

## SLOVAK REPUBLIC

### ARRIVALS

#### 1. Total number of individual asylum seekers who arrived, with monthly breakdown and percentage variation between years

Table 1:

Source: Migration Office, Ministry of Interior and UNHCR (2002)

Month	2002	2003
January	751	442
February	662	386
March	545	833
April	400	636
May	455	679
June	538	810
July	864	878
August	796	895
September	1,179	1,015
October	1,295	1,366
November	1,140	1,427
December	1,114	1,368
<b>TOTAL</b>	<b>9,739</b>	<b>10,735</b>

#### 2. Breakdown according to the country of origin/nationality, with percentage variation

Table 2:

Source: Migration Office, Ministry of Interior

Country	2002	2003
Russian Federation	618	2,144
India	1,661	1,207
Afghanistan	1,669	524
Iraq	1,245	301
<i>Others</i>	<i>4,546</i>	<i>6,137</i>
<b>TOTAL</b>	<b>9,739</b>	<b>10,735</b>

#### 3. Persons arriving under family reunification procedure

The Slovak Republic has a family reunification programme for refugees. However, the right to family reunification is limited to cases where family members are already in a safe country. The definition of family is very narrow; it refers only to a father, mother and child(ren).

#### 4. Refugees arriving as part of a resettlement programme

No information provided.

#### 5. Unaccompanied minors

705 (657 male/48 female)

The main countries of origin were: Afghanistan, Bangladesh, China, India, Iran, Iraq, Moldova, Nigeria, Pakistan, Russian Federation, Somalia and Vietnam.

An unaccompanied minor is a person aged 0-18 who is separated from his/her parents or legal representatives. As stated in the Asylum Law 2003, unaccompanied minors are considered a vulnerable group. During the asylum procedure, special accommodation and care are provided for them. This requirement is included in legislation from the Ministry of Interior, which came into force in September 2003.

Unaccompanied minors cannot directly apply for asylum. A guardian is therefore appointed to each child by a court (usually the local court in the region near the border where the child was found by the Border Police) immediately after his/her identification by the Border Police. It is the guardian's responsibility to act in the best interests of the child and to consider all possible steps to ensure a durable solution for them (such as tracing family members, entering the asylum procedure, applying for family reunification in a third country or their country of origin and voluntary return). In practice, nearly all unaccompanied minors identified enter the asylum procedure.

Another procedural guardian is appointed for the duration of the asylum procedure. The child is accommodated in specialised reception centres (in Rohovce and Brezova pod Bradlom), where adequate care is provided in line with the project 'Unaccompanied minors and procedural guardianship' implemented by the Slovak Humanitarian Council in co-operation with the Migration Office and UNHCR. Legal counselling and representation are also arranged in co-operation with the NGO providing legal assistance. However, since a co-ordinated registration system has not been established yet, a large number of children can and do leave the country before the end of the asylum procedure.

## RECOGNITION RATES

### 6. The statuses accorded at first instance and appeal stages as an absolute number and as a percentage of total decisions

Table 3:

Source: Slovak Helsinki Committee

	2003
No status awarded	-
Convention status	11
Other statuses	-
<b>TOTAL</b>	<b>11</b>

No separate figures are available for first and second instance decisions.

### 7. Refugee recognition rates (1951 Geneva Convention) according to country of origin, at first instance and appeal stages

Table 4:

Source: Slovak Helsinki Committee

Country	2003
Afghanistan	3
Serbia and Montenegro	2
Bosnia-Herzegovina	2
Benin	1
Burundi	1
Iraq	1
Democratic Republic of Congo	1
<b>TOTAL</b>	<b>11</b>

No separate figures are available for first and second instance decisions.

## **RETURNS, REMOVALS, DETENTION AND DISMISSED CLAIMS**

### **8. Persons returned on ‘safe third country’ grounds**

No figures available.

### **9. Persons returned on ‘safe country of origin’ grounds**

No figures available.

### **10. Number of applications determined inadmissible**

Table 5:

Source: Migration Office, Ministry of Interior

<b>Country</b>	<b>2003</b>
China	42
India	11
Bulgaria	4
Ukraine	3
Bangladesh	2
Ghana	2
Pakistan	2
Czech Republic	1
Georgia	1
Serbia and Montenegro	1
Macedonia	1
Moldova	1
Poland	1
Sudan	1
<b>TOTAL</b>	<b>74</b>

### **11. Number of asylum seekers denied entry to the territory**

No information provided.

### **12. Number of asylum seekers detained, the maximum length of and grounds for detention**

No figures available.

Foreign nationals who apply for asylum are normally transferred to asylum facilities. Those who do not apply for asylum and are illegally in the country are placed in detention facilities. However, if asylum seekers leave the asylum facilities during the asylum procedure and are caught by the police, they are also placed in detention facilities. Persons awaiting the implementation of an expulsion order are also detained. Detention cannot last more than 180 days.

An appeal can be submitted before the local court against the detention order within 15 days from the delivery of the decision. Appeal does not have suspensive effect.

