



The Application of the Temporary Protection Directive: Challenges and Good Practices in 2023 – contribution of the Slovak Republic

EMN Study – Questionnaire Form
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EMN activities are focused on topics related to migration of third-country nationals. The activities are implemented through national contact points in the EMN Member (EU Member States except Denmark) and Observer Countries (Norway, Georgia, Moldova, Ukraine, Montenegro, Armenia, Serbia) in coordination with the European Commission (Directorate-General for Migration and Home Affairs).

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

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

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Except for the questionnaire specification, the text of the study is an unofficial translation prepared by IOM Bratislava as the coordinator of the EMN National Contact Point for the Slovak Republic provided for reference only. In the event of any ambiguity about the meaning of certain translated terms or of any discrepancy between the Slovak version and the translation, the Slovak version shall prevail. Users are advised to consult the original Slovak language version of the study.

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Preface

The aim of the study is to gain insight into the possibilities of addressing different life situations of people granted temporary protection (hereinafter referred to as 'temporary protection holders'), such as, e.g. changing from temporary protection to another type of residence, travelling and relocating within the EU and outside the EU, assisting the temporary protection holders in their return or the documents renewal process after the first year of the war.

The study also aims to describe the main challenges, examples of good practices and measures put in place or planned to safeguard the rights of temporary protection holders under the Temporary Protection Directive.¹ These include access to accommodation, healthcare, education, social assistance and access to the labour market. Particular attention is paid to the situation of vulnerable groups, including unaccompanied minors (UAMs), and the issue of combating trafficking in human beings. The study primarily covers the period from January to July 2023.

The study, which we include in form of a questionnaire below, was prepared on the basis of the information which is publicly available on websites of, e.g. MoI SR, MoLSAF SR, MoESRS SR, MoT SR, MH SR on the basis of the study of relevant acts, strategic documents analysis, information provided by experts from MoI SR, BBFP PFP, MO MoI SR, MoLSAF SR, MoT SR, MoESRS SR and the IOM. The study also builds on previous European Migration Network (EMN) outputs on this topic.²

The data and information collected during the year 2023 within the scope of the project entitled "Strengthening coordination on inclusion of third-country nationals in Slovakia"³ served as the basis for the preparation of this study. The project is implemented for the MoI SR's Migration Office by the IOM in cooperation with the EC's Directorate-General for Structural Reform Support. In the course of 2023, more than 35 semi-structured qualitative interviews were conducted with more than 25 partners from the area of state administration (e.g. MoLSAF SR, MoESRS SR, MH SR, MoT SR, MoI SR, Office of the Government of the Slovak Republic, State School Inspectorate, Office of the Commissioner for Persons with Disabilities, Slovak Academy of Sciences), local administration and self-government (e.g. Association of Self-governing Regions SK8, Union of Cities, City of Žilina, Košice Self-Governing Region, City of Košice, Prešov Self-Governing Region, City of Prešov), non-governmental and international organizations (e.g. Mareena, Camp Žilina, Firemedical, Ipčko, OZ Proti prúdu, Slovak Red Cross, Archdiocesan Charity Košice, Košice Self-Governing Region Integration Centre, Dedo Foundation, Slovak-Ukrainian Information Centre, WHO, IFCR) and other institutions (e.g. Primary School Odborárska, Centre for Educational Analyses, Centre for Counselling and Prevention). Project results and outputs will be published in 2024.

Based on the questionnaires from EMN Member and Observers Countries, the European Commission prepares a synthesis report covering the main findings. The questionnaire form of the study from the Slovak Republic and the synthesis report are available on the Slovak EMN National Contact Point website www.emn.sk.

¹ Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof. The Temporary Protection Directive was transposed into Slovak national legislation in the process of adopting the Act on Asylum in 2002. The concept of temporary protection was not transposed literally and instead the name temporary 'refuge' was adopted.

² E.g. EMN Informs "Access to Services for beneficiaries of temporary protection" (2022) or "Arrangements for accommodation and housing for beneficiaries of temporary protection" (2022), Available at www.emn.sk (consulted on 12/09/2023)

³ The aim of the project is to increase the capacity of the Migration Office of the MoI SR to design and coordinate integration policy, or to create another mechanism for coordination of the migration and integration agenda in Slovakia. Particular attention is paid to facilitating the inclusion of those who have left Ukraine.

List of abbreviations

BBFP PFP – Bureau of Border and Foreign Police of the Police Force Presidium
Coll. – Collection of laws
EMN – European Migration Network
EC – European Community/Commission
EU – European Union
IFCR – International Federation of Red Cross and Red Crescent Societies
IOM – International Organization for Migration
MoT SR – Ministry of Transport of the Slovak Republic
MIC – IOM Migration information Centre
MoLSAF SR – Ministry of Labour, Social Affairs and Family of the Slovak Republic
MoESRS SR – Ministry of Education, Science, Research and Sport of the Slovak Republic
MO MoI SR – Migration Office of the Ministry of Interior of the Slovak Republic
MoI SR – Ministry of Interior of the Slovak Republic
MH SR – Ministry of Health of the Slovak Republic
NIVAM – National Institute of Education and Youth
UN – United Nations
SR – the Slovak Republic
TPD – Temporary Protection Directive
TPP – Temporary Protection Registration Platform
UAM(s) – unaccompanied minor(s)
UNICEF – United Nations International Children ´s Emergency Fund
WHO – World Health Organization

Summary

The European Migration Network (EMN) study “The Application of the Temporary Protection Directive: Challenges and Good Practices in 2023” has been prepared within the scope of the EMN work programme for 2023. For each participating EMN Member and Observer country, the study is prepared on the basis of a common specification – the questions listed below. From national studies will the European Commission produce a synthesis report with main findings.

The first section of this study describes the legal status of temporary protection holders and their possibilities as regards their residence or consequent movement to other countries. In the SR, temporary protection holders can apply for other types of residence provided they meet the relevant conditions stipulated by law. They can also apply for international protection. After the residence permit is granted to them or when they apply for international protection, their temporary protection ceases.

Monitoring the movement of persons granted temporary protection within and outside of the EU is one of the challenges in this area. The SR partially uses the Temporary Refugee Registration Platform for this purpose, but the platform has its limitations which are described in the first section herein.

The mere departure from the territory of the SR does not affect one’s temporary protection status. This section also brings more information on the temporary protection holders’ returns to Ukraine, where the SR does not implement any support mechanisms.

Temporary protection in the Slovak Republic is currently granted in accordance with the Temporary Protection Directive until 4 March 2025. If necessary, a new document with the indication of the extended validity can be printed by the temporary protection holders themselves using the online form available on the MoI SR website. Through the same website the validity of the status can be verified.

The second – and the most extensive – section is devoted to the rights granted to temporary protection holders to which they are entitled under the Temporary Protection Directive. Special attention is paid to challenges, good practices and plans for the future. The chapter primarily covers the period of time between January and July 2023, but where challenges and measures extend into the past or where plans extend to the future, the information is still provided in the second chapter.

In the context of the challenges related to the conflict in Ukraine and the arrival of a large number of temporary protection holders from Ukraine, it should be pointed out that many of the challenges mentioned in this study are persistent in the SR and in general concern foreigners (e.g. lack of comprehensive language education) and Slovak citizens alike (e.g. low availability of social housing, lack of medical staff, long waiting times in healthcare, material and staffing resources funding at schools, etc.). The arrival of the temporary protection holders from Ukraine has only exacerbated or accentuated these challenges. These issues are further elaborated on in Section 2, which is divided to subchapters on housing, access to the labour market, provision of healthcare, access to education and social support for the temporary protection holders.

The third section talks about vulnerable groups and specifically unaccompanied minors. There are a number of challenges which affect persons with disabilities in particular that need to be addressed. In the longer term, the SR does not face any significant challenges when it comes to the working with unaccompanied minors. Preventive measures, training sessions and other activities as well as the strategic plans for future pertaining to combating trafficking in human beings are also included in Chapter 3.

Section 1: Legal Status

Legal Pathways and Transition from Temporary Protection to Other Types and Forms of Residence or Protection

1. Is it possible for temporary protection holders residing in your Member State to apply for other types of residence permits/visas/authorization of stay (e.g. a residence permit for work, family, study or other purposes)? If yes, please specify if this is in addition or as an alternative to temporary protection?

Yes. Temporary protection holders can apply for international protection or for any residence permit (temporary, permanent) for which they meet the conditions stipulated by law. In the SR it constitutes an alternative to temporary protection, not a status granted in addition to temporary protection.

However, not all persons granted temporary protection can apply for a residence permit in the SR. Foreigners who need visas to enter the SR/Schengen area are not entitled to do so – these can be, for example, family members of Ukrainian citizens who are third country nationals subject to a visa obligation or those foreigners with visa obligation who had an asylum or permanent residence granted to them in Ukraine prior to the war.

So far, these persons can apply e.g. for a national visa in the interest of the Slovak Republic or for a tolerated stay in the Slovak Republic provided they meet the conditions under the Act on Residence of Foreigners. The possibility for foreigners who need visas to enter the SR/Schengen area and who have fled Ukraine to escape from the war and cannot apply for a residence permit in the territory of the SR (as described above) should be addressed in the forthcoming amendment to the Act on Residence of Foreigners.

2. If yes to Q1, are there any special procedures, lowered requirements, dedicated programmes or similar practices in place to assist in obtaining those residence permits/visas/authorization of stay?

Temporary protection holders who can apply for a residence permit in the SR have the possibility to comply with the requirement for a higher authentication of their criminal record extract (proof of integrity), which is one of the documents required to support their application for residence, in a simplified manner.

In addition to the standard way of obtaining a proof of integrity (i.e. requesting said document in Ukraine with an apostil), citizens of Ukraine have the possibility to print out a document proving their clean record via the online system and have it verified at the Embassy of Ukraine in the SR.

Other requirements remain unchanged.

3. If yes to Q1, in the event of granting of such residence permits/visas/authorization, what happens with temporary protection and/or the access to rights/facilities/benefits provided under temporary protection?

Temporary protection expires, for example, when an application for asylum or for subsidiary protection is submitted and when temporary or permanent residence in the SR is granted.

