanation for this and specify the actual number of applicants accommodated in a certain type of facility on an annual basis for the period 2008-2012.

Table 1 Different types of Reception Facilities

Type of accommodation	Does this type of facility exist in your Member State?	If so, how many of these facilities existed at the end of 2012?	Specify the maximum number of applicants the facilities could accommodate	Number of applicants accommodated in such facilities per year during 2008-2012
Collective initial/transit reception facilities	Yes	1 Humenné	The maximum capacity is 550	2008: 770 2009: 621 2010: 418 2011: 432 2012: 665
Collective open reception facilities ¹	Yes	2 Opatovská Nová Ves + Rohovce	The maximum capacity is 140 + 140	2008: 329 + 253 = 582 2009: 146 + 192 = 338 2010: 201 + 170 = 371 2011: 130 + 231 = 361 2012: 268 + 348 = 616
Special reception facilities for vulnerable groups (e.g. victims of torture or specific vulnerable female applicants)	Yes	1 Opatovská Nová Ves	The maximum capacity is 140	2008: 329 2009: 146 2010: 201 2011: 130 2012: 268
Special separate reception facilities for unaccompanied minors	No	0	:	:
Private houses or flats: arranged and paid for by	No	0	:	:

¹ Open centres means that applicants are free to enter and leave the centre whenever they want.

competent authorities				
Private hotels: arranged and paid for by competent authorities	No	0	:	:
Individually arranged accommodation such as houses, flats, hotels and/or possibilities of staying with friends and/or family²	Yes Used upon fulfilment of the set conditions. Applicants are not provided any financial allowance by competent authorities. ³	:	:	:
Other premises for the purpose of accommodating applicants for international protection which are arranged and paid for by the competent authorities	No	0	:	:

Source: MO MoI SR

Notes:

In the reference period (2008–12), besides the accommodation centres in Rohovce and Opatovská Nová Ves, the accommodation centre in Gabčíkovo was also open. This centre was closed as of 31 December 2008.

: not applicable

The admission of asylum seekers in the SR is ensured in the form of applicants' stay in collective accommodation facilities with the MO MoI SR as the institution responsible for their operation.⁴ Two types of such facilities exist in the SR – reception centre and accommodation centre.

At present, the MO MoI SR runs three reception facilities – the reception centre in Humenné, the accommodation centre in Opatovská Nová Ves, and the accommodation

² Please specify whether applicants receive (or have the possibility of receiving) a financial allowance in case they have individually arranged their accommodation.

³ The MO MoI SR does not monitor the number of applicants with individually arranged accommodation, and it only keeps statistics on granted long-term passes. Some applicants are granted such pass repeatedly, and it is therefore not possible to draw conclusions on the number of applicants with long-term passes. The statistical data on the number of long-term passes by years are as follows:

2008: 170 long-term passes granted;

2009: 288 long-term passes granted;

2010: 278 long-term passes granted;

2011: 171 long-term passes granted;

2012: 136 long-term passes granted.

Source: MO MoI SR

⁴ The Migration Office of the Ministry of Interior of the Slovak Republic was established by Government Resolution No. 501 of 13 July 1993. The Migration Office executes the function of a central state administration body in the field of asylum policy. It is responsible for the creation and implementation of the migration policy of the SR in the field of asylum and impacts of international migration related to the granting of asylum. The MO MoI SR has five departments: organisational and legal department, procedural department, migration and integration department, documentation and international cooperation department, and department of economics and operation.

centre in Rohovce. Besides these facilities, the MO MoI SR also runs the integration centre in Zvolen⁵ serving for persons granted asylum. They are accommodated in this centre after being granted asylum. The MO MoI SR disposes of 12 flats in this facility, and its capacity is 25 persons with the possibility to expand this capacity to 35 persons in emergency cases, while maintaining the housing standard.⁶

The capacity of both accommodation centres is 140 beds with the possibility of expansion if needed, and the capacity of the reception centre in Humenné is 550 beds. At present, the SR does not use any special separate reception facilities for unaccompanied minors, or the possibility of accommodation in rented flats or houses paid for by the state.

The Slovak Republic uses the system of collective accommodation facilities, while all of them owned by the state and administered by MoI SR. Thanks to this approach, it was not necessary to spend finances for the purchase of real properties, but only for their reconstruction and maintenance. This system is more advantageous for the SR than the rental of flats from individual owners. It is also easier to ensure care for asylum seekers in collective facilities, such as healthcare, psychological care, care by social workers, material assistance, or interviews under the asylum procedure. The monitoring of the quality of services is also easier and less costly.

Q2. Which authority(ies) carry financial responsibility over the reception facilities?

(a) State authorities **Yes**

(b) Local authorities / regional governments **No**

(c) External service provider such as NGOs, actors from the private sector or any other kind of third party involvement? **No**

[A/B/C – (if responsible authorities differ depending on the type of facility please indicate the responsible authorities for each different type)]

Q3. Which authorities carry executive responsibility⁷ over the facilities:

(a) State authorities **Yes**

(b) Local authorities / regional government **No**

(c) External service provider such as NGOs, actors from the private sector or any other kind of third party involvement? **No**

Executive responsibility over the reception facilities in the SR was carried by the MO MoI SR until the end of the 2012 which established and controlled the facilities and provided for them financially. As of 1 January 2013, the reception facilities are operated by the Centres for Support of the MoI, which manage the reception facilities and are responsible for the financial part as well as for the administration. However, MO MoI is still responsible for the asylum agenda. Some services in reception facilities are provided by non-governmental organisations through the implementation of projects financed by the European Refugee Fund. These projects help to ensure social work with asylum seekers, psychological counselling, free legal counselling, and some other services, such as

⁵ According to the definition laid down in the Act on Asylum, an integration centre is not considered reception facility.

⁶ Source: MO MOI SR

⁷ Executive responsibility refers to the day-to-day running of the reception facilities and would also for example include including quality control of the services provided in the facility.

clothing. The MoI SR calls for the submission of projects and signs the grant contract with successful grant applicants. In 2012, two non-governmental organisations carried out activities in the reception facilities of the MO MoI SR – the Slovak Humanitarian Council and the Society of Goodwill. Besides these two organisations providing complex services to applicants, certain services in the reference period were also provided by other organisations, for example, the Human Rights League and the IOM.

Q4. In case reception facilities are run by local authorities/regional governments or with the involvement of an external service provider (e.g. NGOs or actors from civil society), please indicate whether the reception facilities are centrally coordinated (i.e. does one single authority still carry overall responsibility for the reception of applicants for international protection?)

[(Yes/No) if yes, please briefly describe]

Not applicable

Q5. In case reception facilities are run by local authorities/regional governments or with involvement of an external service provider (e.g. NGOs or actors from civil society), how is their involvement regulated?

Have any formal coordination mechanisms between the different actors been signed (for example cooperation agreements stipulating the division of competences)?

[(Yes/No) if yes, please briefly describe]

Not applicable

Section 2

Take up of Reception Facilities: Factors determining access to the different types of facilities

(Maximum 4 pages)

Aliens applying for asylum in Slovakia usually cross the land border with Ukraine, which relates to the fact that asylum seekers most frequently apply for asylum at police departments at border crossing points.⁸ The police department receives the alien's statement about requesting asylum, and records it in an official form.⁹ Subsequently, it takes the fingerprints of the applicant older than 14 years of age and records it in the EURODAC system¹⁰, and withdraws the passport or other identity documents, if available. After these steps, the police department ensures the transport of the applicant to the reception centre by issuing a temporary identity card for the alien for the purposes of transfer to the reception centre (valid for 24 hours) and the credit transport ticket of the MoI SR that enables his/her transfer to the reception centre.¹¹ After the end of the stay in the reception centre, the alien is usually placed in one of the accommodation centres.

Q6. Please provide a short overview of which applicants for international protection are entitled to reception facilities provided by the State. Please complete Table 2 below:

Within the SR, all applicants are admitted. This means that after making a statement about requesting asylum, every applicant is accommodated in the reception centre and subsequently in the accommodation centre. The applicant thus stays in a reception facility until he/she receives a final decision under the asylum procedure. Applicants who applied for residence outside of the accommodation centre represent an exception in this regard.

The MO MoI SR and specifically the Director of the MO MoI SR, on the basis of his/her instruction, decides on the allocation of applicants to a particular reception facility (reception centre or accommodation centres) according to the given factors and actual needs.

From the point of view of stay in reception facilities, the Act on Asylum makes no difference between applicants, whether they are multiple applicants, applicants for which a Dublin procedure has been initiated, vulnerable persons, unaccompanied minors, or applicants who filed an appeal against the decision of the Migration Office.

⁸ Source: <http://www.minv.sk/?aktuality-3&stranka=1> (consulted on 07/06/2013).

⁹ The template of this form forms Annex 1 to the Act on Asylum.

¹⁰ EURODAC – is the central European database of fingerprints of irregular migrants and applicants for asylum with its headquarters in Luxemburg. Every EU Member State has its own national EURODAC headquarters. Source: Divinský, B.: *Zahraničná migrácia. Slovensko 2004. Súhrnná správa o stave spoločnosti*. Extended and reviewed version, p. 16. Available at: http://aa.ecn.cz/img_upload/79a33131c9c4293e0fcef50bfa263ef/BDivinsky_Zahranicna_migracia_rozsirena_verzia_1.pdf (consulted on 07/06/2013).

¹¹ Source: Decree of the Minister of Interior of the Slovak Republic of 11 January 2007 on the Procedures of the Migration Office of the Ministry of Interior of the Slovak Republic and Police Departments upon Execution of Act No. 480/2002 Coll. on Asylum and on Changes and Amendments to Some Acts as Amended.

Table 2 Categories of applicants entitled to reception facilities

Different categories of applicants depending on <i>type/stage of procedure</i>	Entitled to reception facilities (Yes/No)	Are these applicants entitled to standard or specific reception facilities ^{12?}
Applicants under Dublin II¹³	Yes	Standard (RC Humenné, RC Rohovce, AC Opatovská Nová Ves)
Applicants in admissibility procedures¹⁴	Yes	Standard (RC Humenné, RC Rohovce, AC Opatovská Nová Ves)
Applicants subject to accelerated procedures¹⁵	:	:
Vulnerable groups of applicants¹⁶ (with specific psychological/medical assistance needs)	Yes	Reception facility for vulnerable groups (AC Opatovská Nová Ves)
Unaccompanied minors awaiting decision for international protection	Yes	Reception facility for vulnerable groups (AC Opatovská Nová Ves)
Unaccompanied minors who have exhausted the procedure for international protection and are awaiting return	Yes	Reception facility for vulnerable groups (AC Opatovská Nová Ves)
Applicants who have lodged an appeal procedure	Yes	Standard (AC Rohovce, AC Opatovská Nová Ves)
Applicants who have lodged a subsequent application	Yes	Standard (RC Humenné ¹⁷ , AC Rohovce, AC Opatovská Nová Ves)
Applicants who have received a positive decision on their international protection application¹⁸	Yes – only those who were granted asylum. Persons that have been denied international protection or subsidiary protection on the basis of a final decision cannot be accommodated in reception facilities pursuant	Standard – a person granted asylum may be accommodated in an accommodation centre for as long as needed, but is obliged to pay the reasonable expenses related to his/her stay

¹² Specific reception facilities refer to facilities which divert from mainstream reception facilities, e.g. depending on the type of applicant, or stage/procedure.

