

**FRANET**

**Migrants and their Descendants:  
Social Inclusion and  
Participation in Society**

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## Executive summary

### 1. Legal and Policy instruments

There are two main policy documents (strategies) defining integration of migrants - Integration policy<sup>1</sup> and Migration policy<sup>2</sup>. Both of them define integration as a continuous, long-term and dynamic two-way process that includes foreigners living in the host country as well as the entire society. The active nature of the integration policy emphasizes the need for mutual respect and reciprocal recognition of both groups' rights and obligations. However, migration policy stresses that migrants have to fully accept Slovak life and institutions. As for the regional strategies - there is only one municipality, which adopted its own strategy for integration of migrants.<sup>3</sup>

*Integration Policy of the Slovak Republic* emphasises justice, equality, endeavour to compensate for disadvantages, prevention of discrimination, **respect for human rights and freedoms**, protection of the vulnerable and adherence to legal regulations and international commitments of the Slovak Republic. The main **target groups** are all migrant living temporarily or permanently in Slovakia, those who have been granted international protection and second generation of migrants. There are several measures in related Action plan<sup>4</sup> targeting majority population as well (mainly developing communication toward majority population, measures aimed at professionals working with migrants or institutions which come into the contact with migrants on daily basis and intercultural education).

**Drivers and barriers** - There are only few drivers for successful implementation of integration policies. Only thanks to the grant schemes (mainly European grants) for NGOs we can speak about some integration measures on the ground. Contrary, there are many barriers on the side of state institutions. Integration Policy is not interconnected with other public policies pursued by government; there is virtually no coordination in the field of employing migrants and their family members, education, housing and other areas; consequently, there is no effective cooperation between individual ministries and other state institutions. There is also a lack of financial support from the state budget for the implementation of Integration Policy and related Action Plan. Without European funds (especially European Integration Fund (EIF) and the European Refugee Fund (ERF)), implementation of any measures toward integration and participation would be questionable. The lack of statistics and lacking systemic evaluation of policy measures also contribute to ineffective implementation of policies.

### Evaluation and use of indicators:

<sup>1</sup> Slovakia, Ministry of Labour, Social Affairs and Family of the Slovak Republic (*Ministerstvo práce, sociálnych vecí a rodiny SR*) (2014), 'Integračná politika Slovenskej republiky'

<sup>2</sup> Slovakia, Government of the Slovak Republic (*Vláda SR*) 'Migračná politika Slovenskej republiky s výhľadom do roku 2020', 31 August 2011.

<sup>3</sup> Slovakia, Martin municipality (mesto Martin) 'Rámcová stratégia integrácie cudzincov žijúcich v meste Martin', August 2012, available at: [www.martin.sk/VismoOnline\\_ActionScripts/File.ashx?id\\_org=700031&id\\_dokumenty=5815](http://www.martin.sk/VismoOnline_ActionScripts/File.ashx?id_org=700031&id_dokumenty=5815).

<sup>4</sup> Slovakia, Ministry of Labour, Social Affairs and Family of the Slovak Republic (*Ministerstvo práce, sociálnych vecí a rodiny SR*) (2014), 'Akčný plán Integrovačnej politiky Slovenskej republiky v podmienkach Ministerstva práce, sociálnych vecí a rodiny Slovenskej republiky na roky 2014 – 2016'; available at: [www.employment.gov.sk/files/slovensky/ministerstvo/integracia-cudzincov/dokumenty/ap-k-ip-2014-2016.pdf](http://www.employment.gov.sk/files/slovensky/ministerstvo/integracia-cudzincov/dokumenty/ap-k-ip-2014-2016.pdf).

Ministry of Labour, Social Affairs and Family had cooperated with the Migration Policy Group on a project entitled "European Indicators of Migrant Integration".<sup>5</sup> The Statistical Office of the Slovak Republic in cooperation with the Ministry of Interior continues to introduce monitoring several variables in order to be able to evaluate data on foreigners and adopt other measures aimed at fulfilling Article 3 of the Regulation No. 862/2007 (EC) of the European Parliament and of the Council on Community statistics on migration and international protection.<sup>6</sup>

In 2013 - Ministry of Labour, Social Affairs and Family has included the task of monitoring the indicators of migrant integration into its own action plan for years 2014 – 2015 and that the continuously gathered data will be assessed in a special annex to the global progress report on discharging the *Integration Policy of the Slovak Republic*,<sup>7</sup> which should be elaborated by the end of April 2015.<sup>8</sup> The currently valid policy document entitled *Integration Policy of the Slovak Republic stipulates a set of indicators for foreigners' integration* that should be monitored in Slovakia.<sup>9</sup> This set of indicators is based on indicators outlined in the Zaragoza Pilot Study (for further details, please see Annex 4). However, this policy document not only fails to stipulate who should evaluate the set indicators and in what way but also to specify the sources from which the data should be gathered.