Temporary protection also expires when the temporary protection holder to whom it applies is granted asylum or subsidiary protection in another Member State and when they are granted residence permit for unlimited period of time in another state.

All rights/benefits/support deriving from the temporary protection holder status cease at the same time.

4. What is the procedure followed by your Member State when a person to whom temporary protection is applied submits an application for international protection? (a) if they already have been registered as a temporary protection holder and (b) if they have not (yet) been registered as a temporary protection holder.

- a) Submission of an application for asylum or for subsidiary protection results in the termination of the procedure for granting temporary protection and the temporary protection which has already been granted shall cease to exist.⁴ The declaration by a foreigner made to the competent police department that he/she is applying for international protection (for asylum, or for subsidiary protection) initiates the asylum granting procedure.⁵
- b) If a person has not applied for temporary protection and temporary protection has not been granted to this person, the standard asylum granting procedure is initiated at the moment the application for international protection is submitted.

5. Has your Member State encountered any challenges* with persons claiming to be fleeing the war in Ukraine who do not fall under the scope of temporary protection established by the Council Implementing Decision?

⁴ Pursuant to Section 31 par. 7(d) and Section 32 par. 1(c) of the Act on Asylum.

⁵ Pursuant to Section 3 par. 1 of the Act on Asylum.

* For each challenge please: a) describe for whom it is a challenge; b) indicate why it is mentioned as a challenge, and c) indicate the source / evidence for the challenge.

Experience of the IOM's Migration Information Centre (MIC IOM)⁶, which provides legal/labour/social counselling to non-EU citizens, including Ukrainian citizens fleeing the war, shows that the following can be seen as challenges:

- Impossibility to obtain temporary protection for persons to whom temporary residence in Ukraine had been granted before the beginning of the war (e.g. foreign students). This emerged as a problem especially in the early days when the war started and the influx of refugees was high.
- The more complicated way of the possibility to obtain temporary protection for the family members who are not exactly defined by the Temporary Protection Directive (e.g. grandparents who are not citizens of Ukraine). This emerged as a problem e.g. in cases when children fled the war with their grandparents who were, for example, citizens of the Russian Federation, while the children's parents remained in Ukraine.

6. If yes to Q5, please explain how such challenges were addressed and/or what are the legal remedies available for such persons.

In case of challenges identified by IOM, the foreigners in question were still eligible for being granted a residence permit (provided they met the statutory requirements), but the entire process is more complicated than in case of temporary protection registration.

Traveling to other Member States and outside the EU

7. What, if any, is the mechanism in your Member State to track the movement of the temporary protection holders who are travelling to (i) other Member States and (ii) outside the EU?

- i) In the Slovak Republic, the Temporary Protection Registration Platform (TPP) is used to a limited extent for this purpose. However, as the Member States joined the TPP only gradually, it is only possible to see the people's movement to another state if the foreigner still has a valid temporary protection status in the Slovak Republic and has not given it up before they left the SR. If the person moves to another state in the meantime and the temporary protection in the SR is terminated, the movement of these persons is no longer shown, since their status in the SR becomes inactive in the TPP.

There is no other (e.g. specific national) mechanism in place. When it comes to the collecting of information, it is up to the foreigners what information they voluntarily provide about their movement.

- ii) There is no mechanism for tracking the movement of temporary protection holders other than the one described in point i) above. It is up to the foreigners what information they voluntarily provide about their movement.

8. What happens to temporary protection and the related benefits provided when the person travels outside your Member State to (i) another Member State* and (ii) outside the EU, including to Ukraine?

In terms of Slovak legislation, the mere departure (to any country, including Ukraine), when, e.g. temporary protection is not granted in another Member State, does not result in termination of the temporary protection obtained in the SR. However, leaving the territory of the SR constitutes the grounds for termination of the temporary protection granting procedure in case temporary protection has not yet been granted.⁷

9. Do national authorities in your Member State have knowledge of any challenges* encountered by temporary protection holders in re-entering the EU or your Member State specifically when coming back from Ukraine or other Member States? If so, why is it considered a challenge and according to which national authority? How has this been addressed by your Member/Observer State?

⁶ www.mic.iom.sk, Information provided by MIC IOM of 08/08/2023.

⁷ Pursuant to Section §31 par. 7(b) of the Act on Asylum.

*For each challenge please: a) describe for whom it is a challenge; b) indicate why it is mentioned as a challenge, and c) indicate the source / evidence for the challenge.

The IOM's Migration Information Centre⁸, which provides legal/labour/social counselling to non-EU citizens, including Ukrainian citizens fleeing the war, has found out that clients have encountered the following challenges when re-entering the EU:

- Template of the Temporary Protection Status Document issued by the SR is not listed in Annex 22 of the Schengen Handbook (Practical Handbook for Border Guards)⁹ as a residence permit confirming the legality of one's stay in the Schengen area. Therefore, some MIC IOM clients have experienced difficulties returning to the Schengen area with a Temporary Protection Status document issued by the SR (especially in case of a non-direct flight).
- The Act on Residence of Foreigners does not stipulate the mandatory presence of a signature and stamp on the Temporary Protection Status document, which subsequently gives rise to doubts about the authenticity of the document on the side of other countries' authorities.
- Clients of MIC IOM with registered temporary protection in the SR have experienced problems in some EU countries in connection with the calculation of the 90 days of stay in the Schengen area. According to the interpretation by the Slovak authorities, the time spent in the SR based on the temporary protection status does not count towards the 90 days of visa-free travel. However, there is currently no common agreement between Schengen Member States on this interpretation, which is why some clients have encountered these problems when travelling to other EU countries.

Temporary Protection Registration Platform (TPP)

10. How and to what extent has your country made use of the TPP during the research period?

The SR regularly enters and updates the data on persons granted temporary protection in the territory of the SR in the Temporary Protection Registration Platform (TPP). At the same time, the SR also communicates with other Member States about the exchange of information on persons granted temporary protection.

11. Has your country encountered any (i) challenges and (ii) good practices in the use of the TPP? Please elaborate and specify why it is considered a challenge and according to whom this is a challenge/good practice.

BBFP PFP¹⁰, in its capacity of a competent body responsible for temporary protection registration in the SR, has identified the following challenges connected with the TPP usage:

- Lack of photographs of foreigners, which makes their identification difficult, as there are cases where there are identical data concerning the name, surname and date of birth. In addition, the person's document information may not always help either, as this person may present a different document in different countries.
- In case a foreigner dies, this information is not transferred to the TPP. The SR suggested to the TPP administrator to add a new attribute, e.g. DD, which would be assigned by the Member State if the foreigner died there (i.e. a death certificate was issued by that state). This change has not been implemented though. Currently, when a foreigner dies, the relevant country deletes their record, but another country may continue to have records there and may not be aware of the person's death.

MO MoI SR¹¹, in its capacity of a competent body in the field of international protection in the SR, has identified the following challenges connected with the TPP usage:

- Lengthy periods when they have to wait for replies and information from other Member States, sometimes lasting even several months.

⁸ www.mic.iom.sk, Information provided by MIC IOM of 08/08/2023.

⁹ C(2022) 7591 final

¹⁰ Information provided by BBFP PFP of 04/09/2023.

¹¹ Information provided by MO MoI SR of 08/09/2023.

- Processing of documents concerning temporary protection for reasons of termination, as this is a time-consuming process and not all information can be obtained by a simple downloading of a spreadsheet from TPP – instead, a case by case search is necessary.

12. Does your country upload in the Platform the identity of the adult persons accompanying “separated” children arriving from Ukraine, and respectively, of guardians appointed in Ukraine before departure?

The SR enters the data concerning unaccompanied minors (UAMs) into the TPP. Information on legal guardians is also entered in to the platform.

In the case of relatives who have been granted temporary protection, it shall be indicated that this is an accompanying person and the relationship. Unless there is a family relationship, the link to the separated child is not indicated.

No data is available from the early months of the conflict in 2022, before the TPP was launched. The SR tries to update these older records gradually if a foreigner re-registers, e.g., when the address of their residence changes.

Assistance to people wishing to go home (back) to Ukraine

13. Does your Member State provide support for temporary protection holders who wish to go home (back) to Ukraine? If so, please elaborate.

If a temporary protection holder wants to return to Ukraine, they can do so freely. In terms of Slovak legislation, travelling (to any country, including Ukraine) does not result in termination of the temporary protection granted in the SR.

As concerns assisted voluntary returns, the target group of eligible persons for whom such return can be organised has expanded. It includes, e.g., persons coming from Ukraine who are staying legally in the territory of the SR (since legality of residence meant that they did not comply with the eligibility condition applicable to assisted voluntary returns).

The SR does not implement any other support mechanisms in this area.

14. Has your Member State observed any trends in terms of outflows of temporary protection holders? If so, please elaborate.

No.

Registration

15. Have there been any major legal, policy or practical changes regarding registration of temporary protection holders during the research period*? If there were any, please elaborate.

There have been no significant legislative, policy or practical changes concerning temporary protection registration in the reporting period. Due to the decreasing number of persons arriving from Ukraine, the large-capacity centres in various parts of the SR were being gradually closed down and registration of temporary protection is now only carried out at the Foreign Police departments (with the exception of the large-capacity centre in Bratislava) during the designated hours.

16. What procedure was used to extend the validity of documentation based on temporary protection after the first year? Please elaborate on the process.

The term of validity of the granted temporary protection is systematically extended for all persons who have been granted temporary protection on the basis of the Temporary Protection Directive and the Resolution of the Slovak Government No. 185 of 16 March 2022 covers the automatic extension of the granting of temporary protection until 4 March 2025. The affected persons can print the new document proving their temporary protection holder’s status on the territory of the SR with the new validity period themselves, via the [online form](#). The free e-service also serves to verify the validity of the proof of temporary protection.

In the future, in the event of termination of the provision of temporary protection, the simplification of the residence system is envisaged in such a way that, for example, in the case of persons granted temporary

protection who are employed or studying, the temporary protection would be systematically transferred to that type of residence on the basis of the purpose of stay.¹²

17. What challenges** did your Member State encounter in the registration process and how were these addressed/planned to be addressed during the research period? Were there any good practices?