¹³ Applicants under Dublin II means those applicants for which a Dublin procedure has been initiated and who are awaiting a Dublin decision determining the responsible country for examining the asylum claim.

¹⁴ Admissibility procedures refer to the stage of the application in which (Member) States determine whether an application will or will not be considered in substance based on the criteria laid down in Article 25 of Directive 2005/85/EC (the Asylum Procedures Directive) which stipulates circumstances in which Member States are allowed to declare application as inadmissible and are subsequently not required to examine the application.

¹⁵ The Act on Asylum does not regulate this type of procedure.

¹⁶ The Reception Conditions Directive makes reference to the following categories of applicants under vulnerable groups: unaccompanied minors, disabled people, elderly people, pregnant women, single parents with minor children, persons who have been subjected to torture, rape, or other serious forms of psychological, physical, or sexual violence.

¹⁷ According to the Act on Asylum, an applicant must undergo medical examination upon arrival at the reception centre, unless the MO MoI SR decides otherwise. In principle, the applicant that has filed multiple applications for asylum, must undergo quarantine, unless the MO MoI SR decides otherwise.

¹⁸ If possible please specify for what duration they are still entitled to reception facilities.

	to the Act on Asylum (they are no more considered applicants). ¹⁹ Persons granted asylum may stay in reception facilities for as long as needed upon fulfilment of the conditions set by law.	(AC Rohovce and integration centre in Zvolen ²⁰)
Applicants who have exhausted the procedure for international protection and who are awaiting return	No. ²¹	:
Other (e.g. applicants from other EU Member States, families with children with an irregular migrant status, applicants from safe third countries of origin etc. Please specify)	Yes – applicants from other member states, applicants from safe third countries of origin	Standard (AC Rohovce)

Notes:

From the point of view of stay in reception facilities, the Act on Asylum does not differentiate between applicants, whether they are multiple applicants, applicants for which a Dublin procedure has been initiated, vulnerable persons, unaccompanied minors, or applicants who filed an appeal against the decision of the MO MoI SR.

AC – accommodation centre

RC – reception centre

: not applicable

The Slovak Republic has no reception facility serving specifically for applicants who are unaccompanied minors. Due to the relatively small number of such applicants – except for the year 2008, less than 30 unaccompanied minors applying for asylum were recorded annually – the running of such facility would be inefficient in terms of costs.²²

In principle, applicants for asylum may be accommodated in a reception facility until they receive a final decision on granting or denying asylum. When a final decision is made, the applicant must leave the reception facility. Thanks to the cooperation of the MO MoI SR with non-governmental organisations, persons granted asylum and those under subsidiary protection manage to find accommodation immediately after the decision on granting international protection becomes final, which is mostly financed from the projects funded by ERF. An applicant granted asylum may also request the MO MoI SR to be provided accommodation in the integration centre in Zvolen which is designed for temporary accommodation of aliens granted asylum. If the alien has been denied asylum and has not been granted subsidiary protection, on the day the decision becomes final such alien ceases

¹⁹ The amendment to the Act on Asylum which is at the stage of preparation and is expected to enter into effect in December 2013 considers the possibility to also accommodate in accommodation centres persons under subsidiary protection for as long as needed.

²⁰ An alien that has been granted asylum may request the competent worker of the accommodation centre for accommodation in that facility. The worker shall pass the request to the MO MoI SR for decision.

²¹ In the moment the decision on denying asylum and subsidiary protection becomes final, the person that applied for asylum ceases to be applicant and cannot be further accommodated in the reception facility. Unless other legal reason exists, he/she stays in the SR illegally.

²² Statistical data on unaccompanied minors who applied for asylum in the SR: in 2008, asylum was requested by 71 persons, in 2009 by 28 persons, in 2010 by 7 persons, in 2011 by 18 persons, and in 2012 asylum was requested by only 5 persons. Source: MO MoI SR.

to be applicant for asylum and becomes irregular migrant (provided that no other legal reason for staying in the SR exists)²³ and falls under the competence of the Aliens Police.

Q7. From the aforementioned categories of applicants who are entitled to reception, can any be excluded from reception facilities for particular reasons (e.g. because the applicant has sufficient financial means, or because the applicant has misbehaved in a reception facility, or any other reasons)?

No, Act No. 480/2002 Coll. on Asylum does not provide for such possibility.

An applicant can only be transferred to another reception facility in inevitable cases only. Inevitable cases where the applicant is transferred from one reception facility to another one include in particular the announcement of the results of the medical examination in the reception centre, family reunification (family ties), insufficient capacity of the reception facility, protection of the public order (e.g. violent behaviour of the applicant), or serious breach or repeated breach of the internal order of the reception facility.²⁴ Changes due to family reasons, and to a certain degree time limits caused by the asylum procedure duration are also taken into account.²⁵ The transfer of the alien due to his/her decision to return voluntarily through the voluntary returns programme does not constitute a reason for his/her transfer from the facility in which he/she stays.

Q8. a) Does your (Member) State carry out an assessment of vulnerability which could result in assignment to special reception facilities for vulnerable groups of applicants?

Yes.

Q8. b) If yes, please indicate whether the assessment of vulnerability is:

- a) Obligatory and laid down in law*
- b) Standard practice: **Yes***
- c) Optional*

Several factors are taken into consideration when determining the accommodation centre to which individual applicants would be transferred. According to the Act on Asylum, the accommodation of an alien in a reception facility depends on the alien's age, health condition, family ties and religious, ethnic and national background. Males and females, minors and adults are accommodated separately, while taking into account their family relations.

The primary factor is to make the applicant's profile and to assess whether he/she is a vulnerable person. The AC in Opatovská Nová Ves serves for such purposes. In practice, also single females and families with children are placed in the AC Opatovská Ves, though pursuant to the Reception Conditions Directive they are not considered *stricto sensu* vulnerable persons without further reasons. Though the assessment procedure to determine

²³ Pursuant to Act No. 404/2011 on Residence of Aliens and on Changes and Amendments to Some Acts as Amended, a third-country national can be detained for reasons listed in full in the law, which often happens in practice. Such detained persons are placed in the police detention facility for aliens in Medveďov or in Sečovce.

²⁴ Art. 14, par. 5 of the Decree of the Ministry of Interior of the Slovak Republic No. 1/2007 on the Procedures of the Migration Office of the Ministry of Interior of the Slovak Republic and Police Departments upon the Execution of Act No. 480/2002 Coll. on Asylum and on Changes and Amendments to Some Acts as Amended.

²⁵ This statement is not absolutely precise because the transfer of the applicant from the reception centre is performed after the end of the quarantine, which usually lasts for 30 days; this, however, does not mean that after the lapse of this period the applicant is automatically transferred to the accommodation centre.

whether he/she is a vulnerable person or not is not directly laid down in law, it is a common practice to assess this fact. First-contact workers are the first to observe whether he/she could be a vulnerable person, as well as social workers in the reception centre and the person conducting interviews at later stages.

It should be noted in this regard that the Act on Asylum does not define the term vulnerable persons, but uses the term “persons requiring special care”. For persons requiring special care, such as unaccompanied minors or families with children, the MO MoI SR is obliged to create suitable care and accommodation conditions in the reception facility. Especially pregnant women, persons under 18 years of age, disabled people, elderly people, and persons who were tortured, raped or subjected to other serious forms of psychological, physical or sexual violence are considered persons requiring special care.²⁶

Q9. Which authority/(ies) carry responsibility for deciding on the allocation of applicants for international protection to different reception facilities?

Migration Office of the Ministry of Interior of the Slovak Republic (MO MoI SR).

Q10. How do these authorities allocate applicants to different types of reception facilities?

Please state whether one of the scenarios below, or a combination thereof, are applicable to your (Member) State and briefly describe:

i) Capacity;

Your (Member) State assigns applicants for international protection according to capacity, e.g. your (Member) State monitors occupancy rate of each reception facility and assigns applicants accordingly.

The MO MoI SR monitors the use of the capacity of the individual reception facilities, and decides on the allocation of applicants to specific facilities accordingly. Precise values have been set determining the maximum possible number of applicants assigned to such facilities (see **Table 1**). For example, the MO MoI SR can place in the AC in Opatovská Ves, which is primarily serves for vulnerable groups of applicants, also other than vulnerable persons, but only in case it is not possible to accommodate them in the accommodation centre in Rohovce due to serious reasons (for example, for capacity reasons). If the capacity of the given facility is sufficient, the applicant for asylum may file a written application for accommodation in that facility and the MO MoI SR shall decide thereabout.

ii) Dispersal Mechanism;

Your (Member) State applies a dispersal scheme which defines how many applicants each reception facility at national/regional/local level ought to receive (either in percentages or based on a specific quota).

Yes, (see **Table 1**), but only in terms of setting the maximum capacity for each reception facility.

²⁶ Art. 26 of Decree of the Minister of Interior of the Slovak Republic No. 14/2008 on Changing and Amending Decree No. 1/2007 on the procedures of the Migration Office of the Ministry of Interior of the Slovak Republic and police departments upon execution of Act No. 480/2002 Coll. on Asylum and on Changes and Amendments to Some Acts as Amended.

iii) Type of asylum procedure;

Your (Member) State takes into account the type of asylum procedure and assigns applicants accordingly to a specific reception facility. For example, one or more of the below is applicable to your (Member) State:

- Applicants who fall under the Dublin II Regulation are accommodated in specific reception facilities; **No**
- Applicants subject to accelerated procedures are assigned to specific reception facilities; **No**
- Etc.

The MO MoI SR does not assign applicants to specific reception facilities **according to the type of asylum procedure** to which the applicant is subject.

iv) Stage of asylum procedure;

Your (Member) State takes into account the stage of the asylum procedure and assigns applicants accordingly to a specific facility. For example, one or more of the below is applicable to your Member State:

The MO MoI SR does not assign applicants to specific reception facilities nor **according to the stage of the asylum procedure** of the applicant.²⁷

- Applicants during the admissibility procedure - when a (multiple) application is assessed for admissibility or when a Dublin examination is carried out – are temporarily placed in specific initial/transit reception facilities;

No. The procedure is identical to the one applying to other asylum seekers. Applicants are first placed in a reception centre and after the end of the quarantine they are transferred to an accommodation centre.

- Applicants who are awaiting a first instance decision are placed in specific reception facilities; **No**
- Applicants who have lodged an appeal procedure are transferred to specific reception facilities; **No**
- Failed/rejected applicants for international protection are transferred to specific reception facilities.