## 2. Promoting Equal treatment and non discrimination

Currently, migrants in Slovakia are not viewed as the principal target group of campaigning or training aimed at raising awareness of antidiscrimination legislation. All government strategies and other policy documents concerning either prevention of discrimination in general or integration of migrants in particular are rather based on awareness-raising trainings and other activities that focus on the majority population or providers of services for migrants rather than migrants themselves.

In 2014, the cabinet adopted the Integration Policy of the Slovak Republic that specifically targets migrants. While the document spells out **several measures aimed at eliminating discrimination in various areas**, none of them focuses directly on working with migrants and raising their awareness of antidiscrimination legislation and human rights. Most of the measures are aimed at "anti-discrimination" training for professionals working with vulnerable groups, especially migrants.<sup>10</sup> Trafficking in human beings is practically the only area where campaigns aimed at raising migrants' awareness of their rights are being pursued. The Ministry of Interior conceived and carried out a campaign entitled "People Are Not for Sale", which partly focused on migrants.

**Research and surveys regarding discrimination of migrants** - In Slovakia, awareness of human rights and equal treatment is neglected in the long term. We lack the statistical data examining awareness of human rights or perceived discrimination among migrants. However, several (mostly qualitative) studies have been published in recent years confirming that migrants in Slovakia do not feel "safe"

<sup>5</sup> Slovakia, Ministry of Interior of the Slovak Republic (*Ministerstvo vnútra SR*) (2012), 'Súhrnná správa o stave plnenia úloh, zámerov a cieľov migračnej politiky za rok 2011', p. 10.

<sup>6</sup> Slovakia, Ministry of Interior of the Slovak Republic (*Ministerstvo vnútra SR*) (2012), 'Súhrnná správa o stave plnenia úloh, zámerov a cieľov migračnej politiky za rok 2011', p. 15.

<sup>7</sup> Slovakia, Ministry of Interior of the Slovak Republic (*Ministerstvo vnútra SR*) (2014), 'Súhrnná správa o stave plnenia úloh, zámerov a cieľov migračnej politiky za rok 2013 a o činnosti Riadiaceho výboru pre migráciu a integráciu cudzincov', Annex, p. 58.

<sup>8</sup> The information supplied by the Ministry of Labour, Social Affairs and Family of the Slovak Republic on 9 March 2015 in response to an official request for information.

<sup>9</sup> Slovakia, Ministry of Labour, Social Affairs and Family of the Slovak Republic (*Ministerstvo práce, sociálnych vecí a rodiny SR*) (2014), 'Integračná politika Slovenskej republiky', pp. 10-11.

<sup>10</sup> Slovakia, Government of the Slovak Republic (*Vláda Slovenskej republiky*) (2014), 'Integračná politika Slovenskej republiky', January 2014.

and have very little support from institutions. For instance, the Institute for public affairs survey findings revealed that migrants are quite familiar with the concept of discrimination as most respondents explained it as injustice, unequal treatment or rejection based on ethnicity or other grounds.<sup>11</sup> They described discrimination in various areas of life, particularly in access to jobs, healthcare and other services. Another survey conducted by CVEK indicated that migrants' **legal conscience was generally very poor** as the complexity of valid laws combined with inadequate assistance from applicable institutions did not allow them to become sufficiently oriented in Slovakia's legal order. While respondents were not directly asked about their knowledge of antidiscrimination legislation, the survey observed that **migrants were more vulnerable to abuse ensuing from the lack of awareness, particularly on the labour market.**

Equality bodies in Slovakia fail to gather sufficiently detailed data on discrimination complaints filed by migrants. The Slovak National Centre for Human Rights as well as The Office of Public Defender of rights do not disaggregate statistics by complainers' nationality or ethnic origin.