Challenges experienced in the past include, e.g., the high influx of refugees and the related lack of material resources and staff capacity during the registration process. The SR did not experience any challenges concerning the registration of refugees during the research period.

*The research period is from 1st January 2023 to 1st July 2023.

**For each challenge please: a) describe for whom it is a challenge; b) indicate why it is mentioned as a challenge, and c) indicate the source / evidence for the challenge.

Section 2: Access to Rights Provided by the Temporary Protection Directive

Accommodation ¹³

18. Have there been any major legal, policy or practical changes regarding access to accommodation for temporary protection holders during the research period*? If there were any, please elaborate. Are there any changes foreseen in the way access to suitable accommodation or the means to obtaining housing is arranged?

Since the beginning of the war, the SR has provided all forms of accommodation for persons fleeing Ukraine, ranging from short-term accommodation (overnight stays) in tent towns located near the border or in registration centres, through medium-term accommodation provided in asylum centres, state-run accommodation facilities or accommodation facilities operated by commercial entities (natural and legal persons operating under a special regulation), to long-term solutions and accommodation provided by private providers. In 2022, the Slovak Government approved the provision of an allowance for providers of accommodation for temporary protection holders¹⁴.

The possibility of providing the allowance and the amount of the allowance were being extended in the research period. Under the current arrangements, the allowance will be paid until 31 December 2023.¹⁵

19. What were the key challenges** in your Member State in providing access to suitable accommodation or the means to obtaining housing to temporary protection holders during the research period? How were these challenges addressed/planned to be addressed and are there any good practices?

During the research period, the following challenges were identified in accommodation provision:

- Ensuring long-term accommodation for temporary protection holders due to the ongoing conflict;
- Lack of medium and long-term accommodation capacities;
- Unavailability of affordable social housing;
- Lack of control of quality of accommodation provided by the providers (natural/legal persons), such as e.g., control of the apartment furnishings, sanitary facilities, noisiness, humidity and other health hazards;

¹² Information provided by BBFP PFP of 18/10/2023.

¹³ The answers were prepared based on the data and information collected during 2023 within the scope of the project called "Strengthening coordination on inclusion of third-country nationals in Slovakia", which is implemented for the MoI SR's Migration Office by the IOM in cooperation with the Directorate-General for Structural Reform Support. The project results and outputs have not yet been published (for more information see the introduction). The responses were also consulted with the MoT SR.

¹⁴ For more information see also Inform EMN Arrangements for accommodation and housing for beneficiaries of, available at <https://www.emn.sk/sk/publikacie/informy-emn/item/701-opatrenia-spojene-s-byvanim-a-ubytovanim-ludi-s-udelenou-docasnou-ochranou-2022.html>, consulted on 10/08/2023. The information has also been collected in course of the preparation of the EMN Annual Report on Migration and Asylum 2022, www.emn.sk

¹⁵ Regulation of the Government of the SR No. 178/2023 Coll. amending the Regulation of the Government of the SR No. 218/2022 Coll. on the provision of an allowance for the accommodation of a temporary protection holder, as amended; Regulation of the Government of the SR No. 179/2023 Coll. on the allowance for the provision of accommodation to a temporary protection holder in connection with the situation in Ukraine.

- Lack of control over the profile of landlords providing accommodation for temporary protection holders (in case of private accommodation providers) and the associated risk of abuse/exploitation of particularly vulnerable groups of temporary protection holders (e.g. mothers with children, elderly people, disabled people);
- Setting up control mechanism on the reporting of accommodation by landlords on the side of municipal authorities;
- Sharing of statistical data on accommodation capacities and temporary protection holders' stays;
- Establishing the obligation for temporary protection holders to report their address of residence to ensure statistical data monitoring and planning of accommodation capacities;
- Amendments to existing Acts - to increase the overview of temporary protection holders' residence, employment or presence in the SR in order to better set up further assistance and integration tools and to better protect the vulnerable groups;
- Lack of support for motivating temporary protection holders to share responsibility in arranging their own accommodation.

Solutions/Proposed solutions:

- Payment of allowance for accommodation providers (currently it is planned to be paid until 31 December 2023), thus ensuring access even to medium-term or long-term accommodation, in particular by motivating residents and accommodation providers to make their unoccupied capacities available to temporary protection holders free of charge.
- The authority responsible for checking that the conditions for the allowance payment are complied with is the municipality. There have been cases where the municipalities have not been carrying out this duty fully. In relation to that, a suggestion has been made that the temporary protection holders report twice a month. Such amendment would reduce speculations on the side of the temporary protection holders and would create conditions that would prevent abusing of the system. The legislative change in question has not yet been implemented.¹⁶
- Building of social rental housing (not only related to the situation in Ukraine, but also to the overall situation on the accommodation market).

20. Have these challenges changed since the initial arrival of temporary protection holders in 2022?

Compared to 2022, the challenges have changed from the need to address the acute need for accommodation provision for the many people arriving to the need to provide longer-term accommodation for those who have remained in the SR, as the conflict is still ongoing, and for those who are likely to remain in the SR even after the conflict ends, which is related mainly to providing sufficient possibilities of affordable housing. The absence of control mechanisms to ensure the quality of the accommodation provided, control the accommodation providers or the reporting of entitlement to the accommodation allowance also proved to be an ongoing challenge. In order to ensure statistical data collection and planning of accommodation issue solutions, it would be necessary to establish an obligation for temporary protection holders to report their address of residence.¹⁷

*The research period is from 1st January 2023 to 1st July 2023.

** For each challenge or good practice please: a) describe for whom it is a challenge/good practice; b) indicate why it is mentioned as a challenge/good practice, and c) indicate the source / evidence for the challenge/good practice

Labour Market¹⁸

EMN Inform is being developed on the labour market integration of beneficiaries of temporary protection which will explore this topic in further detail and complement the information collected¹⁹

¹⁶ 2023 Report on the result of the audit of the Supreme Audit Office of the SR: The System of Provision and Reimbursement of Funds for Accommodation of Temporary Protection Holders from Ukraine, available at <https://www.nku.gov.sk/documents/10157/265201/96945-0-146.pdf> (consulted on 11/09/2023)

¹⁷ Information provided by MoT SR of 21/08/2023.

¹⁸ The answers were prepared based on the data and information collected during 2023 within the scope of the project called "Strengthening coordination on inclusion of third-country nationals in Slovakia", which is implemented for the MoI SR's Migration Office by the IOM in cooperation with the Directorate-General for Structural Reform Support. The project results and outputs have not yet been published (for more information see the introduction). The responses were also consulted with the MoT SR.

¹⁹ Available at www.emn.sk

21. Have there been any major legal, policy or practical changes regarding access to the labour market for temporary protection holders during the research period* (e.g. concerning the conditions and procedures for (self-)employment such as labour market tests, work permits, access to regulated professions, etc.)? If there were any, please elaborate.

There have been no significant policy or legislative changes regarding access to the labour market for temporary protection holders during the research period. It remains the case that in case of employment of a third-country national who has been granted temporary protection the confirmation on the possibility of filling a vacancy corresponding to highly qualified employment, nor a confirmation on the possibility of filling a vacancy nor a work permit is required. However, a third-country national who has been granted temporary protection cannot conduct business.

Legislative changes related to the arrival of temporary protection holders from Ukraine and their integration into the labour market, including measures related to the recognition of professional qualifications, were adopted already in 2022 and are described in other EMN publications.²⁰

22. What were the key challenges** that your Member State encountered in (i) providing access to (self-)employment during the research period (e.g. in connection with the issuance of work permits, access to regulated professions and/or other conditions) and (ii) providing measures facilitating employment and labour market activation, such as vocational training, language courses, training or integration assistance for adult temporary protection holders?

The following were identified as the biggest challenges in the course of the research period:

- Under the legislation in force²¹, temporary protection holders are not among the eligible groups of persons who can be entered into the Register of Job Seekers and thus benefit fully from the services provided by the offices of labour, social affairs and family (hereinafter "Labour Offices") in this respect. It follows that, with the exception of information and counselling services, employment services, including active labour market measures, which include also individual career counselling, are not provided to temporary protection holders by the competent Labour Offices²².
- The inability of temporary protection holders to engage in business, or the need to obtain a temporary residence permit for the purpose of business (or another purpose which, in addition to the primary purpose of the stay, allows the foreigner to engage in business), starting a business in case a temporary protection holder is interested to do so and the consequent termination of the temporary protection status and, simultaneously, of all the benefits arising therefrom, such as all financial and non-financial benefits provided to temporary protection holders by the state or by international organisations.²³
- The 'brain waste' phenomenon, when temporary protection holders accept lower-skilled positions that do not match their high qualifications as it provides them with an easier and quicker route to employment, which is also related to demanding process of qualification and education recognition.²⁴
- Insufficient capacities in pre-school facilities, which limit parents' access to the labour market (see also the section on education).
- Language barrier.

23. How were these challenges addressed/planned to be addressed and are there any good practices in responding to the challenges?

*The research period is from 1st January 2023 to 1st July 2023.

²⁰ Inform EMN Access to Services for beneficiaries of temporary protection, available at <https://www.emn.sk/sk/publikacie/informy-emn/item/702-pristup-k-sluzbam-pre-ludi-s-udelenou-docasnou-ochranou-2022.html>, consulted on 10/08/2023. The information has also been collected in course of the preparation of the EMN Annual Report on Migration and Asylum 2022, www.emn.sk

²¹ Act No. 5/2004 on Employment Services, as amended.

²² This includes e.g. professional counselling services aimed at influencing the decision-making and acting of jobseekers, harmonizing personal characteristics of jobseekers with the requirements for performing a certain job, facilitating social and labour adaptation of jobseekers by means of identifying their personal characteristics, abilities and assessing their competences, and drawing up an individual action plan to support the placement of disadvantaged jobseekers in the labour market.

²³ The loss of the accommodation allowance in particular seems to be of key importance. Although in the SR the accommodation allowance is not paid directly to temporary protection holders, but to individuals providing accommodation and to accommodation facilities, the loss of temporary protection holder status basically results in the loss of the possibility to obtain free accommodation.