Applicants for asylum can be accommodated in a reception facility just until they receive a final decision on granting or denying asylum. When the decision becomes final, the applicant must leave the reception facility. In case the applicant has been granted neither asylum nor subsidiary protection, on the effective day of the decision that person ceases to be applicant for asylum and irregular migrant (unless other legal reasons for staying in the SR exists) and falls under the competency of the Aliens Police.

v) Profile of the asylum applicant;

²⁷ Applicants awaiting a first-instance decision on granting asylum or applicants who have appealed against the decision; it makes no difference whether the applicant is under the assessment procedure, or whether the applicant can be rejected as impermissible or manifestly unfounded.

Yes. Applicants from vulnerable groups are placed in the accommodation centre in Opatovská Nová Ves which primarily serves for vulnerable persons.

vi) Duration of the asylum procedure;

Yes. The duration of the entire asylum procedure influences the assignment of applicants to specific facilities in one case only. After the application for asylum has been lodged, applicants are placed in the RC in Humenné, which is a quarantine facility. This is where initial health checks are performed, as every applicant is obliged to undergo medical examination to assess his/her health condition, and where the initial legal acts are made. The duration of stay in this facility is usually 30 days, and depends on the practitioner's opinion and subsequent end of quarantine, as well as on carrying out basic legal acts, especially entry interview. After the end of the stay, the applicant is transferred to the accommodation centre, or can be allowed to stay outside of the accommodation centre on the basis of his/her written request.

vii) Other criteria (e.g. family composition)?

Yes. When placing applicants for asylum in accommodation centres, their family ties are also taken into consideration so as to place family members in a single accommodation centre, usually in the one in Opatovská Nová Ves.

The composition of applicants in reception facilities is various. Not only that there are applicants coming from different countries, of different age groups²⁸ and sex²⁹, but also first applicants and multiple applicants, applicants under the Dublin procedure or under different stage of the asylum procedure. Accommodation centres thus provide shelter to applicants who have just been transferred from a reception centre and applied for asylum a month ago along with applicants who have appealed against the decision of the MO MoI SR and are waiting for the court decision; in this case, the asylum procedure takes up to seven months or more. These factors are not taken into consideration when placing applicants in reception facilities, and in the case of two accommodation centres this would not be even possible. Applicants who have received a negative first-instance decision or those staying in the facility for a longer period of time manifest higher levels of irritability and nervousness.

Q11. Is the process for assignment of applicants to different reception facilities:

a) Laid down in legislation

Yes

b) Outlined in soft law/guidelines (Yes/No);

No

c) Not outlined in official documents, but there is a standard practice in place

Yes. The assignment of applicants to reception facilities is partly defined in Act No. 480/2002 Coll. on Asylum which states that each applicant for asylum, after having lodged the application for asylum, is placed in the reception centre in Humenné, and after the end of the quarantine he/she is transferred to one of the accommodation centres. However, the

²⁸ Children are usually accommodated in the AC Opatovská Nová Ves, or in the RC Humenné at the start of the asylum procedure.

²⁹ This again applies to the AC Opatovská Nová Ves and RC Humenné.

designation of the accommodation centre in Opatovská Nová Ves as a facility for vulnerable persons is not laid down in law, but is only a practice of the MO MoI SR. See also respond to Questions 10)i

Q12. Provided there is sufficient capacity, does your (Member) State offer the applicant a choice for reception facility/location?

An applicant for asylum may file a written request for placement in a specific accommodation centre. Such request is decided by the MO MoI SR. See also respond to Question 10)i.

Q13. a) Does your (Member) State provide for a possibility to relocate applicants for international protection to different reception facilities after initial assignment to a reception facility?

Yes.

An applicant may file a written request for relocation to another accommodation centre. Such request is decided by the MO MoI SR. See also respond to Question 12.

An applicant may be relocated to another reception facility in inevitable cases only. See also respond to Question 7.

Q13. b) If yes, which of the below criteria are applied, or a combination thereof, for relocation to a different reception facility:

- i) Capacity/bed management issues: Yes***
- ii) Change in family profile (e.g. birth of a child): Yes***
- iii) Medical or special need reasons: Yes***
- iv) Incidents at centres which may require transfer to alternative accommodation: Yes***

v) Time limits (procedural-driven): Yes.

Time limits are partially taken into account upon transfer of the applicant from a reception centre to an accommodation centre. This statement is not absolutely precise, though, since the transfer of the applicant from a reception centre is carried out after the end of the quarantine period, which is usually 30 days; this, however, does not mean that after expiry of such period the applicant is automatically transferred to the accommodation centre.

- vi) Programme for voluntary return to the country of origin: No***

Any other reasons? NA

Section 3 Quality:
National Legislation on Material Reception Conditions

(Maximum 3 pages)

Q14. According to national legislation in your (Member) State, what are applicants for international protection who are accommodated in reception facilities entitled to in terms of the following reception conditions:

Article 22 of the Act on Asylum stipulates that during stay in a reception facility applicants are provided with free of charge housing, board or boarding-out allowance, basic sanitary products and other items necessary for living, emergency health care, and pocket money.

a) Food; Yes

Food is provided three times a day (reception centre serves breakfast, hot meals for lunch and dinner, and accommodation centres serve only breakfast and lunch, tea is served during the whole day), and applicants under 18 years of age also get two small snacks. Food is provided in the form of prepared meals served at fixed times in the common canteen. As in the case of minor applicants, extra allowances for board are also provided to pregnant women. If required by the applicant's health condition, food is adapted to his/her diagnosis in line with medical recommendations.

The serving of prepared meals, however, seems to be partly a negative factor, as applicants do not have the possibility to cook on their own, and everything, except for the washing of clothes, is ensured by the facility staff. The menus observe the specific features of the applicants' different cultures to the extent that ingredients that, for example, Muslim applicants are prohibited to consume are not used. This means that no pork meat and pork products are used for preparing meals, and if applicants of Hindi religion are present in the facility, no beef is used either. The reception facilities usually have "Slovak cuisine" with the prevalence of meat, potatoes, sauerkraut, dairy products, flour, and legumes. It is little probable that this system would change, since this would with high probability mean higher costs for the SR. With the current serving of prepared meals, the board unit for ingredients per adult applicant for asylum is EUR 2.66 per day³⁰. This amount can only be observed in economies of scale. If food was provided in the form of a financial allowance, while maintaining the current board unit, the applicant would have EUR 18.62 per week for purchase of food. It is also necessary to add to this amount the costs of purchase of appliances and the building of suitable premises for cooking in reception facilities, as well as overhead costs. The board limit of EUR 2.66 per person and day is increased by EUR 0.66 for applicants under 18 years of age for small snacks. The board limit is also higher for pregnant and nursing women until three years of the child's age, and new-born babies are provided substitute food according to medical recommendations.³¹

b) Clothing; Yes

The Act on Asylum stipulates that applicants are also provided with other items they need for living. Though the Slovak legislation does not explicitly stipulate it, accessories for future mothers in hospital and for new-born babies, or school supplies

³⁰ The board limit is divided as follows: breakfast 30 %, lunch 40 %, dinner 30 %.

³¹ Source: Instruction of the Director of the Migration Office of the Ministry of Interior of the Slovak Republic of 08 February 2008 on laying down a single procedure for the provision of financial and material support to aliens under Act No. 480/2002 Coll. on Asylum and on Changes and Amendments to Some Acts as Amended in the facilities of the Migration Office of the Ministry of Interior of the Slovak Republic.

for school-age children are provided. It should be mentioned though that the clothing is mostly coming from various collections of used clothes organised by non-governmental organisations, or is the cheapest clothing bought in the framework of projects implemented in reception facilities.

c) *Financial allowance*³². *Yes*

Besides direct material assistance, applicants are also provided with small financial assistance – pocket money. Pocket money is provided at the amount of EUR 0.40 per adult applicant and EUR 0.27 per children of up to 18 years of age per day, and is paid on a monthly basis (usually on the tenth day of the month) in cash. Pocket money is paid to the applicants backwards for the previous calendar month. In the case of work beneficial for the facility, the pocket money can be increased to the amount of up to EUR 1.20 per person and day.³³ The amount of the pocket money does not depend on whether it is paid to a family or to an individual, or on the stage of the asylum procedure. Such financial allowance is not high, especially when taking into account that it is approx. EUR 12 per person and month. Applicants can use the pocket money at their own discretion. According to the experience of social workers in reception facilities, applicants use their pocket money mostly for buying cigarettes, items of personal use, food, coffee and tea, and telephone cards.

In some cases, pocket money is not provided: if it is multiple application for asylum and the previous procedure was suspended because the applicant had left the territory of the SR, or if the applicant attempted to illegally enter the territory of another state, or if he/she voluntarily left the territory of the SR and was returned back to the territory of the Slovak Republic, or if the applicant has an employment contract or has other income at least in the amount corresponding to the minimum amount per adult person under a special regulation, or if a decision has been made under a special regulation that the applicant is obliged to pay the reasonable costs of his/her stay in the reception facility.³⁴ Pocket money is neither paid to an applicant who has been allowed to stay outside of the accommodation centre, i.e. who has been granted a long-term pass.

The MO MoI SR can also decide on withdrawing the pocket money from an applicant who would otherwise be eligible to it, for breach of the facility's internal order. In practice, pocket money is withdrawn from inadapted applicants. It is in fact one of the few motivational factors to keep order in the facility.

Once a month applicants receive a “sanitary package”. The one for males contains soap, three pieces of toilet paper, hair shampoo, toothpaste, washing powder (500g) and five single-use razors. Once in a quarter-year males also receive a toothbrush, and shaving foam. Females also get a soap, toilet paper, hair shampoo, toothpaste, washing powder, and a toothbrush once in three months. Moreover, they get two packages of sanitary towels once a month.³⁵

³² Please explain what costs the financial allowance is intended to cover (e.g. does it cover accommodation costs, does it include pocket money etc) and specify whether the financial allowance is provided de facto and/or whether it can be used to remunerate applicants who carry out work (small tasks) within the reception facility.

³³ Instruction of the Director of the Migration Office of the Ministry of Interior of the Slovak Republic on issuing the internal order of the reception centre and internal order of the accommodation centre of the Migration Office of the Ministry of Interior of the Slovak Republic.

³⁴ For more details see footnote 18 and Section 1.2. Source: Art. 22, par. 8 of the Act on Asylum.

³⁵ Annex No. 1 to Instruction of the Director of the Migration Office of the Ministry of Interior of the Slovak Republic of 08 February 2008 on laying down a single procedure for the provision of financial and material assistance to aliens pursuant to Act No. 480/2002 Coll. on Asylum and on Changing and Amendments to Some Acts as Amended in the facilities of the Migration Office of the Ministry of Interior of the Slovak Republic.