Responsible authorities in Slovakia take minimum initiative in adopting measures aimed at encouraging foreigners to report cases involving discrimination. In 2013, the Slovak National Centre for Human Rights as the main equality body commissioned translation of Antidiscrimination Act into English in order to make it accessible also to those who do not speak Slovak.<sup>12</sup> Most of the activities are aimed at professionals working with migrants, not at the awareness rising of migrants themselves. For instance - as part of the "Good Practice Examples" project, the National Labour Inspectorate in 2014 issued a Stop Discrimination leaflet that is available at every labour inspectorate.<sup>13</sup> Unfortunately, these leaflets are available only in Slovak and are not specifically or directly targeted at migrants.<sup>14</sup>

**Legal Protection of migrants - Antidiscrimination outlaws discrimination on grounds of nationality.** However, Article 4 Paragraph 1 letter a) of the same law specifies that "this law does not apply to instances of unequal treatment of foreigners that have to do with their conditional entry and dwelling on Slovakia's territory". In other words, Antidiscrimination Act only applies to migrants who are **legal residents** in Slovakia.<sup>15</sup> If third country nationals reside legally on Slovakia's territory, protection against discrimination applies to them **just as it does to Slovak citizens.** Apart from Antidiscrimination Act, the ban on discrimination on grounds of nationality in the field of labour relations is also spelled out in Article 1 of the Labour Code. Besides the area of employment, legal protection of migrants is specifically spelled out also in the law on social assistance. The ban on discrimination on grounds of nationality is also anchored in many other laws described in the part 2.1.1. According to the Criminal Statute, perpetrating a criminal offence in order to incite violence against other persons on grounds of their nationality is considered a special motive that may aggravate the applicable sentence.

### **3. Participation of migrants in society**

<sup>11</sup> Hlinčíková, M. – Lamačková, D. – Sekulová, M. (2011), *Migranti a migrantky na trhu práce - identifikácia a prekonávanie bariér diskriminácie* Bratislava, Institute for Public Affairs, pp. 37 – 40.

<sup>12</sup> The information provided on the website of the Slovak National Centre for Human Rights (*Slovenské národné stredisko pre ľudské práva*); available at: [www.snslp.sk/#page=2367](http://www.snslp.sk/#page=2367)

<sup>13</sup> Slovakia, National Labour Inspectorate (*Národný inšpektorát práce*) (2014), 'Stop diskriminácii', an information leaflet; available at: [www.safework.gov.sk/pdf](http://www.safework.gov.sk/pdf).

<sup>14</sup> The information supplied by the National Labour Inspectorate on 22 January 2015 in response to an official request for information.

<sup>15</sup> Slovakia, Slovak National Centre for Human Rights (*Slovenské národné stredisko pre ľudské práva*) (2008), *Sprievodca antidiskriminačným zákonom*, p. 20; available at: [www.snslp.sk/files/sprievodca\\_antidiskriminacnym\\_zakonom.pdf](http://www.snslp.sk/files/sprievodca_antidiskriminacnym_zakonom.pdf).

**Citizenship acquisition** - According to Article Act on State Citizenship of the Slovak Republic, citizenship *may* be granted to applicants who have permanently resided in Slovakia for at least **eight years** immediately preceding the moment of submitting a state citizenship application. The required length of residence in the country was extended to eight years by an amendment to State Citizenship Act passed in 2007; the amendment's initiators justified it by the necessity to tighten the process of screening persons who apply for state citizenship.<sup>16</sup> Judging from Citizenship Act provisions, it seems the degree of migrants' integration is regarded primarily as the degree of fulfilling their obligations with respect to government. Also, it is plain to see that security criteria are given top priority. All citizenship applicants are required to demonstrate satisfactory proficiency in Slovak language, both oral and written.

**Second generation** - By the act of birth, state citizenship of the Slovak Republic acquires any child whose one parent at least is a Slovak citizen; any child that is born on the territory of the Slovak Republic to parents without citizenship; any child that is born on the territory of the Slovak Republic to parents who are foreign nationals but their child at birth does not acquire citizenship of any of the two. As for migrant children who were not born on Slovakia's territory, they are eligible to apply for Slovak citizenship if they reside on Slovakia's territory for at least three years before they reach the age of 18