²⁴ Surveys with Refugees from Ukraine: Needs, Intentions and Integration Challenges. IOM, 2023. Available at: <https://dtm.iom.int/reports/slovakia-surveys-refugees-ukraine-needs-intentions-and-integration-challenges-jan-mar-2023> (consulted on 12/09/2023)

****For each challenge or good practice please: a) describe for whom it is a challenge/good practice; b) indicate why it is mentioned as a challenge/good practice, and c) indicate the source / evidence for the challenge/good practice**

Individual counselling appears to be a key measure aimed to reduce the number of temporary protection holders working well below their qualification level and, at the same time, help their integration into the labour market in general.

Given the current legislative situation, the provision of individual counselling by the State is not possible and no legislative changes are planned in this area.

Individual counselling is compensated by the national projects entitled 'Helping Temporary Protection Holders – Counselling' and 'Helping Temporary Protection Holders', which are financed by the European Social Fund (duration of the projects is from April 2022 to December 2023).

Under the national project 'Helping Temporary Protection Holders - Counselling', Labour Offices provide temporary protection holders with services *'aimed at providing basic information on the Slovak labour market with a specific focus on the region in which the counselling is provided'*²⁵ for a maximum of 9 hours. The counselling is provided in person (a temporary protection holder is entitled to a travel and meal allowance of EUR 4.46 per session and EUR 13.38 at maximum) or remotely, by telephone or e-mail.

The national project 'Helping Temporary Protection Holders' addresses four measures aiming to support the beneficiaries' education, mobility, volunteering and placement with an employer.

Since June 2022, the complexity of the processes in the recognition of education has been reduced by a change in legislation, when it ceased to require higher verification of a certificate of education, a certificate of higher education from a state outside the EU and allowed temporary protection holders to ask the MoESRS SR to assess and verify their achieved education if they cannot submit a document on education confirming that they have completed education in the state of origin. MoESRS SR has established cooperation with the Ministry of Education and Science of Ukraine in order to obtain a certificate of educational attainment in Ukraine. If the temporary protection holder, for objective reasons, is unable to submit any of the required documents attached to the application for recognition of education, it may be replaced by a hand-signed solemn declaration of facts to be certified by this document.²⁶

As concerns individual labour counselling, the Migration Information Centre (MIC) project implemented by IOM since 2006 can also be considered an example of good practice. MIC is the first and so far the only information centre in the SR to provide comprehensive services in the field of legal, social and employment counselling, further education, labour market inclusion and support for the community life to foreigners in one place. In response to the war in Ukraine, 6 new branches of the MIC have been opened. Thus, clients can now visit the Centre in person and benefit from personal counselling services in all of the Slovak regions. MIC assists temporary protection holders with the preparation of their CVs, with cover letters and with their orientation on the labour market. Temporary protection holders can also receive financial support for educational, upskilling and language courses. A special category of highly qualified beneficiaries can also obtain financial contributions for professional recognition of education, recognition of qualifications and for taking the additional exams for health professions from the MIC.²⁷

Job counselling is also provided to a certain extent by non-governmental organizations that provide services to people with temporary protection (e.g. Slovak Humanitarian Council, OZ Tenenet, Sme spolu, Mareena, etc.). Job counselling is also provided in the large-capacity centre in Bratislava (Bottova Assistance Centre) or the Integration Centre in Košice (Dedo Foundation, Košice self-governing region).

Healthcare ²⁸

24. Have there been any major legal, policy or practical changes regarding access to healthcare (including mental health support) for temporary protection holders during the research period*? If there were any, please elaborate.

During the research period, the scope of health care provided to children and adolescents from birth to 18 years + 364 days, who have been granted temporary protection in the SR, has been adjusted as of 1

²⁵ https://www.upsvr.gov.sk/sluzby-zamestnanosti/nastroje-aktivnych-opatreni-na-trhu-prace/narodny-projekt-pomahame-odidencom-poradenstvo-nacionalnij-proekt-dopomagaemo-bizencam-konsultacii.html?page_id=1178308 (consulted on 12/09/2023)

²⁶ Source MoESRS SR, available on : <https://www.minedu.sk/data/att/22931.pdf> (consulted on 12/09/2023)

²⁷ Source: <https://www.mic.iom.sk/sk/kontakt-info/o-nas.html> (consulted on 12/09/2023)

²⁸ The answers were prepared based on the data and information collected during 2023 within the scope of the project called "Strengthening coordination on inclusion of third-country nationals in Slovakia", which is implemented for the MoI SR's Migration Office by the IOM in cooperation with the Directorate-General for Structural Reform Support. The project results and outputs have not yet been published (for more information see the introduction).

January 2023. Thus, as of 1 January 2023, the scope of health care provided to temporary protection holders is the same as public health insurance and includes preventive check-ups, emergency health care and medical procedures, as well as health spa care.²⁹

As of 1 September 2023, the scope of health care provided to temporary protection holders over 18 years of age has been extended to cover the same scope of health care as public health insurance. Previously, only urgent and basic/emergency healthcare was provided to the beneficiaries.

25. What were the key challenges** in your Member State in providing access to medical care to temporary protection holders during the research period?

The following were identified as the biggest challenges in the course of the research period:

- Lack of medical staff;
- Long waiting times for examinations;
- Lack of full health insurance for all temporary protection holders (before its introduction);
- Lack of preventive health care for temporary protection holders, including vaccinations;
- Insufficient healthcare for temporary protection holders with chronic diseases;
- Poor awareness of the health care system in the Slovak Republic among the temporary protection holders, including Ukrainian medical staff;
- Poor awareness of health care providers about the ways in which medical procedures administered to temporary protection holders are reimbursed and on the level of coverage for the administered procedures and the related lower level of willingness to treat them;
- Administrative complexity of reporting on health procedures;
- Different categorisation of patients into the public health insurance system;
- Medical staff not prepared to work with the community of foreigners;
- Language barrier on the side of both temporary protection holders and doctors;
- Complicated and slow system of recognition of professional qualifications of health professionals;
- Low level of readiness to collect data on the costs associated with the provision of health care to temporary protection holders;
- Vague definition of what constitutes necessary health care;
- Lack of well-set process and lack of coordinated approach;
- In some cases, different treatments between Ukraine and Slovakia (including drug treatment) and distrust in other procedures.

Mental health:

- Lack of specialists in psychiatry and paedopsychiatry;
- Insufficient capacity to provide necessary therapies/day care services for people with mental illness;
- Lack of experience in the field of provision of psychological counselling to people affected by war-related traumatic events;
- Difficult accessibility to and costliness of psychological counselling/therapy;
- Placement of temporary protection holders in specialised social service facilities due to lack of capacities;
- Language barrier;
- Low awareness about psychological support.

26. How were these challenges addressed/planned to be addressed and are there any good practices in responding to the challenges?

In response to the arrival of refugees from Ukraine and in accordance with the Temporary Protection Directive, foreigners granted temporary protection were automatically entitled to receive acute and emergency medical care in the SR. The MH SR may also determine the scope of medical procedures reimbursed outside the scope covered by emergency care (by publishing this scope on its website)³⁰. If that is the case, the so-called necessary health care will be provided to the temporary protection holder.

As of 1 January 2023, health care provided to children granted temporary protection up to the age of 18 years is fully covered by public health insurance. As of 1 September 2023, the scope of health care provided

²⁹ Section 2, Section 3 and Section 7 of the Act No. 577/2004 Coll. on the on the scope of healthcare covered by public health insurance and on the reimbursement of healthcare-related services, as subsequently amended

³⁰ Section 9(h) par. 2 of Act No. 580/2004 Coll. on Health Insurance

to temporary protection holders older than 18 years of age has been extended to cover the same scope of health care procedures as that covered by public health insurance.³¹

In 2022, the conditions for the employment of health professionals from abroad who have completed education or had their education recognised in another Member State in the so-called temporary or occasional exercise of a medical profession have been simplified.³² Health professionals from non-EU countries whose diplomas have been recognised but whose professional qualifications have not yet been recognised are allowed to work in a healthcare facility under the temporary professional stint scheme. Temporary professional stint allows these people to carry out professional activities under the expert supervision of a qualified health professional. Upon the submission of a complete application for recognition of a non-EU educational diploma, MoESRS SR issues decisions in an expedited manner, provided that the applicant produces a proof of education which demonstrates that the qualification requirements have been met.³³

The amendment to the Act³⁴ also extended the scope of persons for temporary professional stint from the professions of doctor, nurse and midwife to all health professions in all health care facilities, including pharmacies.

In 2023, the process of recognition of education of Ukrainian paediatricians has been simplified - they can complete the qualification examination in a Ukrainian or Russian language. When they pass the exam, they can take up professional stint (internship) and work in hospitals/outpatient offices. Upon successful completion of the professional exams, they will be recognised as general practitioners and this professional qualification title is valid throughout the entire EU. In order for them to be able to practise paediatrics, they still need to undergo a specialisation study, which makes the whole process longer and may discourage them from practising in the SR. The exam fee has been reduced. The programme should also be made available for other medical specializations.³⁵

UNICEF financially supports the paediatrician aptitude test and reimburses the salaries of 30 paediatricians who are enrolled in temporary stint with Slovak paediatricians.³⁶

The Board of Advisors to the Prime Minister of the Slovak Republic, in cooperation with MH SR, MoESRS SR and the Slovak Medical University in Bratislava, prepared a solution³⁷ simplifying the involvement of nurses from Ukraine³⁸. The new system, which complies with medical practice and also with Slovak legislation, can be applied to employing nurses not only from Ukraine, but also from other countries outside the EU.