Emergency health care is mainly provided to applicants in reception facilities. The treatment of acute diseases requiring emergency care is ensured in healthcare facilities. In the reception centre, healthcare is provided by contractual practitioners, since entrance health checks are carried out there and applicants often arrive exhausted after long trips. There is also a nurse working in the reception centre several hours a day. Accommodation centres also have a nurse working there every day, and a contractual practitioner visits the centre once a week or more often when needed.³⁶

Non-governmental organisations implement in the facilities projects financed by the European Refugee Fund. Under these projects they also employ social workers who complement the work of social workers from the MO MoI SR. Besides social work with applicants, non-governmental organisations also provide psychological and legal counselling, as well as material assistance in the form of clothing, or motivational financial contributions in addition to pocket money for certain small useful works (for example, when an applicant takes care for a library). Applicants also dispose of free legal representation, either in proceedings at the MO MoI SR, or in the appeal proceedings at court, which are financed by the ERF within different projects of non governmental organizations. Free legal representation at court proceedings is also ensured through the Legal Aid Centre³⁷ which represents applicants pursuant to Act No. 327/2005 Coll. on Provision of Legal Aid to Persons in Material Need.

Q15. Please indicate in Table 3 below for each type of reception facility in place in your (Member) State: the available surface per applicant (in square meters); the supervision rate (number of staff per applicant); and specify whether applicants have the possibility to take part in organised leisure activities.

Table 3 Other quality criteria for reception facilities that relate to the applicant’s experience of being accommodated in a reception facility

<i>Type of accommodation</i>	<i>Available surface per applicant in square meters</i>	<i>Supervision rate (number of staff per applicant)</i>	<i>Possibility of leisure activities? Yes/No. If yes, briefly describe</i>
<i>Collective initial/transit reception facilities</i>	6 m ² of available surface per applicant	0.07 = 2 social workers per 30 applicants	Yes. In the RC Humenné, applicants can use the sports playground, a fitness room, a room for children, a dayroom, and a TV room. Social workers do art therapy and ergotherapy together with applicants, organise various sports and cultural events (e.g. sports tournaments, cooking courses,

³⁶ Information provided by the MO MoI SR.

³⁷ The Legal Aid Centre is a state budget organisation established by the Ministry of Justice of the SR.

			evening events when the members of a certain ethnicity present their habits, or cook their typical meals, etc.). In their spare time, applicants often use the library and the possibility of internet connection.
Collective open reception facilities	6m ² per applicant	0.07 = 2 social workers per 30 applicants	Yes. Both accommodation centres have similar possibilities as the reception centre. In Opatovská Nová Ves, besides the possibilities mentioned above, applicants can also use a greenhouse for growing their own vegetables, and a hobby workshop, and a kick-wheel in Rohovce. In the reference period, some applicants accommodated in the AC Rohovce participated at the training of the local football club.
Special reception facilities for vulnerable groups (e.g. victims of torture or specific vulnerable female applicants)	6m ² per applicant	0.07 = 2 social workers per 30 applicants	Yes. See respond above.
Special separate reception facilities for unaccompanied minors	NA	NA	NA
Private houses or flats: arranged and paid for by competent authorities	NA	NA	NA
Private hotels: arranged and paid for by competent authorities	NA	NA	NA
Individually arranged accommodation such as houses, flats, hotels and/or possibilities of staying with friends and/or family	NA	NA	NA
Other premises for the purpose of accommodating applicants for international protection which are arranged and paid for by the competent authorities	NA	NA	NA

Source: MO MoI SR and author's calculations

The average available surface in reception facilities is 6m² per applicant, and supervision is ensured by two social workers³⁸ per 30 applicants, which is sufficient according to the MO MoI SR.

Applicants accommodated in the facilities can participate at various leisure activities. These activities are usually organised by social workers from non-governmental organisations working in reception facilities. The organisation of leisure activities is important mainly in the reception centre, since applicants cannot leave the area of the facility during their stay in such centre. In the RC Humenné, applicants can use the sports playground, a fitness room, a room for children, a day room, and a TV room, where they can watch via satellite TV programmes in their own native language. Social workers do art therapy and ergotherapy together with applicants. In their spare time, applicants use the library and the possibility of internet connection. It is very similar in the two accommodation centres. In Opatovská Nová Ves, besides the possibilities mentioned above, applicants can use a greenhouse for growing vegetables, and a hobby workshop. In Rohovce, they can use a kick-wheel. During the reference period, some applicants accommodated in the AC Rohovce participated at the training of the local football club. All reception facilities have praying rooms for applicants of Muslim belief. The accommodation centres are located on the edge of the municipality in both cases. Staying in these centres is often manifested in applicants by a camp syndrome³⁹. In case no decision has been made on the application for asylum within one year from the start of the procedure, applicants are allowed to work. They can therefore attend re-training courses financed by ERF within different projects implemented by non-governmental organisations. It should be noted, though, that such cases are rather exceptional, as the duration of the procedure is usually shorter.

The reception facilities also offer to applicants the possibility of attending a Slovak language course, provided free of charge.

Q16. Has your (Member) State developed guidelines or a handbook in relation to the reception offered to applicants for international protection?

The guidelines and the material conditions for the reception of applicants in particular are laid down in the Decree of the Ministry of Interior of the SR⁴⁰ and in the internal regulations of the MO MoI SR.

The rights and obligations of applicants arising from their status as asylum seekers in the SR are laid down in the Act on Asylum, and upon arrival at a reception centre the applicants are informed thereof.

During their stay in the reception or accommodation centre, applicants must abide by the facility's internal order which defines the practical operation of the centre, and especially the rights and obligations of applicants during their stay in the facility. Applicants must get acquainted with the contents thereof immediately upon their arrival at the centre.

³⁸ There is one social worker of the MO MoI SR in each centre. Other social workers are employees of non-governmental organisations.

³⁹ After a longer stay in the facility, people start to react negatively to the restrictions on their personal freedom, isolation from the surrounding world, uncertainty related to the asylum procedure and loss of their traditional roles; they become aware of the serious character of their situation, or return to their lived traumas. As a result, they often suffer depressions, apathy, headaches or other somatic diseases; in other cases they are aggressive towards themselves or towards others. These expressions are the consequence of the fact that asylum seekers cannot live their usual way of life. The regime in reception facilities is highly stereotypical.

Source: <http://www.czechkid.cz/si1240.html> (consulted on 08/06/2013).

⁴⁰ Decree of the Minister of Interior of the Slovak Republic of 11 January 2007 on the Procedures of the Migration Office of the Ministry of Interior of the Slovak Republic and Police Departments upon Execution of Act No. 480/2002 Coll. on Asylum and on Changes and Amendments to Some Acts as Amended.

Q17. What control mechanisms are in place to ensure that reception conditions are provided according to the standards specified in national legislation or other protocols/regulations?

In order to ensure the standards and quality of reception facilities, the MO MoI SR conducts regular controls. Under these controls, it also monitors the quality of services provided by non-governmental organisations working in the different facilities. On the other hand, non-governmental organisations report to the MO MoI SR any problems and shortcomings that need to be solved. Social workers who are employees of non-governmental organisations in the different facilities send to the MO MoI SR daily reports on the happenings in the facilities, and about potential complaints by applicants. The observation of the requirements defined in the Reception Conditions Directive is also controlled by the UNHCR and the ENARO international network.

Pursuant to the Act on Asylum, UNHCR has the right to approach the applicant during the asylum procedure, and may present its opinions under this procedure. If the participant to this procedure agrees, UNHCR can participate in the asylum procedure, and has the right to consult the files; in such case, the decision made under the asylum procedure is also communicated to the UNHCR.⁴¹ Further to the internal orders of the reception and accommodation centres, authorised representative of the UN High Commissioner for Refugees, applicant's guardian, applicant's legal representative, lawyer or other representative on the basis of a power of attorney and persons staying in the facility on the basis of contractual relations do not need a permit of the MO MoI SR to enter the facility.⁴²

In the ENARO framework, two rounds of exchanges are organised each year, under which employees of member institutions conduct assessments in the receiving country focused on the topic defined in advance. The topic of the assessment is always related to the reception of asylum seekers. After exchanges, ENARO organises a final conference each year to discuss the results of assessment.⁴³

Q18. Has there been a public debate about the quality of reception facilities in your Member State in the period from 2008 onwards - to date?

No. Migration and especially asylum is a marginal topic in the Slovak Republic, and is not paid much attention, which is to a certain extent related to the low number of applicants for asylum. As stated in the EMN Annual Report on Migration and Asylum Policies in the Slovak Republic 2012⁴⁴, migration and asylum issues did not represent an important element of political discussions and pre-election debates, and did not form part of election programmes. The media only pay minimum attention to this topic. In the recent years, the reception centre in Humenné has been mentioned in the media most frequently in connection with Slovakia's involvement in humanitarian transfers (for more details see Section 4)⁴⁵. Several articles mentioning the reception centre in Humenné focused on the

⁴¹ Art. 42 of Act on Asylum.

⁴² Instruction of the Director of the Migration Office of the Ministry of Interior of the Slovak Republic on issuing the internal order of the reception centre and internal order of the accommodation centre of the Migration Office of the Ministry of Interior of the Slovak Republic.

⁴³ MO MoI SR receives several workers from partner institutions each year, and has attended several exchanges through its representatives, as well the final conference.

⁴⁴ Bachtíková, Ulrichová (2013): Annual Report on Migration and Asylum Policies in the Slovak Republic 2012. European Migration Network, Bratislava [http://www.emn.sk/phocadownload/emn_reports/emn-sk_vyr-sprava-politiky-migr-azyl-sr_2012_sk.pdf] (consulted on 16/06/2013).

⁴⁵ For example, Otriová, J.: Záchytný tábor v Humennom čaká na Somálčanov. In: Korzár, p. 5, or TV shot in TV JOJ „Slovensko ako bezpečný prístav“ published on 05/07/2013.

stereotypes and prejudices of the local population against migrants.⁴⁶ The quality of services and material benefits in reception facilities was sporadically dealt by some articles in national and local mass media⁴⁷, with a neutral position. In general, the mass media also informed about the declining numbers of applications for asylum in the SR.

Q19. Does primary research exist in your Member State, evaluating the quality of reception facilities?

No. No primary research on the quality of services and material benefits in reception facilities has been conducted in the SR so far.

⁴⁶ For example, „Záchytný tábor v Humennom funguje už 6 a pol roka: Utrpela tým bezpečnosť občanov?“ Available at: <http://michalovce.dnes24.sk/zachytny-tabor-v-humennom-funguje-uz-6-a-pol-roka-zmenila-sa-bezpecnost-obyvateľov-156990> (consulted on 24/07/2013) and „Humenci sa emigrantov zo záchytného tábora už neboja“ Available at: http://www.webnoviny.sk/slovensko/humencia-sa-emigrantov-zo-zachytne/696321-clanok.html?from=section_article (consulted on 24/07/2013).