The currently valid Citizenship Act stipulates a 24-month time limit to review and process citizenship applications. The time limit was extended from nine to 24 month in 2007. The Ministry of Interior argued the time limit had to be extended because it was extremely time-consuming to gather and verify all the necessary facts about the applicant's person.<sup>17</sup> The administration fee for granting Slovak citizenship to a person older than 18 is €700; for children under 15 it is €100 and for minors between 15 and 18 it is €150.<sup>18</sup>

**Voting Rights** - Only Slovak citizens who have reached the age of 18 by the day of elections are allowed to vote in the national elections;<sup>19</sup> the same goes for voting in direct presidential elections<sup>20</sup> and in a referendum.<sup>21</sup> The right to run for a seat in the national parliament is reserved to those Slovak citizens who have a permanent residence on Slovakia's territory and have reached the age of 21 by the day of elections.<sup>22</sup> No official statistics have been published regarding turnout of migrants in elections. According to the currently valid law on political parties and political movements, only Slovak citizens with permanent residence on Slovakia's territory and citizens of other EU member states who have reached the age of 18 have the

<sup>16</sup> Lajčáková, J. (ed.) (2012), *Minority Policy in Slovakia in 2011: An Annual Report*, Bratislava, Centre for the Research of Ethnicity and Culture; available at:

[http://cvek.sk/uploaded/files/Minority%20policy%20in%20Slovakia%20in%202011\\_Annual%20Report.pdf](http://cvek.sk/uploaded/files/Minority%20policy%20in%20Slovakia%20in%202011_Annual%20Report.pdf).

<sup>17</sup> Lajčáková, J. (ed.) (2012), *Minority Policy in Slovakia in 2011: An Annual Report*, Bratislava, Centre for the Research of Ethnicity and Culture; available at:

[http://cvek.sk/uploaded/files/Minority%20policy%20in%20Slovakia%20in%202011\\_Annual%20Report.pdf](http://cvek.sk/uploaded/files/Minority%20policy%20in%20Slovakia%20in%202011_Annual%20Report.pdf).

<sup>18</sup> Slovakia, Act. No 145/1995 on administrative fees, as amended (*Zákon č. 145/1995 Z. z. o správnych poplatkoch v znení neskorších predpisov*), 17 July 1995; available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/1995/145/20150102](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/1995/145/20150102).

<sup>19</sup> Slovakia, Act No. 333/2004 Coll. on elections to the National Council of the Slovak Republic, as amended (*Zákon č. 333/2004 Z. z. o voľbách do Národnej rady SR v znení neskorších predpisov*), Articles 2 and 3, valid until 30.6.2015; available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/2004/333/20110701](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2004/333/20110701).

<sup>20</sup> Slovakia, Act No. 46/1999 Coll. on the method of electing the president of the Slovak Republic, on plebiscite and the president's removal, as amended (*Zákon č. 46/1999 Z. z. o spôsobe voľby prezidenta Slovenskej republiky, o ľudovom hlasovaní a jeho odvolaní v znení neskorších predpisov*), valid until 30.6.2015; available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/1999/46/20110701](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/1999/46/20110701).

<sup>21</sup> Slovakia, Act No. 564/1992 Coll. on the method of organising a referendum, as amended (*Zákon č. 564/1992 Z. z. o spôsobe vykonania referenda v znení neskorších predpisov*), valid until 30.6.2015; available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/1992/564/20110701](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/1992/564/20110701).

<sup>22</sup> Slovakia, Act No. 333/2004 Coll. on elections to the National Council of the Slovak Republic, as amended (*Zákon č. 333/2004 Z. z. o voľbách do Národnej rady SR v znení neskorších predpisov*), Articles 2 and 3, valid until 30.6.2015; available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/2004/333/20110701](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2004/333/20110701)

right to vote and run for posts in political parties' bodies.<sup>23</sup> The same law fails to specify whether migrants who have not acquired Slovak citizenship are allowed to become members of political parties.

**Regional elections** - Eligible to vote in elections to regional self-governance bodies are all Slovak citizens and third country nationals with permanent residence in a given self-governing region and have reached the age of 18 by the day of elections. Any person with the right to vote in these elections, including third country nationals, is also entitled to run for a seat in the regional parliament or for the post of regional governor.<sup>24</sup>

In the most recent elections to regional self-governance bodies in November 2013, at least ten candidates with migrant background ran for seats in regional parliaments, forming at least 0.39% of all candidates running for these posts;<sup>25</sup> The data on candidates with migrant background running in the most recent municipal elections in November 2014 are not available.