Another measure that can be mentioned as a good practice was the creation of specialised outpatient clinics or medical centres for temporary protection holders from Ukraine. Such centres/outpatient offices have

³¹ Available at <https://www.health.gov.sk/?urcenie-rozsahu-potrebnej-zdravotnej-starostlivosti> (consulted on 13/09/2023)

³² Section 102(a) of Act No. 578/2004 Coll. on Health Care Providers, Health Professionals and Professional Associations and on changes and amendments to some acts

³³ Section 30(a) of Act No. 578/2004 Coll. on Health Care Providers, Health Professionals and Professional Associations and on changes and amendments to some acts

³⁴ No. 578/2004 Coll. on Health Care Providers, Health Professionals, Professional Organisations in Health Care and on amendments and supplements to certain acts, as amended

³⁵ <https://www.health.gov.sk/Clanok?pediatri-vzdelanie-uznavanie-zjednodusenie> (consulted on 11/09/2023)

³⁶ The shortage of paediatricians in Slovakia can be solved by Ukrainian doctors. We will not compromise on quality, says the Ministry of Health, Available at: <https://www.aktuality.sk/clanok/ceDr5pm/nedostatok-pediatrov-na-slovensku-mozu-vyriesit-ukrajinski-lekari-z-kvality-nepolavime-tvrdi-ministerstvo-zdravotnictva/> (consulted on 18/07/2023) and Rovnianskova Polyclinic, qualitative interview on 31/08/2023.

³⁷ The process of obtaining a medical qualification for the exercise of the regulated profession of nurse consists of the following steps: 1. An applicant who has obtained professional qualification for the practice of the medical profession of practical nurse – assistant and who has obtained education in the bachelor study in the field of nursing in the territory of Ukraine shall apply for and send the application and necessary documents on the achieved education to the MoESRS SR (will issue a Decision on the imposition of an aptitude test within two months). 2. The aptitude test will be provided by the Slovak Medical University in Bratislava. The test consists only of the practical part. 3. The Slovak Medical University in Bratislava will issue a certificate on the aptitude test, which will be sent to the MoESRS SR. 4. It is possible to take the supplementary examination without completing a temporary professional traineeship. 5. The supplementary examination at the Slovak Medical University in Bratislava is conducted in the Slovak language, in written and oral form. 6. After successful completion of the qualification exam, the applicant will apply to the MoESRS SR for recognition of professional qualifications. 7. MoESRS SR will issue a “Decision on recognition of professional qualifications” within 1 month. 8. Practice of the medical profession – nurse. 9. The possibility of a master’s degree in nursing, as well as the possibility to continue in a specialization study.

More information: MH SR: Recognition of medical qualifications – path of Ukrainian medical professionals to practice medical professions (paediatrician or paediatrician, nurse), Available at: <https://www.health.gov.sk/?UA-uznavanie-vzdelania&fbclid=IwAR2LnzQZgSrp4uEhIL8XFwdqPDzo4va2wsR73KpVo5G7FFBW68H2LpbvU> (consulted on 27/09/2023).

³⁸ Government Office of the Slovak Republic: Board of Advisors Assisted in Addressing Recognition of Nurses Education from Ukraine, 2023, Available at: <https://www.vlada.gov.sk/zbor-poradcov-pomohol-pri-rieseni-uznavania-vzdelavania-sestier-z-ukrajiny/> (consulted on 24/10/2023).

been established e.g. in Bratislava, Košice, Prešov and Banská Bystrica. These facilities provide mainly GP services for adults and children. Primarily, the aim is to provide primary care to refugees from Ukraine, including prescribing medication for chronic diseases, providing advice on healthcare options, recommending a specialist, as well as taking off the burden of first-contact clinics. Working in these centres/clinics are Ukrainian health professionals, which eliminates the language barrier significantly.

A Red Cross implemented programme, which provides financial assistance to the people registered in this programme, can be mentioned as a good example of assistance provided to adults with chronic diseases who do not hold health insurance. Under the scope of the programme launched in August 2023, approved registered participants will receive financial assistance in the sum of €60 per month for a period of 3 months.³⁹

*The research period is from 1st January 2023 to 1st July 2023.

**For each challenge or good practice please: a) describe for whom it is a challenge/good practice; b) indicate why it is mentioned as a challenge/good practice, and c) indicate the source / evidence for the challenge/good practice

Education⁴⁰

27. Have there been any major legal, policy or practical changes regarding access to education for temporary protection holders during the research period*? If there were any, please elaborate.

There have been no significant policy or legislative changes regarding access to education for temporary protection holders during the research period.

Legislative changes related to the arrival of temporary protection holders from Ukraine and their access to education, including measures related to the recognition of education and recognition of professional qualifications, were adopted already in 2022 and are described in other EMN publications.⁴¹

28. What are the key challenges** and barriers in your Member State during the research period in providing access to primary and secondary education to persons under 18 years old (including measures facilitating the possibility to follow the online Ukrainian curricula)?

The following challenges of general nature were identified in the course of the research period. These are not related only to the arrival of temporary protection holders from Ukraine, but apply generally to all foreigners in the SR. The arrival of temporary protection holders from Ukraine has, however, made these systemic and structural challenges more visible:

- Insufficient support of the educational aspect of foreigners' integration⁴²;
- Limited experience with the education of foreign children on the side of schools;
- Lack of a complex and systematic concept of inclusive education of foreign children;
- Lack of an adaptation programme that would be available after the foreigners' arrival in Slovakia and related insufficient readiness (language skills, lack of psychologists and other professionals) of counselling and prevention facilities to provide psychological assistance in the course of the adaptation process;
- Lack of migration management which would navigate migrants to specific locations with sufficient infrastructure (including sufficient school enrolment capacities).

Other identified challenges related to the arrival of temporary protection holders from Ukraine:

- Difficulties in securing funding, staffing and material support for the schools catering for an increased number of students;

³⁹ Further information available at <https://redcross.sk/cva-info/> (consulted on 10/08/2023).

⁴⁰ The answers were prepared based on the data and information collected during 2023 within the scope of the project called "Strengthening coordination on inclusion of third-country nationals in Slovakia", which is implemented for the MoI SR's Migration Office by the IOM in cooperation with the Directorate-General for Structural Reform Support. The project results and outputs have not yet been published (for more information see the introduction). The responses were also consulted with the MoESRS SR.

⁴¹ Inform EMN Access to services for beneficiaries of temporary protection, Available at <https://www.emn.sk/sk/publikacie/informy-emn/item/702-pristup-k-sluzbam-pre-ludi-s-udelenou-docasnou-ochranou-2022.html> (consulted on 10/08/2023). The information has also been collected in course of the preparation of the EMN Annual Report on Migration and Asylum 2022, www.emn.sk

⁴² The concept of preparation and procedures for all stakeholders involved (e.g. schools, teachers, classmates, foreign children, their parents and the wider environment) in the inclusion of foreign children in the educational process.

- Differences between the Ukrainian and Slovak education systems and a low level of awareness in this regard;
- Flexibility concerning the choice of educational approach by temporary protection holders; (Ukrainian education delivered online or the Slovak system of education);
- Absence of compulsory school attendance and the related issues concerning inclusion of children in the society;
- Uneven distribution of school capacities in different regions (insufficient capacities in big cities vs. sufficient capacities in other parts of Slovakia);
- Absence of mechanisms to ensure safe transportation of Ukrainian children to schools located in more remote vicinity;
- Lack of data on the number and age structure of children – temporary protection holders;
- Language barrier on the side of students and also school staff;
- Lack of testing/secondary school admission concepts that would consider students whose native language is other than Slovak;
- Inconsistencies in the system of pupils' assessment;
- Lack of Ukrainian-speaking staff in schools, including the lack of psychologists and specialised teachers (Ukrainian pupils often psychological discomfort and go through trauma caused by war);
- Lack of practical training for staff working with children - temporary protection holders;
- Legislative barriers preventing the rapid use of Ukrainian experts in Slovak education system.

Challenges have also been identified in the field of language education. Again, these are in many cases related not only to the arrival of the temporary protection holders to the SR, but they represent a general problem pertaining to inclusion of foreigners in the SR:

- Lack of courses of Slovak as a foreign language;
- Lack of teachers of Slovak as a foreign language;
- Lack of Slovak publicly funded language and socio-cultural orientation courses for adult foreigners;
- Lack of thematically focused language courses and higher level courses than a beginner;
- Non-institutionalisation of language education;
- Lack of teachers and material support for language courses;
- Absence of accreditation of courses aimed at supporting the teaching of Slovak as a foreign language for teachers attending supplementary courses;
- Insufficient opportunities to attend such courses;
- Disconnectedness of language training and other language learning tools that would ensure a seamless process taking into consideration each child as an individual;
- Absence of language education for children who remain outside of the Slovak school system (children educated only within the Ukrainian online system of education, Ukrainian 16-year-olds graduating from high school);
- Immediate inclusion of children in the educational process and related lack of linguistic; preparation of pupils for transition to Slovak school.

29. What steps have been taken to address these challenges, and are there any good practices in responding to the challenges?

The following measures have been adopted to address some of the identified challenges:

- Allocation of funds for the employment of assistant kindergarten teachers;⁴³
- Completing and increasing capacities in kindergartens and facilities caring for children up to 3 years of age;
- The possibility of organizing 'playgroups' has been introduced;
- The School Act amendment introduced a number of support measures, including systematic language training and tutoring in schools;⁴⁴
- Summer schools, mostly funded by international organisations and organised predominantly under the auspices of the non-profit sector, are being organized;
- Establishment of community centres for children;
- Simplification of access to information through a dedicated bilingual section of the MoESRS SR website and the launch of a first-contact email address;
- Provision of additional funding to schools for the education of temporary protection holders;
- Issuance of methodological manuals, procedures, recommendations for schools by the MoESRS SR;

⁴³ Call entitled "Assistant Teacher for Kindergartens" – evaluation, available at <https://www.minedu.sk/vyzva-pomocny-vychovavatel-pre-materske-skoly-vyhodnotenie/> (consulted on 13/09/2023)

⁴⁴ These changes are gradually being funded and introduced into practice during 2023/24 school year and shall be continued in the following school year too.

- Launching of various projects to support education of temporary protection holders (also with support from various NGOs and international organisations);
- Establishment of 62 intervention teams⁴⁵ consisting of 3 to 8 professionals (specialised teachers and psychologists) with relevant experience in the field of crisis intervention. Their task was to use various socialisation- and adaptation-oriented activities to contribute to the integration of the students as well as to provide them with adequate professional care and support.
- New positions⁴⁶ have been established in cooperation with NIVAM and UNICEF: 14 coordinators working at the regional school administration authorities in 8 regional capitals assist with the enrolment of children in schools, provide methodological guidance to schools and educational facilities or assist in the organization of language courses for Ukrainians.
- Provision of financial support to improve the quality of education through the national project entitled "Ukrainian pupil"⁴⁷. (The national project aims to provide digital contribution through the vouchers with a value of EUR 350 for the purchase of digital equipment (tablets, notebooks, ...) to the project target group);
- Creation of 2 workplaces in the area of systematic preparation and coordination of activities concerning temporary protection holders from Ukraine.