⁴⁷ For example, „Žiadatelia o azyl dostávajú vreckové 40 centov na deň: Čo všetko im zabezpečujeme?“ Available at: <http://www.topky.sk/cl/10/1335373/Ziadatelia-o-azyl-dostavaju-vreckove-40-centov-na-den--Co-vsetko-im-zabezpecujeme-> a <http://spravy.pravda.sk/domace/clanok/252491-ziadatel-o-azyl-dostava-na-slovensku-vreckove-40-centov-na-den/> (consulted on 24/07/2013), „OPATOVSKÁ NOVÁ VES: Žiadatelia o azyl pôjdu dnes na hrad Modrý Kameň“. Available at: <http://www.hlavnespravy.sk/opatovska-nova-ves-ziadatelia-o-azyl-pojdu-dnes-na-hrad-modry-kamen/110490/> (consulted on 24/07/2013).

Section 4
Flexibility
(Maximum 3 pages)

Q20 Please fill out the national statistics in Table 4 below:

Table 4 National statistics on flexibility

	2008	2009	2010	2011	2012
Total number of applicants entitled to reception*	909	822	541	491	732
Total number of applicants accommodated in reception facilities **	RC: 770 AC: 582	RC: 621 AC: 338	RC: 418 AC: 371	RC: 432 AC: 361	RC: 665 AC: 616
Maximum number of applicants that could be accommodated in reception facilities	Maximum capacity: RC: 550 AC: 510	Maximum capacity: RC: 550 AC: 280			
Average occupation rate in reception facilities	RC: 9.6% AC: 19.78%	RC: 10.69% AC: 21.02%	RC: 7.87% AC: 20.15%	RC: 5.98% AC: 24.17%	RC: 9.45% AC: 34.32%
Number of bed-days	<i>RC: 18,363</i> <i>AC: 36,918</i>	<i>RC: 15,608</i> <i>AC: 21,482</i>	<i>RC: 11,488</i> <i>AC: 20,591</i>	<i>RC: 8,729</i> <i>AC: 24,704</i>	<i>RC: 13,829</i> <i>AC: 35,167</i>

Source: MO MoI SR and author's calculations

Notes:

* The table presents the number of applications for asylum, since the total number of applicants entitled to reception is not available.

** The table presents the number of applicants who were accommodated in the reception centre and in the accommodation centres in the given year. The total number of applicants accommodated in reception facilities (RC and AC) is not available. The number of persons accommodated in the RC is more conclusive, since applicants must undergo quarantine in a RC before being transferred to an AC.

RC – reception centre in Humenné

AC – accommodation centres in Rohovce and Opatovská Nová Ves, in 2012 also accommodation centre in Gabčíkovo.

As already mentioned in the previous sections, except for the exception mentioned in the Act on Asylum, all applicants for asylum are placed in reception facilities. After having lodged the application for asylum, applicants for asylum are placed in the RC in Humenné, and are subsequently transferred to an accommodation centre, or are allowed to stay outside of the accommodation centre on the basis of a written request.

Since the MO MoI SR does not dispose of any data on the total number of applicants for asylum entitled to reception, **Table 4** presents the number of applications for asylum. In the

reference period, the number of applications for asylum saw a year-to-year decline until 2012 when this number increased by 49% compared to the year 2011. In the reference period, the Slovak Republic did not face any increased inflow of applicants unlike in the period before entry to the EU.

The total number of applicants for asylum accommodated in reception facilities is not available either, because MO MoI SR does not see the necessity to collect this data, and the table below therefore presents the number of applicants that were accommodated in the reception centre and in the accommodation centres in the given year. It should be mentioned in this regard that the number of persons accommodated in the reception centre is more conclusive and is closer to the total number of applicants accommodated in reception facilities, since applicants must undergo quarantine in the reception centre before being accommodated in an accommodation centre. The difference between the number of applications for asylum and the number of applicants accommodated in the reception centre is caused by the fact that applicants often lodge an application for asylum after being detained in the territory of the SR by members of the Police Force in order to avoid being placed in a police detention facility for foreigners. After having carried out all acts related to the filing of the application for asylum and after the issue of a credit transfer ticket, applicants often do not show up in the reception centre, and continue travelling to their country of destination.

We can get a better overview of the occupancy rate of reception facilities on the basis of data on the number of bed-days during the given year, which reflects the number of accommodated applicants in a reception facility, and the duration of their stay in these facilities. As **Table 4** suggests, most bed-days were recorded in the years 2008, 2009 and 2012, which relates to the higher number of applicants. At the same time, the number of bed-days with the bigger number of applicants accommodated in the reception centre in 2012 was lower than in 2009, which was probably due to the earlier end of the quarantine. The number of bed-days in accommodation centres was also slightly lower in 2012 compared to the year 2009 with a higher number of accommodated applicants, which corresponds to a shorter average duration of stay in reception facilities in 2012 as a result of faster asylum procedures.

The statistics suggest that it is hard to assess the flexibility of reception facilities on the basis of this data, since their overall average occupancy rate in the reference period (from 2008 to 2012) was below 11% for the reception centre and below 35% for the accommodation centres each year, which means that a relatively big part of the accommodation capacity of reception facilities seems to be unused. The average occupancy rate of the accommodation centres is slightly higher than the occupancy rate of the reception centre which has bigger capacity (550 beds) than both accommodation centres altogether. Part of the capacity of the RC in Humenné could therefore be used for humanitarian transfers of refugees on the basis of the so-called trilateral agreement⁴⁸.

⁴⁸ The first Agreement between the Government of the Slovak Republic, UNHCR and IOM concerning humanitarian transfer of refugees in need of international protection through the SR was signed on 20 July 2009. Pursuant to this agreement, humanitarian transfer of 98 Palestinian refugees from refugee camps in Iraq was carried out through the territory of the SR to the United States of America in the period from August 2009 to March 2010. Further to this successful transfer, an Emergency Transit Centre (ETC) was established in the reception facility of the MoI SR in Humenné, serving for providing temporary shelter to refugees whose situation in a refugee camp is unsustainable in the long run and who were selected for relocation to a third country. Since the first transfer of Palestinian refugees, up to three agreements between the Government of the SR, UNHCR and IOM have been signed, the current one being in effect from 24 June 2013 for a period of 15 months. On the basis of this agreement, the Government of the SR is due to receive 150 refugees and persons under UNHCR protection (mainly families or women with children) for a period of six months from the day of their entry to the territory of the SR. The agreement counts with the possibility of accommodating further persons in case part of refugees leaves for the country of relocation; the condition is that the total number of temporarily

With regard to the statistics on the number of applicants during the reference period (2008–12) when the number of applications for asylum varied between 909 in 2008 and 491 in 2011 per year, the overall capacity of reception facilities seems to be unnecessarily big. It should be noted, though, that at the time these facilities opened (all of them are buildings of former barracks) for applicants, the number of applications in the SR was more than ten times bigger. Since 2006 when the RC Humenné opened as the last facility, no new centre has opened. The reception facility should also have a certain reserve as to capacity to be able to immediately respond to certain increases in the number of applicants, and to provide housing to such applicants. The MO MoI SR does not plan to reduce the number of reception facilities, since it needs at least two accommodation centres to be able to ensure that vulnerable persons are accommodated separately from other applicants.

Q 21. Please describe any pressure that your (Member) State may have experienced in relation to the reception of applicants for international protection during the period 2008-2012 and briefly explain possible reasons for such pressure. (Note that annual statistics from Eurostat on the number of applications for international protection, first decisions, etc. over the years 2008-2012 will be incorporated in the relevant section of the Synthesis Report. Hence, if relevant, you may refer to a period of pressure by comparing the number of applications with the capacity of your (Member) State's reception system).

In the reference period from 2008 to 2012, the Slovak Republic did not face any increased inflow of applicants, as was the case prior to the country's entry to the EU. In the period 2003–04, the SR observed a massive influx of applicants (increase in the number of applications from 1,556 in 2000 to 11,395 in 2004, which represented an increase by approx. 700%). In order to cope with this pressure, the MO MoI SR established new reception centres and rented new facilities, thus increasing the capacity by approx. 1,000 persons. The asylum procedure has also accelerated in the given period. It should also be noted that at that time the SR was almost exclusively a transit country, and the majority of applicants sought to continue in their journey after several days of stay in the reception facility and cross the western border to Austria, which is proven by the number of suspended procedures or decisions on the substance of the case.⁴⁹

Q 22. Which flexibility mechanisms are foreseen and/or have been used in case there are shortages or surpluses in reception facilities? Please answer this question by indicating in Table 5 below whether any of the below mechanisms exist in your Member State and whether they have been actually used:

admitted persons is maximum 150 at any time during their temporary accommodation in the SR. The agreement also stipulates the obligations of the UNHCR, IOM and Government of the SR in the treatment of these persons, setting their numbers, place of assignment, legal status, required healthcare, provision of social services, subsequent transport, as well as the way of financing of activities assumed by this agreement. Pursuant to this agreement, the MoI SR has, *inter alia*, the following commitments concerning the provision of material conditions and services in the reception facility: provide housing, food and elementary sanitary products to refugees and persons under protection in the reception facility of the MoI SR in Humenné within the same extent as to applicants for asylum under national law, and cover the expenses arising from the fulfilment of this commitment for 100 refugees and persons under protection; and issue, in cooperation with the UNHCR, a document authorising refugees and persons under protection to have access to necessary and emergency health care, covered by the UNHCR. Source: IOM and <http://www.minv.sk/?tlacove-spravy-6&sprava=v-roku-2011-slovensko-poskytne-utocisko-pre-100-utecencov-a-osob-pod-ochranou-unhcr> (consulted on 02/06/2013).

⁴⁹ For example, a total of 10,358 applications for asylum were lodged in 2003, and the MO MoI SR issued 542 decisions on granting or denying asylum; in 2004, the MO MoI SR received 11,395 applications and granted or denied asylum in 1,607 cases. Source: MO MoI SR.

Table 5 Flexibility Mechanisms

Type of mechanism	Does this exist in your (Member) State? (Yes/No)	If yes, please describe	Has this mechanism been used? (Yes/No) If yes, please describe
Early warning mechanism⁵⁰ (including any software programmes monitoring capacity and occupancy in reception facilities)	No. There are three reception facilities in the SR; the SR records a relatively small number of applications for asylum per year; the occupancy of the facilities is only monitored by facility managers who report thereon as needed.	:	:
Additional reception facilities acting as buffer capacity	Yes	The area of the former accommodation centre in Gabčíkovo, which was closed as of 31 December 2008, is ready to accommodate potential applicants for asylum, if needed.	Yes, though only in the period 2003–04 when the SR faced a massive influx of applicants for asylum/international protection in the period before entry to the EU. The MO MoI SR established new reception centres and rented a new facility, thus having increased the capacity.
Emergency plans	Yes	In the event of a massive influx of asylum seekers, it is first planned to increase the capacity of the existing facilities. Further capacities can be created through the facility in Gabčíkovo or by creating new facilities in unused buildings owned by the MoI SR or buildings used for other purposes with the possibility of	Yes. Just as in the previous case, the possibility to increase the capacity of the existing facility was used in the period before entry to the EU in 2003–04.