**Consultation** - Currently, Slovakia lacks a consultative body that would have a chance to influence shaping of public policies concerning migrant issues on the national, regional or local level.<sup>26</sup> In the course of 2014 there was a rather vivid debate on establishing a committee for foreigners' rights at the Government Council for Human Rights, National Minorities and Gender Equality; Representatives of migrants' communities were not even invited to take part in these debates. So far, the committee has not been established yet. To certain – rather limited – degree, representatives of migrants' communities took part in drafting the *Strategy of Foreigners' Integration in the Slovak Republic*, which was adopted in 2009;<sup>27</sup> on the other hand, they were completely left out from the process of drafting the *Integration Policy of the Slovak Republic* or National Strategy of Human Rights' Protection and Implementation.

**Participation in trade unions** - The Labour Code (Act No. 433/2003)<sup>28</sup> guarantees all employees the right to organise in trade unions or professional associations in order to further their interests through the means of collective bargaining. According Antidiscrimination Act<sup>29</sup> any discrimination on grounds of racial, ethnic or national origin is outlawed while exercising this right, i.e. in the process of "entering and operating in organisations of employees, organisations of employers and organisations associating persons from certain professions, including the benefits these organisations provide to their members". Trade unions and other relevant organisations have not developed any specific measures supporting rights of the migrants or to encourage them to become members of trade unions. There has been no research into migrants' participation in trade unions and/or professional associations. At the same time, there are no statistical data available that would map

<sup>23</sup> Slovakia, Act No. 85/2005 Coll. on political parties and political movements, as amended (*Zákon č. 85/2005 Z. z. o politických stranách a politických hnutiach v znení neskorších predpisov*); available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/2005/85/20150330](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2005/85/20150330)

<sup>24</sup> Slovakia, Act No. 303/2001 Coll. on elections to bodies of regional self-governance, as amended (*Zákon č. 303/2001 Z. z. o voľbách do orgánov samosprávnych krajov v znení neskorších predpisov*); available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/2001/303/20110701](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2001/303/20110701).

<sup>25</sup> Authors' calculations based on official data provided on the official website of the Statistical Office of the Slovak Republic; for further details, please see <http://volby.statistics.sk/osk/osk2013/VUC/home-sk.html>; 11 February 2015.

<sup>26</sup> Bargerová, Z. (2014), 'Hlas migrantov na Slovensku nezaznieva'; available at:

[www.hrl.sk/sites/default/files/publications/hlas\\_migrantov\\_na\\_slovensku\\_nezaznieva.pdf](http://www.hrl.sk/sites/default/files/publications/hlas_migrantov_na_slovensku_nezaznieva.pdf)

<sup>27</sup> Slovakia, Ministry of Labour, Social Affairs and Family (*Ministerstvo práce, sociálnych vecí a rodiny SR*) (2009), 'Konceptia integrácie cudzincov v Slovenskej republike', May 2009.

<sup>28</sup> Slovakia, Act No. 433/2003 Coll. (Labour Code) as amended (*Zákon č. 433/2003 Z. z. - zákonník práce v znení neskorších predpisov*); available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/2003/433/20031108](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2003/433/20031108).

<sup>29</sup> Slovakia, Act No. 365/2004 Coll. (Antidiscrimination Act) as amended (*Zákon č. 365/2004 Z. z. o rovnakom zaobchádzaní v niektorých oblastiach a o ochrane pred diskrimináciou (Antidiskriminačný zákon) v znení neskorších predpisov*); available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/2004/365/20150101](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2004/365/20150101)



out membership of different migrant groups in particular trade unions. This is partly due to the fact that trade union organisations do not inquire about new members' nationality or ethnicity at the point of entering.

### **Participation in cultural, social life**

Some professional associations operating in the field of media, culture and sports provide information on their activities in several foreign languages. Many of them explicitly advertise that they welcome foreign nationals as members. The professional organisations that declare openness toward foreign nationals include, for instance, the Association of Slovak Writers, which describes itself as a "voluntary independent organisation of writers regardless of their artistic, political, generational or national affiliation. Nevertheless, none of the professional associations has pursued any specific activities aimed at encouraging migrants' membership. There are no official statistics that would map out migrants' membership in professional associations operating in the field of media, culture and sports, partly due to the fact that new members are not required to specify their nationality or ethnicity in membership applications. Since all professional associations operating in the field of media, sports and culture have been incorporated as civic associations, the requirements pertaining to running for higher executive posts are stipulated by each particular organisation's statutes.