### **13. Deportations of rejected asylum seekers**

No information provided.

### **14. Details of assisted return programmes, and numbers of those returned**

104 voluntary returns were managed and organised by IOM Slovakia under a programme of assisted voluntary return. This is a sharp increase in comparison with the previous two years.

**15. Number of asylum seekers sent back to the Member State responsible for examining the asylum application under the Dublin Convention (Dublin II Regulation)**

The Slovak Republic was not party to the Dublin Convention.

**SPECIFIC REFUGEE GROUPS**

**16. Developments regarding refugee groups of particular concern**

No information provided.

**LEGAL AND PROCEDURAL DEVELOPMENTS**

**17. New legislation passed**

The Slovak Republic is now developing its asylum system to comply with its international obligations and to harmonise with the European Union (EU) *acquis* after the entry into force of the new Asylum Law (No. 480/2002).

The Constitution of the Slovak Republic also includes the protection of refugees and it explicitly guarantees the right to asylum (Article 53).

**18. Changes in refugee determination procedure, appeal or deportation procedures**

Changes to the asylum procedure were introduced in new legislation in November 2003. Amendments were made to the regulations of the Alien and Border Police and Migration Office, Ministry of Interior.

**19. Important case-law relating to the qualification for refugee status and other forms of protection**

No information provided.

**20. Developments in the use of the exclusion clauses of the 1951 Geneva Convention in the context of the national security debate**

No information provided.

**21. Developments regarding readmission and cooperation agreements**

No information provided.

**THE SOCIAL DIMENSION**

**22. Changes in the reception system**

The Asylum Law 480/2002 lays down standards for the reception of asylum seekers and for the asylum procedure, determines the rights and responsibilities of asylum seekers and other persons in need of international protection, regulates the stay of asylum seekers in refugee centres and ensures the integration of recognised refugees into society.

Once admitted into the asylum procedure, asylum-seekers are accommodated for approximately 30 days under medical quarantine in reception centres from where they are transferred to accommodation centres. They remain here until a final decision is issued in relation to their claim. They are allowed to leave the centre during the day but have to return at night. If an asylum seeker wants to spend more time outside the centre, permission is required.

On written request, the Ministry of Interior may allow an applicant to live outside an accommodation centre, where a Slovak national or a foreign national with a permanent residence permit submits a statement in which it is said that they will provide for the accommodation and all expenses related to the applicant's stay on the territory of the Slovak Republic. In this case, the Ministry will only cover the applicant's basic health care costs. The Ministry may also allow the applicant to reside outside an

accommodation centre if the applicant is able to cover all the expenses concerning his/her stay. The Ministry will continue to cover basic health care costs.

When an applicant leaves a reception centre during the quarantine, or an accommodation centre for more than one day without permission, his/her pocket money is reduced and this can negatively affect the outcome of the whole asylum procedure.

Blood tests, lung ex-rays, HIV tests and syphilis and hepatitis tests are all compulsory. Quarantine is not ended until these tests are carried out. Most of these tests are carried out by a doctor at the reception centre except for the x-ray screening, for which asylum seekers are taken to the local hospital accompanied by a staff member of the Migration Office.

Asylum seekers have no right to social benefits, with the exception of mothers of newborn babies residing in the centre, for which the mother receives SKK 3,000 (approx. €75) and basic equipment for the baby. Rules applying to Slovak citizens also apply to recognised refugees.

Throughout the procedure, asylum seekers are assisted by NGOs (and legal counsellors) in close cooperation with UNHCR. The core costs and activities of these NGOs are financed by UNHCR and include monitoring the conditions in accommodation and reception centres.

### **23. Changes in the social welfare policy relevant to refugees**

#### Social support

Social support for Slovak citizens is currently SKK 1,450 per month (approx. €36) and is provided to individuals who are unemployed or with no income to cover basic living costs.

Asylum seekers are not entitled to this form of support. However, once they are granted refugee status, the same rules applying to Slovak citizens will also apply to them.

#### Financial support for unemployed people

Unemployed Slovak citizens receive a maximum of SKK 9,120 (approx. €228). Asylum seekers are not allowed to work during the asylum procedure. However, after being granted refugee status, they can enter the labour market and have the same rights and duties as Slovak citizens.

#### Medical care

Free basic medical care (covering basic examinations) is provided to Slovak citizens. Individuals are required to contribute to their medical insurance monthly. Insurance for vulnerable groups (including children, pensioners, parents on maternity leave, unemployed people, etc.) is paid for by the state. Unemployed recognised refugees are considered a vulnerable group. After being granted refugee status, free medical care is provided to recognised refugees. As asylum seekers are not insured, in case of emergency, hospitalisation or specialist treatment costs are covered by the Migration Office (State budget).

#### Education

Primary and secondary education in the Slovak Republic is free and is compulsory for children under 18. The same rules apply to children of asylum seekers and recognised refugees.

### **24. Changes in policy relating to refugee integration**

There were no changes in policy relating to refugee integration in 2003.