⁵⁰ An early warning mechanism refers to a monitoring system, e.g. a mechanism that monitors the inflow of applicants for international protection, evaluating in particular whether the (Member) State possesses the necessary capacity to deal with increased (or decreased) pressure. Such a monitoring system would enable identification of possible shortcomings (or excess capacity) at an early stage. An early warning mechanism could for example include a.o. any software programmes monitoring capacity and occupancy rate in reception facilities.

		quick transformation to a reception facility.	
Budget flexibility (to increase or decrease the budget when necessary)	Yes	If needed, the budget for the asylum policy implementation can be increased. Certainly, such an increase would not be unlimited.	Yes. In 2010–12, the approved budget of the MO MoI SR increased through budget measures.
Employing more case-workers to speed up decision-making	Yes	In the case of a longer-term pressure on the asylum system, it is possible to employ more case-workers, but the administration of new jobs and the training of new employees would take some time.	No. This instrument was neither used in the pre-entry period; at that time, the burden on the employees of the MO MoI SR was bigger, and one case-worker was usually assigned several files.
Fast-tracking procedures	No	:	:
Application of different standards/modalities of reception conditions in emergency situations⁵¹	No	:	:
Provision of financial vouchers/allowance to cover costs of private accommodation⁰	No	:	:
Review for specific categories of applicants who obtain priority access to reception	No	:	:
The use of excess space for other purposes	No	:	:
Other?	No	:	:

Source: MO MoI SR

Note:

: not applicable

⁵¹ Article 14 paragraph 8 of the Reception Conditions Directive 2003/9/EC stipulates that: “Member States can exceptionally set modalities for material reception conditions different from those provided for in Article 14 for a reasonable period which shall be as short as possible, when: an initial assessment of the specific needs of the applicant is required; material reception conditions, as provided for in article 14, are not available in a certain geographical area; housing capacities normally available are temporarily exhausted; the asylum seeker is in detention or confined to border posts. The different conditions must cover in any case basic needs”.

In the case of a shortage or surplus of available places in the Slovak reception facilities, the law provides for several possibilities, such as additional facilities complementing the capacities in the case of acute need, or closure of the existing unused facilities, emergency plans, adjustment of budget resources, and increase in the number of employees deciding on applications for asylum. In the reference period from 2008 to 2012, from the actual possibilities the SR only used the possibility to adjust the budget for the reception of asylum seekers, as well as closure of a reception facility whose capacity surpassed the needs. No other possibility has been used. The current Slovak legislation does not define any tools to ensure flexibility of reception facilities, such as accelerated procedures, application of other standards/methods of reception conditions in emergency situations, provision of financial vouchers/contributions to cover the costs of private accommodation, assessment of specific categories of applicants gaining priority approach to reception, or use of excess spaces in these facilities for the given purpose.

The occupancy rate of the individual facilities is currently monitored mainly by facility managers who report increased numbers of applicants, when needed. The MO MoI SR also disposes of the MIGRA information system which can be used to monitor the current number of applicants staying in the facility. This system, however, does not assess the situation automatically, and has not limits set for the individual asylum facilities. It is in fact a registration system which can produce summary reports.

Q 23. Please indicate best practices in handling (disproportionate) pressure as well as ability to adjust to fluctuating numbers of applications over time. Where possible, please refer to the use (and effectiveness) of any of the aforementioned flexibility mechanisms.

Please see the answer to Question 21.

For cases characterised by massive influx of applicants, the MO MoI SR prepared several alternatives. The first possibility would be to temporarily increase the number of beds in the different facilities. Such solution could only be used for a temporary period and with such number of applicants which would only slightly exceed the capacity of the individual centres. According to the statement of the MO MoI SR, the Migration Office would seek to accelerate the asylum procedure.⁵²

The MO MoI SR also counts with the alternative of using the facility in Gabčíkovo. For this purpose, a contract was signed with the Slovak Technical University which owns the real property on the possibility of using this facility if needed.

Another possibility is to create new facilities in unused buildings owned by the state and administered by MoI SR, or buildings used for other purposes, but only if their relatively quick transformation to a reception facility is possible. All existing facilities of the MO MoI SR were also previously owned by the state, and were transformed from redundant barracks.

These solutions concern accommodation capacities, but certain measures should also be adopted with regard to the decision-making on the applications. In the case of a longer-term pressure on the asylum system, it would be necessary to employ more case-workers. This would take some time, though, since it requires the holding of a selection procedure and training of new employees.

⁵² The duration of the procedure does not only depend on how fast the MO MoI SR issues a decision, but mainly on how fast the courts make decisions, since, at present, the majority of applicants for asylum obtaining a negative decision files a remedy against such decision to be decided by the court.

Certainly, any of these measures would create a pressure on the budget of the MO MoI SR and, hence, on the budget of the MoI SR, and it would be necessary to increase the funds for the migration policy implementation.

Section 5
Efficiency
(Maximum 2 pages)

Q24. Please fill in the national statistics Table 6 below (please provide figures or, if not possible, estimates thereof):

Table 6 National Statistics on Efficiency

	2008	2009	2010	2011	2012
National budget allocated to the reception of applicants for international protection	4,343,557.06	4,085,329	2,914,189	2,589,419	2,515,191
Total costs of reception	3,564,319.86	3,732 885.82	3 157 519,16	3,046 ,095,26	3,285,940.38
Total direct costs⁵³	2,056,243.78	2,004, 188.04	1,527, 336.15	1,566, 319,96	1,736,901.68
<i>Direct costs per applicant and per day of stay (in EUR)</i>	<i>31.14</i>	<i>42.04</i>	<i>45.88</i>	<i>46.49</i>	<i>35.45</i>
Total indirect costs⁵⁴	1,508, 076.08*	1,728, 697.78*	1,630, 183.01*	1,479, 775.3*	1,549,038.7*
Total costs of reception including Dublin cases	3,564, 319.86**	3,732, 885.82**	3,157, 519.16**	3,046, 095.26**	3,285, 940.38**
Total costs of reception excluding Dublin cases	3,269, 112.66**	3,399, 929.02**	2,865, 722.36**	2,778, 312.86**	3,013, 684.38**
Inflow of new applicants to reception facilities	-	-	293	299	550
Inflow/return of applicants who have temporarily left a reception facility	-	-	245 ***	192***	182***
Outflow of applicants from	-	-	/	/	/

⁵³ Direct costs refer to explicitly defined costs and budgets for the reception of applicants for international protection in each (Member) State.

⁵⁴ Indirect costs refer to costs that are not directly measurable (as costs are borne by a wide range of stakeholders and further relate to the applicant's access to general public services).

reception facilities, who do not return later					
Share of applicants in reception facilities who have received a final decision on their application	less than 1% ****				
Median⁵⁵ range of an applicant's stay	-	-	-	-	-
Interquartile⁵⁶ ranges of an applicant's stay	-	-	-	-	-
<i>Average duration of stay in a reception facility (in days)</i>	72.7	58	61.5	68.6	66.9
<i>Direct costs per applicant depending on the average duration of stay (in EUR)</i>	2,263.88	2,438.32	2,821.62	3,189.21	2,371.61

Source: MO MoI SR and author's calculations

Notes:

* The table presents the MO MoI SR costs related to applicants for asylum, and include, for example, salaries and transfers of MO MoI SR employees, costs of the operation of buildings, etc.

** The MO MoI SR does not keep separate records on the costs related to applicants for asylum for which the Dublin procedure has been initiated. The table presents an estimate of such costs based on the number of such cases, approximate duration of the Dublin procedure, and direct expenses per applicant and per day of stay in the given year.

*** Multiple applications for asylum are presented here.

**** Applicants for asylum can be accommodated in a reception facility until they receive a final decision on their application. Persons granted asylum who can be accommodated in the accommodation centre for as long as needed on the basis of a written request constitute an exception in this regard, which happens exceptionally, since the MO MoI SR disposes of an integration centre, and cooperates with non-governmental organisations in accommodating persons granted asylum or subsidiary protection.

/ data not available

- not monitored

In the reference period, the total budget for the reception of applicants in the SR was decreasing from 2008 to 2012, which was caused by the gradual decline in the number of applications for asylum and granted asylums, as well as public administration savings. Since 2010, the budget allocated to the MO MoI SR for the given year was not sufficient to cover

⁵⁵ The median is the numerical value separating the higher half of the distribution of the lower half (middle value).

⁵⁶ The interquartile ranges refer to the value of the first quartile (25 percentile) and the third quartile (75 percentile) in a distribution.

the costs of the admission of applicants, and therefore increased by means of budget measures approved throughout the year.

The total costs of the admission of applicants gradually decreased in the reference period, with the exception of the years 2009 and 2012 when they increased. In 2009, the increase was mainly caused by the growth of indirect costs as a result of increased costs of running of the office, and in 2012 it was caused mainly by the higher number of applications for asylum.

The total direct costs in the reference period were declining until 2011 when they started to slightly increase. These costs also grew in 2012 when the total direct costs increased by 10.8% compared to the year 2011, which was again caused by the higher number of applications for asylum. On the other hand, the direct costs for applicants, which include accommodation expenses (energy, water, repairs and maintenance of buildings, quilts, bed linen, towels, etc.), board, purchase of kitchen utensils (cutlery, plates, glasses, etc.), sanitary products for applicants, protection and guarding of buildings, interpreting, transport, health care expenses, pocket money, other expenses of applicants, and salaries of employees ensuring the running of the facilities, decreased in 2012. The amount of direct costs is influenced not only by the number of applicants, but also by their composition (males, females, or applicants under 18 years of age), age structure, health condition, duration of the asylum procedure and related stay in reception facilities until the decision on granting or denying asylum becomes final.

As **Table 4** suggests, the lower the number of applications for asylum is, the higher the expenses per applicant and per day of stay. This relates to the fact that the operating costs of the reception facilities are in fact the same, irrespective of the number of applicants.

According to the specification of this study, **Table 6** should also present indirect costs related to applicants for asylum which are not directly measurable, such as costs borne by other actors and associated with applicants' access to general public services. In the SR, however, such costs cannot be quantified, and are therefore presented in the table as indirect costs of the MO MoI SR related to applicants for asylum, including salaries and transfer payments of the MO MoI SR staff, travel costs, costs of the operation of buildings, and others. As **Table 6** suggests, these costs do not depend on the number of applicants.

The MO MoI SR does not keep separate records on the costs related to applicants for asylum for which a Dublin procedure has been initiated. This is not possible since such applicants are not accommodated in a separate facility, but stay together with other applicants. **Table 6** only gives an estimate of such costs on the basis of the number of such cases, average duration of the Dublin procedure, and direct costs per applicant and day of stay in the given year. No conclusions can be drawn from such estimations, since the input data on which this estimation is based is not precise.⁵⁷

The data on the inflow of new applicants to reception facilities, inflow/return of applicants who have temporarily left the reception facility, and outflow of applicants from reception facilities who did not returned anymore was monitored in the reference period only partially, or was not been monitored at all, as a result of which no specific conclusions can be drawn.