Language education:

- Financial contribution to language education within the scope of the "Helping Temporary Protection Holders" project (see also the chapter on Labour Market);
- Provision of language courses by various NGOs and international organisations (this is not a systemic solution);
- Increasing the number of lessons in the basic language course (to 6 lessons per week) for pupils in the school facilities. In case a pupil finds the language studies too demanding or does not progress sufficiently quickly, this time allocation can be implemented over a longer period of time, but not less than 4 lessons per week. Pupils are also entitled to attend an extension course with 4 lessons per week. The length of such extension course is 12 weeks, i.e. 48 lessons. If a pupil is interested, this course can be extended by further 4 weeks, so that the duration of the extension course can be up to 16 weeks, i.e. 64 lessons.⁴⁸
- Approval of the new National Curriculum which contains standards for teaching Slovak as a foreign language, which made it possible for the dedicated textbooks already being used ("Aha slovenčina", "Svet okolo nás po slovensky") to be approved.⁴⁹ Until September 2023, teachers used only non-accredited textbooks and materials when teaching Slovak as a foreign language.
- Reimbursement of the fees for Slovak language courses run outside the school system by some municipal authorities (e.g. reimbursement of Slovak language courses provided on the basis of cooperation established between the Bratislava City Council and the State Language School, or on the basis of cooperation established between the City of Banská Bystrica and the RK Universa Language School and Matej Bel University);
- As part of the project Support to Temporary Protection Holders from Ukraine, activities are also focused on linguistic support for Ukrainian pedagogical employees, which will help them gain employment in education, such as the organization of free professional language courses for Ukrainian teachers, which will take place from 18/09 to 15/12/2023 in person and online in the range of 50 hours.⁵⁰

*The research period is from 1st January 2023 to 1st July 2023.

**For each challenge or good practice please: a) describe for whom it is a challenge/good practice; b) indicate why it is mentioned as a challenge/good practice, and c) indicate the source / evidence for the challenge/good practice

⁴⁵ <https://ukrajina.minedu.sk/data/att/22870.pdf> (consulted on 12/09/2023)

⁴⁶ B. Gröhling: Školy dostanú na ukrajinských žiakov financie z eurofondov, s ich začleňovaním a vzdelávaním pomôžu koordinátori | Ministerstvo školstva, vedy, výskumu a športu Slovenskej republiky ([minedu.sk](https://www.minedu.sk/)), consulted on 12/09/2023

⁴⁷ The subject of the national project is to equip the target groups of the project with digital equipment, while this equipment is provided by a digital contribution in the form of vouchers in the amount of EUR 350. The target group of the project are pupils of primary or secondary school in the Slovak Republic with the status of temporary protection from Ukraine, who at the same time have not reached the age of 18 on the date of registration. More information is available at <https://ukrajinskyzjak.sk/zakladne-informacie-sk> (consulted on 05/10/2023).

⁴⁸ State language courses - ŠPÚ (statpedu.sk), consulted on 12/09/2023

⁴⁹ Ukrajinské deti sa od septembra budú učiť z oficiálnych učebníc slovenčiny, potrebné je vyriešiť aj povinnú školskú dochádzku - SITA Školstvo, consulted on 12/09/2023

⁵⁰ MoESRS SR: Ukrainian teachers and professional employees can enrol in a Slovak language course and take the state exam, Available at: <https://www.minedu.sk/ukrajinski-pedagogovia-a-odborni-zamestnanci-sa-mozu-prihlasiť-na-jazykovy-kurz-slovenčiny-a-absolvovať-statnu-skusku/> (consulted on 22/09/2023).

Social Assistance/welfare⁵¹

EMN Inform is being developed on the labour market integration of beneficiaries of temporary protection which will explore the transition from social assistance/welfare into employment and financial independence in further detail and complement the information collected⁵²

30. Have there been any major legal, policy or practical changes regarding access to social assistance for temporary protection holders during the research period*? If there were any, please elaborate.

There have been no significant policy or legislative changes regarding access to social assistance for temporary protection holders during the research period.

Legislative changes related to the arrival of temporary protection holders from Ukraine and their access to social assistance were adopted already in 2022 and are described in other EMN publications.

31. What are the key challenges** and barriers in your Member State in providing access to social assistance/welfare for temporary protection holders during the research period?

The following challenges were identified in the course of the research period:

- Insufficient benefits in material need;
- Delayed reimbursement of subsidies for food and school supplies by the state;
- Shortcomings in the field of social service provision (lack of services, low level of awareness);
- Voluntary access to the social insurance system is open to foreigners with temporary and permanent residence, but foreigners with tolerated stay (i.e. temporary protection holders) do not have access to this system;
- Insufficient statistical data e.g. concerning non-residential social services.

32. How were these challenges addressed/planned to be addressed and are there any good practices in responding to the challenges?

The Agreement on social security between the Slovak Republic and Ukraine⁵³ which covers the provision of pensions (old-age, disability, widow's, widower's, orphan's) and sickness insurance benefits (sickness benefit, maternity cash support, support for the provision of care to a family member, compensatory allowance in pregnancy and maternity) could be considered a good practice (although not specifically dated to the research period). Based on this agreement, the pension payments to Ukrainian pensioners should be transferred from the Pension Fund of Ukraine even to the SR. The agreement also ensures equal treatment of Ukrainian citizens in the application of the legislation governing sickness and pension insurance benefits. The bilateral agreement also guarantees that the period of insurance acquired in the territory of the other Contracting Party is also taken into account and the non-overlapping periods of insurance are added together for the purpose of calculation of entitlement to a cash benefit when the period of insurance required to receive sickness and pension insurance benefits is calculated. If a claimant meets the condition of having a minimum of 12 months of pension insurance in the SR and they comply with the conditions for the award of the benefit applicable in the SR, they may apply for an old-age or invalidity pension, which shall also be awarded from the insurance in the SR based on the length of the period of insurance in the SR, in appropriate proportion.

*The research period is from 1st January 2023 to 1st July 2023.

**For each challenge or good practice please: a) describe for whom it is a challenge/good practice; b) indicate why it is mentioned as a challenge/good practice, and c) indicate the source / evidence for the challenge/good practice

⁵¹ The answers were prepared based on the data and information collected during 2023 within the scope of the project called "Strengthening coordination on inclusion of third-country nationals in Slovakia", which is implemented for the MoI SR's Migration Office by the IOM in cooperation with the Directorate-General for Structural Reform Support. The project results and outputs have not yet been published (for more information see the introduction). The responses were also consulted with the MoLSAF SR.

⁵² Available at www.emn.sk

⁵³ Available at <https://www.employment.gov.sk/files/slovensky/ministerstvo/medzinarodna-spolupraca/europska-unia/zmluvy-socialnom-zabezpeceni/ukrajina.pdf> (consulted on 12/09/2023)

Section3: Vulnerable Groups

Support for vulnerable groups ⁵⁴

33. What are the key challenges** in your Member State in (i) identifying vulnerable persons under the TPD and (ii) providing them the necessary assistance and support during the research period*?

The following challenges were identified in the course of the research period:

- Non-recognition of Ukrainian disability documents by Slovak authorities for any purpose;
- Unlike Slovak citizens and the eligible group of foreigners, the Act on Compensation for Severe Disabilities⁵⁵ does not apply to Ukrainian temporary protection holders at all. Thus, temporary protection holders are not able to apply for one-off or recurrent allowances such as a cash allowance for the purchase or modification of medical aids, lifting equipment, motor vehicles, or an allowance for personal assistance;
- Similarly, temporary protection holders are not entitled to hold a severe disability card and a parking permit;
- Ukrainian health insurance documents are not recognised for the purposes of assistance provision to persons with disabilities;
- Insufficient specialized health care, insufficient complementary health care and also insufficient financial coverage for these services (rehabilitation, massages, medical aids);
- Lack of access to full health care, at least for vulnerable groups such as the elderly, single parents or people with disabilities;
- Poor access of people with disabilities to medical devices and therapies;
- Insufficient integration of children with disabilities.

34. How were these challenges addressed/planned to be addressed and are there any good practices in responding to the challenges?

The fact that severely disabled people are entitled to receive the returned medical aids and lifting equipment that are stored at the Labour Offices can be considered a good practice. These include over 480 medical aid supplies such as mechanical or electric wheelchairs, other aids for musculoskeletal disabilities, lifting devices and aids for people with visual and hearing impairment.

At the same time, temporary protection holders were automatically considered to be dependent on the services provided in selected social, crisis intervention and family support facilities; the process of determining temporary protection holders' dependence on social services was simplified; it was made possible to replace the proof of income with a solemn declaration, and it was made possible for temporary protection holders to be employed in social service facilities on the basis of a solemn declaration of a good repute.⁵⁶

As regards the placement of people with temporary protection who have disabilities in a social services facility, the allocated spare capacities were tied exclusively to the declared emergency situation in connection with the war in Ukraine. MoLSAF SR updates the number of vacancies on a weekly basis and informs the regional government offices about it. People with disabilities are entitled to humanitarian aid subsidies ranging from EUR 300 to EUR 508 per month, depending on their specific level of disability. However, in accordance with the Humanitarian Contribution Act, natural persons in social services facilities are ineligible for this subsidy. Here, however, they, like other beneficiaries, are covered by income protection and the service is co-financed by public funds.

*The research period is from 1st January 2023 to 1st July 2023.

⁵⁴ The answers were prepared based on the data and information collected during 2023 within the scope of the project called "Strengthening coordination on inclusion of third-country nationals in Slovakia", which is implemented for the MoI SR's Migration Office by the IOM in cooperation with the Directorate-General for Structural Reform Support. The project results and outputs have not yet been published (for more information see the introduction). The responses were also consulted with the MO MoI SR and MoLSAF SR.