⁵⁷ Though the MO MOI SR keeps statistics on Dublin procedures, these also include third-country nationals who have not applied for asylum in the territory of the SR, and are therefore not applicants. The numbers of persons for which a Dublin procedure was initiated are the following – by years: 2008 – 158, 2009 – 132, 2010 – 106, 2011 – 96, and 2012 – 128. According to the data provided by the MO MoI SR, the average duration of a Dublin procedure was two months. Source: MO MOI SR.

The share of applicants in reception facilities who received a final decision on their application was less than 1% each year, as applicants for asylum whose decision on granting or denying asylum has become final stay in a reception facility only in exceptional cases. See also Question 26.

The average duration of stay in a reception facility was approximately 2.2 months (65.54 days) during the reference period 2008–12. The data on the median range of an applicant's stay and interquartile range of an applicant's stay are not monitored in the SR.

The efficiency of reception facilities can be partly assessed on the basis of direct costs per applicant depending on the duration of stay. **Table 6** show, that these costs reached the lowest level in the period when the MO MoI SR recorded higher numbers of applicants, i.e. in the years 2008, 2009 and 2012 (see also **Table 4**), which suggests that the reception facilities are more efficient with higher numbers of applicants when their capacities are used to a larger extent.

Q25. Are cost (estimations) available for the flexibility mechanisms used in your Member State (see Question 22)?

No. At present, the SR does not apply any mechanism for the estimation of costs caused by the introduction and implementation of tools to ensure flexibility in the case of a shortage or excess of available places in reception facilities (see **Table 5**).

Q26. What is the tolerance time for extended stay of applicants in reception facilities who have already received a final decision on their application?

The share of applicants in reception facilities who have received a final decision on their application was less than 1% every year, as applicants for asylum who have received a final decision on granting or denying asylum stay in a reception facility in exceptional cases only. The time during which such applicants can exceptionally stay in a reception facility is laid down in the Act on Asylum, which only mentions the strictly necessary time during which a person granted asylum can stay accommodated in the accommodation centre on the basis of his/her written request.⁵⁸ However, in practice, this provision is not used frequently, since persons granted asylum can be accommodated in the integration centre in Zvolen, and thanks to the cooperation with non-governmental organisations persons granted asylum (in case they are not accommodated in Zvolen) and persons under subsidiary protection are able to find accommodation immediately after the decision on granting international protection becomes final. In spite of that, the amendment to the Act on Asylum which is at the stage of preparation and is expected to enter into force in December 2013 considers offering the possibility to get accommodation in accommodation centres for as long as needed also to persons under subsidiary protection.⁵⁹

⁵⁸ Art. 24, par. 3 of Act on Asylum.

⁵⁹ Source: MO MoI SR.

Section 6
Conclusions
(Maximum 2 pages)

This Section will outline the main findings of the Study and present conclusions as to what extent the organisation of the reception system impacts on the flexibility, efficiency, and quality of reception facilities.

Q27. Please summarise the organisation of reception facilities in your (Member) State, indicating main strengths and weaknesses (please specify any evidence for these findings)

In the reference period 2008–12, the number of applicants for asylum in the SR was stable, and varied between 909 applications in 2008 and 491 applications in 2011. The accommodation capacities for applicants covered these demands, and therefore no changes had to be made in terms of capacity increase in the reference period. On the other hand, the AC in Gabčíkovo with the capacity of 230 persons was closed at the end of 2012, thus reducing excess capacities. Applicants are admitted to three reception facilities in the SR – one reception centre with temporarily restricted freedom of movement, and two accommodation centres which are open.

With regard to the statistics on the numbers of asylum seekers in the reference period, the unnecessarily big capacity of these reception facilities seems to be a weakness. It should be mentioned, though, that the number of applications per year at the time these facilities opened was ten times higher. On the other hand, the reception facilities are required to have a certain reserve as to capacity to be able to immediately respond to accommodation demands in the event of an increase in the number of applicants which can be considered strength of this scheme. Another strength seems to be the existence of two accommodation centres able to ensure separate accommodation for vulnerable persons away from other applicants. The use of the capacity of the reception centre in Humenné for the purposes of humanitarian transfer of refugees should also be emphasised, as the SR can thus largely contribute to the improvement of the status of such persons living in hard conditions by being gradually relocated from the SR to third countries. As already mentioned, all facilities for asylum seekers in the SR are collective. The weakness of such facilities is the fact that the responsibility for the every-day life of applicants (e.g. cooking) is borne by the facility management, which can lead, along with other factors and lived traumas, to feelings of uselessness and apathy in applicants.

Q28. Please summarise whether your (Member) State has experienced pressure on its reception facilities (in terms of both in-and outflow, and duration of the processing time of applications) and indicate what measures have been most successful in handling such pressure

In the reference period, the Slovak Republic did not face increased pressures by applicants, as was the case in the period before the country's entry to the EU in 2003–04. In that period, the SR observed a massive growth in the number of applicants by about 700%. This situation was solved by opening new reception facilities or by renting premises for such purposes. At that time, the SR was rather perceived as a transit country, and the majority of applicants sought to continue in their journey to EU countries after staying for several days in reception facilities. It was therefore not necessary to implement other measures related to the increase of reception facilities' capacities or further stay of asylum seekers or people granted asylum in the SR than the ones described above.

Q29. Please describe best practices in controlling costs of reception facilities whilst ensuring quality (maximum half a page)

The budget for the admission of asylum seekers has seen a year-to-year decline since 2008, and it was smaller by EUR 1.8 million in 2012 compared to the year 2008. The best way of functioning of the admission capacities seems to be the use of real properties owned by the MoI SR, with no need to spend financial resources for the purchase of such buildings, though it is necessary to ensure their reconstruction and maintenance. This system is more advantageous than, for example, rental of flats from individual owners. It is also easier and cheaper to provide care for applicants in the collective type of facilities in terms of health care, psychological assistance, material provision, or administration related to the application for asylum.

The asylum system in the form implemented in the SR is relatively stable from a long-term perspective, and the SR does not plan any substantial changes in this regard in the foreseeable future. The synthesis report on this topic compiled by the EMN and the knowledge obtained from other EU Member States can serve as a source of information in case such changes are needed, or as inspiration in the event of potential changes in the current system.

Terms and Definitions

*Alien*⁶⁰ means everybody who is not the state citizen of the SR.

*Third-country national*⁶¹ means everybody who is neither the citizen of the Slovak Republic nor the citizen of any of the European Union Member States⁶², or other contracting state of the EEA or the Swiss Federation; a third-country national is also understood as a person without any citizenship.

*Country of origin*⁶³ means state or states the alien is a national of, or, in the case of stateless person, the state of his/her last residence.

*Safe country of origin*⁶⁴ means a stable country with the rule of law and democratic order the alien is a national of or, in the case of a stateless person, the country of his/her last residence.

*Unaccompanied minor*⁶⁵ means a child under the age of 18 years who stays outside of the territory of his/her country, is separated from both of his/her parents, and is not taken care of by a person responsible for his/her upbringing by law or by practice.

*Vulnerable persons*⁶⁶ means unaccompanied minors, disabled people, elderly people, pregnant women, single parents with minor children or persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence. The Act on Asylum does not contain the term vulnerable person, but instead uses the term persons requiring special care. Persons requiring special care are in particular pregnant women, persons under 18 years of age, disabled persons, elderly persons, or persons that were tortured, raped or subjected to other serious forms of psychical, physical or sexual violence.⁶⁷ For the purposes of this study, the term vulnerable persons is used.

*Applicant/applicant for asylum/asylum seeker*⁶⁸ means an alien who declares at the competent police department⁶⁹ that he/she requests asylum or the granting of subsidiary protection in the territory of the Slovak Republic.

⁶⁰ Act No. 404/2011 Col. on Residence of Aliens and on Changes and Amendments to Some Acts (hereinafter referred to as the “Act on Residence of Aliens”).

⁶¹ Ibidem.

⁶² Pursuant to the Act on Residence of Aliens, a MS means EU MS except for the SR, or other contractual state of the EEA Agreement, and the Swiss Confederation.

⁶³ Act No. 480/2002 Coll. on Asylum and on Changes and Amendments to Some Acts as Amended (hereinafter referred to as “Act on Asylum”).

⁶⁴ Ibidem.

⁶⁵ Source: http://www.upsvar.sk/socialne-veci-a-rodina/socialno-pravna-ochrana-deti/opatrenia-na-zabezpecenie-ochrany-zivota-zdravie-a-vyvinu-dietata/malolety-bez-sprievodu.html?page_id=1204 (consulted on 22/07/2013).

⁶⁶ Source: Art. 17 of Council Directive 2003/9/EC of 27 January 2003 laying down minimum standards for the reception of asylum seekers (Reception Conditions Directive), and EMN Asylum and Migration Glossary. Available at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32003L0009:SK:HTML> a http://www.emn.sk/phocadownload/glossary/emn_glossary_v-jan2012.pdf (consulted on 22/07/2013).

⁶⁷ Source: Art. 26 of Decree of the Minister of Interior of the Slovak Republic No. 14/2008 on changing and amending Decree No. 1/2007 on the Procedures of the Migration Office of the Ministry of Interior of the Slovak Republic and Police Departments upon Execution of Act No. 480/2002 Coll. on Asylum and on Changes and Amendments to Some Acts as Amended.

⁶⁸ Ibidem.

⁶⁹ According to the Act on Asylum, the competent police department can be, for example, the police department at the border crossing point, or PD at a reception facility, a PD in the transit area of an international airport, or a PD in a facility for aliens.

*Application for asylum*⁷⁰ means any statement by an alien from which his/her intention to apply for asylum is obvious (or for the granting of subsidiary protection), made at the competent police department. Such statement means the start of the asylum procedure.

*International protection*⁷¹ means the granting of asylum or subsidiary protection.

*Subsidiary protection*⁷² means protection against serious harm in the country of origin.⁷³

*Person granted asylum*⁷⁴ means an alien who has been granted asylum by the MO MoI SR.

*Final decision*⁷⁵ means a decision which is binding and unchangeable in principle. For the purposes of this study, this means a decision on granting or denying international protection against which no ordinary appeal can be filed anymore.

*Reception facility*⁷⁶ means reception centre, accommodation centre, transit centre, and humanitarian centre.⁷⁷ In this study due to the set specifications, the term reception facility will only mean reception centre and accommodation centre, since a humanitarian centre does not serve for applicants for asylum, and in a transit centre applicants stay for several hours only, i.e. for the time needed to carry out all acts associated with the application for asylum.

*Reception centre*⁷⁸ means facility of the MoI SR which serves for the performance of health checks and for temporary stay of applicants before their placement in an accommodation centre; applicants for asylum are provided with free of charge housing, boarding, basic health care and pocket money; after the end of the quarantine, the applicant for asylum is accommodated in an accommodation centre until the asylum procedure is terminated.

*Accommodation centre*⁷⁹ is a facility of the MoI SR which secures complex care for applicants for asylum until complete termination of the asylum procedure.

*Integration centre (asylum centre)*⁸⁰ means a facility of the MoI SR which serves for temporary accommodation of aliens granted asylum. An alien granted asylum may request the competent staff of the accommodation centre to get accommodation in this facility. Such request is passed to the MO MoI SR for decision.

⁷⁰ Act on Asylum.

⁷¹ Ibidem.

⁷² Ibidem.

⁷³ According to the Act on Asylum, serious harm means imposition of a death penalty or its execution, torture or inhuman or degrading treatment or punishment, or serious and individual threat to life or inviolability of person by reason of arbitrary violence in situations of international or internal armed conflict.

⁷⁴ Ibidem.

⁷⁵ Mazák, J. et al. 2009. *Základy občianskeho procesného práva*. Bratislava: IURA EDITION, 2009.

⁷⁶ **In the Slovak version of the study this term is equal to the term „azylové zariadenie“ (in English „Asylum facility“).**

⁷⁷ Act on Asylum.

⁷⁸ Art. 1 to Annex 1 (internal order of the reception centre) to the Instruction of the Director of the Migration Office of the Ministry of Interior of the Slovak Republic on issuing the internal order of the reception centre and internal order of the accommodation centre of the Migration Office of the Ministry of Interior of the Slovak Republic.

⁷⁹ Art. 1 of Annex 2 (Internal Order of the Accommodation Centre) to the Instruction of the Director of the Migration Office of the Ministry of Interior of the Slovak Republic on issuing the internal order of the reception centre and the internal order of the accommodation centre of the Migration Office of the Ministry of Interior of the Slovak Republic.

⁸⁰ Act on Asylum.

*Transit centre*⁸¹ means a place within the transit areas of airports for the placement of applicants who have arrived in the territory of the Slovak Republic by plane, but failed to fulfil the conditions of entry to the SR and applied for asylum at the police department within the transit area of an international airport. There are three such centres within the SR – within the areas of the international airports in Bratislava, Košice and Poprad.

*Humanitarian centre*⁸² means a facility of the MoI SR securing the stay of aliens who applied for provision of temporary shelter and the stay of de facto refugees.

*Material reception conditions*⁸³ mean the reception conditions that include housing, food and clothing, provided in kind, or as financial allowances or in vouchers, and a daily expenses allowance.

*Reception conditions*⁸⁴ mean the full set of measures that Member States grant to asylum seekers in accordance with Reception Conditions Directive.

Dublin cases (Dublin II) – for the purposes of this study, “Dublin cases” are applicants for asylum in the SR for which a Dublin procedure has been initiated to determine the Member State responsible for the evaluation of the application for asylum lodged in a Member State. This means that before the lodging of the application for asylum in the SR they applied for asylum in another Member State.

⁸¹ Ibidem.

⁸² Ibidem

⁸³ Council Directive 2003/9/EC of 27 January 2003 laying down minimum standards for the reception of asylum seekers (Reception Conditions Directive)

⁸⁴ Ibidem

Abbreviations

AC – accommodation centre

EC – European Commission

EEA – European Economic Area

ENARO – European Network of Asylum Reception Organisations

ERF – European Refugee Fund

EU – European Union

IOM – International Organization for Migration

MoI SR – Ministry of Interior of the Slovak Republic

MO MoI SR – Migration Office of the Ministry of Interior of the Slovak Republic

MS – EU Member State

PD – police department

RC – reception centre

SR – Slovak Republic

UNHCR – United Nations High Commissioner for Refugees

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Council Directive 2005/85/EC of 1 December 2005 on minimum standards on procedures in Member States for granting and withdrawing refugee status (Procedural Directive)

Act No. 480/2002 Coll. on Asylum and on Changes and Amendments to Some Acts as Amended

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

Act No. 40/1993 on State Citizenship in the wording of Act No. 70/1997 Coll., Act No. 515/2003 Coll., Act No. 36/2005 Coll., Act No. 265/2005 Coll. and Act No. 344/2007 Coll.

Decree of the Minister of Interior of the Slovak Republic of 11 January 2007 on the Procedures of the Migration Office of the Ministry of Interior of the Slovak Republic and Police Departments upon Execution of Act No. 480/2002 Coll. on Asylum and on Changes and Amendments to Some Acts as Amended

Annex 1 Reception Conditions in different Reception facilities

Please fill out the table below concerning the rights granted to applicants for international protection as laid down in national legislation in different reception facilities.

Table A1.1 Reception conditions in different reception facilities

	Collective initial/transit reception facilities	Collective open reception facilities	Special reception facilities for vulnerable groups	Special separate reception facilities for UAMs	Private houses or flats ⁸⁵	Private hotels ⁸⁶	Individually arranged accommodation ⁸⁷	Other premises	Comments
Food	Yes, three times a day; in addition to that, applicants under 18 years of age receive two small snacks.	Yes, three times a day; in addition to that, applicants under 18 years of age receive two small snacks.	Yes, three times a day; in addition to that, applicants under 18 years of age receive two small snacks.	NA	NA	NA	NA	NA	NA
Clothing	Basic clothing Clothing under ERF projects, voluntary collections of used clothes	Basic clothing Clothing under ERF projects, voluntary collections of used clothes	Basic clothing Clothing under ERF projects, voluntary collections of used clothes	NA	NA	NA	NA	NA	NA
Financial allowance⁸⁸	Pocket money – persons under 18 years of age: EUR	Pocket money – persons under 18 years of age: EUR	Pocket money – persons under 18 years of age: EUR	NA	NA	NA	NA	NA	NA

⁸⁵ Arranged and paid for by competent authorities.

⁸⁶ Arranged and paid for by competent authorities.

⁸⁷ E.g. houses/flats/hotels and/or staying with friends and family.

⁸⁸ Please explain what this consists of.

	0.27 per day; persons over 18 years of age: EUR 0.40 per day. In the case of work beneficial to the centre, the applicant can receive an increased amount of pocket money of EUR 1.20 per day.	0.27 per day; persons over 18 years of age: EUR 0.40 per day. In the case of work beneficial to the centre, the applicant can receive an increased amount of pocket money of EUR 1.20 per day.	0.27 per day; persons over 18 years of age: EUR 0.40 per day. In the case of work beneficial to the centre, the applicant can receive an increased amount of pocket money of EUR 1.20 per day.						
Emergency health care	Emergency health care is provided by the medical personnel in the facility, or, if needed, in the respective healthcare facility.	Emergency health care is provided by the medical personnel in the facility, or, if needed, in the respective healthcare facility.	Emergency health care is provided by the medical personnel in the facility, or, if needed, in the respective healthcare facility.	NA	NA	NA	NA	NA	NA
Medical care	Medical care is ensured by a contractual practitioner, and a nurse is present in the facility for several hours every day. Medical care is provided in healthcare facilities, and the Migration Office pays for other than emergency healthcare in special cases and on the	Medical care is ensured by a contractual practitioner, and a nurse is present in the facility twice a week. Medical care is provided in healthcare facilities, and the Migration Office pays for other than emergency healthcare in special cases and on the basis of	Medical care is ensured by a contractual practitioner, and a nurse is present in the facility twice a week. Medical care is provided in healthcare facilities, and the Migration Office pays for other than emergency healthcare in special cases and on the basis of	NA	NA	NA	NA	NA	NA

	basis of individual assessment of the applicant's health condition. Medical care is also provided to applicants who are victims of abuse, neglect, exploitation, torture, cruel, inhuman and humiliating treatment or who suffered the consequences of an armed conflict.	individual assessment of the applicant's health condition. Medical care is also provided to applicants who are victims of abuse, neglect, exploitation, torture, cruel, inhuman and humiliating treatment or who suffered the consequences of an armed conflict.	individual assessment of the applicant's health condition. Medical care is also provided to applicants who are victims of abuse, neglect, exploitation, torture, cruel, inhuman and humiliating treatment or who suffered the consequences of an armed conflict.						
Psychological care	A psychologist is present in the facility once a week through ERF projects. If needed, individual psychological care is ensured.	A psychologist is present in the facility once a week through ERF projects. If needed, individual psychological care is ensured	A psychologist is present in the facility once a week through ERF projects. If needed, individual psychological care is ensured	NA	NA	NA	NA	NA	NA
Free legal assistance	Free legal assistance is provided through ERF projects, and in appeal proceedings against the decision of the Migration Office also through the Legal Aid Centre.	Free legal assistance is provided through ERF projects, and in appeal proceedings against the decision of the Migration Office also through the Legal Aid Centre.	Free legal assistance is provided through ERF projects, and in appeal proceedings against the decision of the Migration Office also through the Legal Aid Centre.	NA	NA	NA	NA	NA	NA

Interpretation services	Interpretation under the asylum procedure is ensured by the Migration Office free of charge; in other cases, it is covered through projects of non-governmental organisations financed through the ERF (for example, for medical examination purposes).	Interpretation under the asylum procedure is ensured by the Migration Office free of charge; in other cases, it is covered through projects of non-governmental organisations financed through the ERF (for example, for medical examination purposes).	Interpretation under the asylum procedure is ensured by the Migration Office free of charge; in other cases, it is covered through projects of non-governmental organisations financed through the ERF (for example, for medical examination purposes).	NA	NA	NA	NA	NA	NA
Access to education	During their stay in reception facilities, applicants can attend a free course of elementary Slovak. Pursuant to the Act on Asylum, school-aged children must regularly attend a Slovak language course.	During their stay in reception facilities, applicants can attend a free course of elementary Slovak. Pursuant to the Act on Asylum, school-aged children must regularly attend a Slovak language course, and upon arrival in the accommodation centre, they are immediately assigned to the	During their stay in reception facilities, applicants can attend a free course of elementary Slovak. Pursuant to the Act on Asylum, school-aged children must regularly attend a Slovak language course, and upon arrival in the accommodation centre, they are immediately assigned to the	NA	NA	NA	NA	NA	NA

		respective school class.	respective school class.						
Access to vocational training	Not provided.	Access to re-training courses is ensured through projects of non-governmental organisations financed through the ERF.	Access to re-training courses is ensured through projects of non-governmental organisations financed through the ERF.	NA	NA	NA	NA	NA	NA
Access to employment (after which period of time?)	Not provided. It does not happen in practice that an applicant stays in the reception centre for over a year after the lodging of his/her application.	An applicant may enter employment in case he/she has not received a final decision on his/her application within one year from the start of the procedure, with the exception of cases where the application for asylum has been rejected as manifestly unfounded or inadmissible.	An applicant may enter employment in case he/she has not received a final decision on his/her application within one year from the start of the procedure, with the exception of cases where the application for asylum has been rejected as manifestly unfounded or inadmissible.	NA	NA	NA	NA	NA	NA
Other? Please add	:	:	:	NA	NA	NA	NA	NA	NA

Source: MO MoI SR

Notes:

RC – reception centre

AC – accommodation centre

ERF – European Refugee Fund

: not applicable