⁵⁵ Act No. 447/2008 Coll. on Cash Benefits for Compensation of Severe Disability

⁵⁶ Government Regulation No. 109/2022 Coll. on Certain Measures in Social Services in Times of Emergency Situation, State of Emergency or State of Extreme Emergency Declared due to the Mass Influx of Foreigners into the Territory of the SR Caused by the Armed Conflict in the Territory of Ukraine

****For each challenge or good practice please: a) describe for whom it is a challenge/good practice; b) indicate why it is mentioned as a challenge/good practice, and c) indicate the source / evidence for the challenge/good practice**

Support for UAMs, separated children, and children accompanied by UA guardians

35. What are the key challenges in your Member State in providing assistance to UAMs, separated children, and children accompanied by a guardian appointed in Ukraine? (e.g. recognition of guardianship, appointment of accompanying adult as a temporary guardian, accommodation and care conditions for individual children accompanied by guardians; monitoring the situation, etc)**

When it comes to providing support and protection the social and legal protection of children and social guardianship authorities proceed in compliance with relevant international obligations of the Slovak Republic concerning UAMs. The situation of each UAM is assessed individually, taking into account the specificity of the UAM's situation and their needs in accordance with their best interests.

As of 1 January 2023, a total of 152 UAMs from Ukraine have been placed by the Slovak authorities, of which in 107 cases the UAM's departure to their family was mediated. As of 1 July 2023, a total of 153 UAMs have been placed in children and family centres, transfer to the UAM's family has been mediated in 111 cases and in 10 cases the UAMs have reached the age of majority during the residence measure implementation.⁵⁷

The following challenges were identified in this area:

- Limited capacities in a situation of sudden influx of refugees and the related material, technical and personnel capacities, which are also limited.
- Underdeveloped network allowing for exchange of information about UAMs with the country of origin, due to the ongoing armed conflict.⁵⁸

36. Does your Member State host groups of children evacuated from Ukrainian institutions? If so, how many children were hosted during the research period? Please describe the type of accommodation and care that are offered to this category of children.

There have been no new groups hosted in the Children and Family Centres during the research period, i.e. since January 2023.

****For each challenge or good practice please: a) describe for whom it is a challenge/good practice; b) indicate why it is mentioned as a challenge/good practice, and c) indicate the source / evidence for the challenge/good practice**

Prevention of trafficking in human beings ⁵⁹

37. What particular steps were taken in your Member State to protect people fleeing Ukraine and, especially, UAMS, from trafficking in human beings during the research period*?

Activities implemented by all stakeholders (MoI SR, international NGOs and other relevant NGOs) in this field are mainly directed towards prevention efforts as the most effective means of combating trafficking in human beings in these particularly vulnerable situations. Even before the war, Ukraine was among the countries of origins of trafficking victims, albeit to a limited extent.

The preventive measures include:

- Trainings for key professions active at the border – BBFP PFP, fire-fighters, National Labour Inspectorate and other professional groups (trainings are organised by various state institutions, in particular the Information Centre for Combating Trafficking in Human Beings and Crime

⁵⁷ Information provided by MoLSAF SR of 12/09/2023.

⁵⁸ Information provided by MoLSAF SR of 12/09/2023.

⁵⁹ The information was prepared on the basis of input from the IOM, from the Crime Prevention Department of the Office of the Minister of Interior of the SR and from the Information Centre for Combating Trafficking in Human Beings and Crime Prevention of the MoI SR

Prevention (IC), as well as the Crime Prevention Department of the Office of the Minister of the Interior of the Slovak Republic and the IOM);

- Workshops and information seminars for staff/volunteers who are working with/providing services to temporary protection holders from Ukraine (in large-capacity centres, accommodation facilities, community centres, local authorities' staff, Labour Offices, etc.)⁶⁰;
- Train the trainer (MIC IOM, cultural mediators working with UAMs in the Children and Family Centre in Medzilaborce) sessions focused on safe work, awareness raising and the issue of trafficking in human beings;
- Information awareness raising campaign on the topic of trafficking in human beings and its combating carried out at petrol stations⁶¹;
- Preparation of a preventive information leaflet on trafficking in human beings in A4 format in 2 language versions (Slovak and Ukrainian). Due to the high number of foreign students studying in Ukraine, the leaflet was later adapted into an information booklet and more language mutations were added (Slovak, Ukrainian, Hungarian, Romani, Russian and English). In addition to the on-line distribution, the information materials were distributed to all border crossings between Slovakia and Ukraine, to the train and railway stations, hotspots, large capacity centres, Slovnaft a.s. petrol stations, Labour Offices, community centres, district offices, client contact points, etc.⁶²
- Drafting of the prevention-oriented material entitled "Hate speech"⁶³, which explains the nature of hate speech and other forms of hate crimes, the motivation of their authors, their most frequent victims as well as how to prevent them and what to do in case someone becomes such a victim.
- Assistance in cases of labour exploitation provided through the MoI SR's Information Offices.⁶⁴ Since August 2022⁶⁵, activities of the Information Offices have also been specialised for victims from among citizens of other countries on the territory of the Slovak Republic as a result of the war in Ukraine, including victims of human trafficking.
- Development of a procedural memory map "Foreigner" to be used by Information Offices when working with clients who are victims of crimes (including victims and potential victims of trafficking in human beings) who are foreigners⁶⁶.
- Counselling services, including those in the field of trafficking in human beings prevention, provided by the IOM in 8 regional capitals in the SR.⁶⁷
- A new IOM website [safework.iom.sk](https://www.safework.iom.sk), which contains information on safe job searching in the SR and abroad, as well as important contacts for people who need information, advice or assistance in case their work situation is not safe. The website is available in Ukrainian, English and Slovak.
- Establishment and functioning of the Task Force on Combating Trafficking in Human Beings, acting as a part of the UNHCR-led coordination mechanism established in response to the war in Ukraine, where all stakeholders active in the field coordinate their activities.
- Adoption of the Contingency Plan of the Slovak Republic for dealing with the emergency context of the mass arrival of people from Ukraine into the territory of the Slovak Republic caused by the escalation of the armed conflict in the territory of Ukraine for the period October 2022 - March 2023⁶⁸. The updated version for the months of July - December 2023⁶⁹ includes also the issue of trafficking in human beings. One of the strategic objectives of the Contingency Plan is to pay increased attention and ensure protection to persons with specific needs, in particular unaccompanied minors, persons with disabilities and women who are victims of trafficking and/or sexual violence and gender-based violence.

⁶⁰ Implemented by the IOM.

⁶¹ Further information is available at <https://www.minv.sk/?tlacove-spravy&sprava=pri-prilezitosti-europskeho-dna-boja-proti-obchodovaniu-s-ludmi-sme-spustili-infokampan-na-cerpacich-staniciach> (consulted on 07/09/2023), implemented by the MoI SR.

⁶² The information brochure was presented through the national rapporteurs also at the OSCE meeting as one of good preventive measures examples in the area of combating human trafficking at the Slovak-Ukrainian border.

⁶³ <https://www.minv.sk/?brozury-a-letaky> (consulted on 13/09/2023)

⁶⁴ Further information is available at <https://prevenciakriminality.sk/p/o-pomoci-obetiam> (consulted on 07/09/2023)

⁶⁵ Within the framework of the extension of selected national project activities with the end of implementation period in December 2023.

⁶⁶ The memory map is a clear methodological tool (the so-called "checklist") intended for Information Offices staff, which regulates the specific procedure for providing assistance to victims/clients with regard to the nature of the life situation/type of event/threat to the client. The memory map "foreigner" regulates a specific procedure in cases where the Offices are contacted by a person – a foreigner who may be a victim of crime, where specifics appear that are not normally present when providing assistance to victims of Slovak citizens (e.g. authorization of staff to contact the consular department / embassy of the foreign country from which the client comes from in the Slovak Republic, etc.). At the same time, since the outbreak of the war in Ukraine, the activities of Information Offices have also been specialized in victims from among Ukrainian temporary protection holders, while the memory map has also been supplemented with specifics in directing these clients based on the newly created status of the temporary protection holder (e.g. guidance on the possibility of obtaining temporary protection).

⁶⁷ Further information is available at <https://www.mic.iom.sk/sk/kontakt-info.html> (consulted on 07/09/2023).

⁶⁸ Resolution of the Slovak Government No. 665/2022 of 26 October 2022

⁶⁹ Resolution of the Slovak Government No. 346/2023 of 26 June 2023

- Functioning of the National Helpline for victims of trafficking in human beings, which was available 24/7 after the beginning of the war and offered the possibility to communicate in the Ukrainian language.

A detailed description of the activities implemented by the SR in the field of combating trafficking in human beings, including in the context of the war in Ukraine, can be found in the Situational Report on Combating Trafficking in Human Beings in the Slovak Republic for 2022.⁷⁰

With regard to UAMs, Central Office of Labour, Social Affairs and Family has prepared a new special guideline entitled "Measures to Eliminate the Risk of Human Trafficking with Special Focus on Unaccompanied Minors", which was distributed to all Labour Offices and family Centres (together with a list of questions aimed at assessing indicators of possible trafficking in human beings who found themselves on the territory of the SR as a result of the war in Ukraine).

38. What are the key challenges in your Member State in relation to trafficking in human beings?

Labour exploitation is one of the problems in the context of human trafficking in the SR, which was impacted by the war in Ukraine⁷¹.

According to the annual Trafficking in Persons Report⁷² published by the US Government, the following was identified as the biggest challenges in the SR, which were already evident before the war in Ukraine:

- Insufficient identification of victims among foreign nationals;
- Low sensitivity of people in key professions concerning the recognising of potential victims of trafficking in human beings;
- Lack of targeted work with and training of vulnerable groups on the topic and prevention of trafficking in human beings;
- Lenient sentencing issued by judges in cases that do come to court;
- 'Victim blaming' - evidence based solely on the victim's testimony.

39. How were these challenges addressed/planned to be addressed and are there any good practices in responding to the challenges?

During the research period, an *Analysis on Trafficking in Human Beings for Labour Exploitation vs. Poor Working Conditions* was published. It includes, i.e. recommendations that the SR should address.⁷³ Suggestions and ideas for further action to ensure improvement of the current situation include:

- Systematic work in communities to educate in order to avoid becoming a victim;
- Setting up a network of trusted contact points within communities that could identify victims of trafficking and refer them to helping organisations and the police in accordance with the national referral mechanism;
- Raising awareness of trafficking among wide public through information and awareness raising campaigns as well as through social networks and media;
- Implementing of prevention-oriented activities in primary schools (in the last two years) and in secondary schools, taking into account the higher level of vulnerability and influenceability of children;
- Thorough examination of all relevant facts giving rise to suspicion of a criminal activity pursuant to the provisions of the Criminal Procedure Code governing the procedure prior to the initiation of a criminal prosecution and in accordance with the principle of proper fact-finding to the extent necessary for a decision under Article 2(10) of the Criminal procedure Code;
- Consistent application of the criminal law provisions with a view to imposing an appropriate and proportionate punishment on the offenders;
- Application of Section 251(a) of the Criminal Code in the application practice in adequate cases;
- Continuing to implement awareness raising activities and provide counselling services to both the employers and the natural persons - employees, stressing the need for the establishment of

⁷⁰ Available at <https://www.minv.sk/?informacne-centrum-na-boj-proti-obchodovaniu-s-ludmi-a-prevenciu-kriminality> (consulted on 14/09/ 2023).

⁷¹ Situational Report on Combating Trafficking in Human Beings in the Slovak Republic for 2022, Analysis on Trafficking in Human Beings for Labour Exploitation vs. Poor Working Conditions, Available at <https://www.minv.sk/?informacne-centrum-na-boj-proti-obchodovaniu-s-ludmi-a-prevenciu-kriminality> (consulted on 07/09/2023).

⁷² Available at <https://www.state.gov/reports/2022-trafficking-in-persons-report/slovakia/> (consulted on 07/09/2023).

⁷³ Available at <https://www.minv.sk/?informacne-centrum-na-boj-proti-obchodovaniu-s-ludmi-a-prevenciu-kriminality> (consulted on 14/09/2023).

favourable working conditions and the compliance with obligations arising from the employment of employees performing work in the territory of the SR under the Slovak Labour Code, as well as the need to comply with the regulations governing the legality of their employment;

- Extending the group of languages in which awareness raising campaigns and activities are prepared by the languages native or otherwise comprehensible to third-country nationals who are interested in working in the SR, involving other relevant Slovak authorities in this awareness raising activities or disseminating it, as appropriate, even beyond the borders of the SR and to the most frequent countries of origin of these employees (e.g. by using the media space);
- Sensitising groups of professionals to the vulnerable position of victims in accordance with national and European legislation;
- Specialising of prosecutors working at regional prosecutor's offices in the field of trafficking in human beings;
- Carrying out inspections with special emphasis on the employment of foreigners and their working conditions within Slovak labour market;
- Seeking solutions to prevent the concealment of the labour-law relationship;
- Seeking solutions to sanction entities providing job placement services in return for remuneration and of the temporary employment agencies when they deliberately abuse their clients.

Many of the abovementioned challenges have been accounted for in the new strategic document for the period of next 5 years - the National Programme for Combating Trafficking in Human Beings 2024-2028, which will also include a relevant action plan. Involved in its drafting was the Inter-Ministerial Expert Committee for Combating Trafficking in Human Beings and the document is currently undergoing an inter-ministerial consultation process. It is planned to be submitted to the Government by the end of 2023. The draft of the new National Programme also addresses the topic of temporary protection holders from Ukraine.

* The research period is from 1st January 2023 to 1st July 2023.

Section 4: Conclusions

After the war in Ukraine began on 24 February 2022, the reaction of the SR to the mass influx of people fleeing the war was very quick. Basically in a course of few days the SR adopted a number of both legislative and non-legislative measures to regulate the legal status and integration of people arriving in the SR and facilitate the practical aspects of their life.

On 26 February 2022, Act No. 55/2022 Coll.⁷⁴ was adopted, amending the Act No. 480/2002 Coll. on Asylum, which made it possible for temporary protection granting to be declared even without an EU Council Decision. Pursuant to the Government Resolution No. 144/2022 of 28 February 2022⁷⁵, temporary protection was being granted in the SR since 1 March 2022 under the Act No. 480/2002 on Asylum⁷⁶.

Subsequently, the Slovak Government⁷⁷ regulated the provision of temporary protection in accordance with the Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection.

Temporary protection in the Slovak Republic is currently granted in accordance with the Temporary Protection Directive until 4 March 2025. If necessary, a new document with the indication of the extended validity can be printed by the temporary protection holders themselves using the online form available on the MoI SR website. The website serves also to verify the validity of the document.

In the SR, temporary protection holders can apply for another type of residence, too, provided they meet the relevant conditions stipulated by law. They can also apply for international protection. After the residence permit is granted to them or when they apply for international protection, their temporary protection ceases.

Monitoring the movement of persons granted temporary protection within and outside of the EU is proving to be a challenge. The SR partially uses the Temporary Protection Registration Platform for this purpose, but the platform has its limitations.

The mere departure from the territory of the SR, whether to another EU country, a third country or back to Ukraine, does not affect one's temporary protection status. With regard to permanent return to Ukraine, the SR does not implement any support mechanisms.

⁷⁴ Available at <https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2022/55/20220226> (consulted on 12/01/2023).

⁷⁵ Available at <https://rokovania.gov.sk/RVL/Resolution/19928/1> (consulted on 12/01/2023).

⁷⁶ Section 29 par. 2.

⁷⁷ Resolution of the Slovak Government No. 185/2022 of 16/03/2022 Available at <https://rokovania.gov.sk/RVL/Material/27034/1> (consulted on 16/01/2023).

In accordance with the Temporary Protection Directive, the SR started to provide all the services and rights resulting from it to the temporary protection holders, i.e. access to accommodation, education, health care, social support and access to the labour market. While many of the introduced measures responded to the arrival of temporary protection holders from Ukraine in the then situation, made the practical aspects of their lives easier and facilitated their initial integration, as the conflict continues, strategies and policies to address the situation in the longer term would need to be adopted. As a significant proportion of the temporary protection holders continue to remain in the territory of the SR or in the EU, the measures adopted at the beginning of the conflict are no longer sufficient and the long-term stay of the temporary protection holders brings new challenges.

From a general perspective, establishing the exact number of temporary protection holders, their residence, employment, receipt of social support benefits and participation in the educational process appears to be a challenge in the SR, as well as the related need to link the various databases and ensure statistical data exchange between relevant authorities and bodies. This could lead to a better setting up of further assistance and integration instruments and, where appropriate, to a better protection of vulnerable groups⁷⁸.

Apart from the persistent challenges in the individual areas described in this study, most of the existing challenges are related to the long-term stay of Ukrainian temporary protection holders in the SR and to the need for relevant policies. However, many of the challenges in this category do not only concern temporary protection holders from Ukraine, but can be applied to other foreigners, too. In some areas, even Slovak citizens face similar challenges. In this context, what appears to be such general challenge is the absence of an up-to-date national strategy for the integration of foreigners, to which relevant policies and activities implemented by different ministries would be systematically and comprehensively linked.⁷⁹

In the area of accommodation, the biggest challenges are represented by the provision of long-term accommodation for temporary protection holders in view of the ongoing conflict and the related shortage of longer-term accommodation facilities and a low availability of social rental housing in the SR.

Access to adequate and affordable housing is a key factor for successful integration. Migrants' living conditions have a significant impact on their employment and education opportunities.

Temporary protection holders in the SR have direct access to the labour market without the need for a labour market test, but they are not allowed to run a business. This represents one of the challenges hindering their inclusion in the long term. When seeking employment, temporary protection holders are not among the eligible groups of persons who can be entered into the Register of Job Seekers and thus benefit fully from the services provided by the Labour Offices in this respect. The absence of individual career counselling thus also represents one of the challenges in terms of labour market access. The 'brain waste' phenomenon, when people accept lower-skilled positions that do not match their high qualifications, also applies to the temporary protection holders, as this approach provides them with an easier and quicker route to employment. This, however, constitutes a loss of potential both for the temporary protection holders as well as for the host society. Another challenge, concerning both the access to the labour market and access to education, is the lack of capacities in pre-school facilities and in some primary education facilities in some regions. In particular, schools face challenges related to the lack of Ukrainian-speaking staff and the language barrier in general, the disparities between the Slovak and Ukrainian education systems and the related lack of relevant information.

Flexibility in the choice of educational approach enjoyed by the temporary protection holders (they can opt for Ukrainian education delivered online or the Slovak school system) also proves to be an issue. In general, schools have limited experience with educating children who are foreigners, there is a lack of complex and systematic concept of inclusive education of children who are foreigners and the adaptation programme after their arrival in Slovakia is also missing.

Language education represents a separate issue, as there is a lack of courses of Slovak as a foreign language, Slovak as a foreign language education is not institutionalised and there are only few affordable Slovak language courses.

Language barrier and a lack of relevant information also pose a challenge in the provision of health care, including mental health care. Staff shortages and the administrative burden connected with the reporting on health services also represent a challenge in this context.

Vulnerable groups, e.g. people with disabilities or unaccompanied minors, face particular challenges.

⁷⁸ Information provided also by the MoT SR of 21/08/2023 and MoESRS SR of 04/10/2023.

⁷⁹ Information provided by MoESRS SR of 04/10/2023.

The SR has adopted a number of measures to ensure favourable conditions for people with disabilities. Yet, even in this area, temporary protection holders face problems related to the language barrier or various administrative procedures.

Temporary protection holders as a group are specifically vulnerable to the threat of trafficking in human beings. Due to this, the SR has prepared information leaflets, launched campaigns and carried out a number of training programmes and sessions.

The sudden arrival of a large number of refugees from Ukraine represented a challenge to both the SR and EU countries and called for a rapid response to the situation. As the conflict continues, it is necessary to define the policies and measures of the state so that they respond to the fact that some of the temporary protection holders are not planning to return to Ukraine, and to set new measures so that the integration of refugees from Ukraine benefits not only themselves, but also the entire society.