Part of the system of public service broadcasters is Radio Slovakia International (RSI),<sup>30</sup> a radio station that broadcasts in different languages, targeting Slovaks living abroad as well as foreigners living in Slovakia;<sup>31</sup> *The Slovak Spectator* is a fortnightly that focuses not only on foreign readers but also on Slovakia's English-speaking community, keeping them abreast of latest developments in politics, culture or sports.<sup>32</sup>

The representation of different migrant groups in the media largely depends on whether the particular migrant group is an officially recognised national minority, mostly because public service media in Slovakia are bound by law to broadcast in languages of national minorities in the time structure that corresponds to the ethnic make-up of the country's population.<sup>33</sup>

**Diversity in public sector** - The legal basis for employment in the public sector consists of two laws<sup>34</sup>, each governing employment in the public sector on different levels. The Law on Civil Service<sup>35</sup> governs the recruitment and employment of the employees of the state of a higher employment rank. These employees are generally not governed<sup>36</sup> by the Labour Code<sup>37</sup>. Nevertheless, as an employer, the state has to follow the Antidiscrimination legislature. A separate Antidiscrimination article is

<sup>30</sup> For further details, please visit the official website of Radio Slovakia International at <http://en.rsi.rtvs.sk/>

<sup>31</sup> The information provided on 27 February 2015 by a journalist of Romanian nationality who works for Radio Slovakia International.

<sup>32</sup> For further details, please visit the official website of *The Slovak Spectator* fortnightly at <http://spectator.sme.sk/about-us>.

<sup>33</sup> Slovakia, Act No. 532/2010 Coll. on Radio and Television of the Slovak Republic as amended (*Zákon č. 532/2010 Z. z. o Rozhlase a televízii Slovenska v znení neskorších predpisov*), Article 5, Paragraph 1, letters b) and g).

<sup>34</sup> Slovakia, Act No. 400/2009 Coll. on civil service, as amended (*Zákon o štátnej službe a o zmene a doplnení niektorých zákonov*), 16 September 2009 and Slovakia, available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/2009/400/20150101](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2009/400/20150101); Act No. 552/2003 Coll. on work performance in the public interest, as amended (*Zákon o výkone prác vo verejnom záujme*); available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/2003/552/20150101](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2003/552/20150101)

<sup>35</sup> Slovakia, Act No. 400/2009 Coll. on civil service, as amended (*Zákon o štátnej službe a o zmene a doplnení niektorých zákonov*).

<sup>36</sup> Slovakia, Act No. 400/2009 Coll. on civil service, as amended (*Zákon o štátnej službe a o zmene a doplnení niektorých zákonov*), Art.1/4

<sup>37</sup> Slovakia, Act No. 433/2003 Coll. (Labour Code) as amended (*Zákon č. 433/2003 Z. z. - zákonník práce v znení neskorších predpisov*).

included in the law as well,<sup>38</sup> outlawing discrimination, inter alia, on the basis of national or ethnic background or origin. However, the law forbids discrimination of Slovak nationals and a formal requirement for employment in the public sector governed by the abovementioned law is a citizenship of Slovakia or other EU or EEA Member State<sup>39</sup>. **The law therefore allows for employment of citizens with migrant background, but not for employment of third country nationals<sup>40</sup>.** Under the provisions of the Anti-Discrimination legislature, the grounds for the affirmative action – so called "temporary equalizing measures" cannot be that of a national origin or migrant background

### **Active citizenship**

In general, self-organisation and association of migrants is regulated by Article 29 Paragraph 1 of the Constitution of the Slovak Republic.<sup>41</sup> The right to associate freely in unions, societies or other associations is guaranteed to anyone in Slovakia, including foreigners. Most problems in the field of migrants' self-organization seem to be related to religion. Formal requirements pertaining to registration of churches and religious associations were amended several years ago, making it too difficult (and practically impossible) to found a new church or a religious association. There are more than 200 formally registered associations of migrants; however, only about ten of them are active (**Ukrainian community**, Vietnamese community, Islamic community, African community, Afghani community). Participation of migrants and their descendants in civil society organisations working with migrants is very low, almost non-existent.

**Civic and citizenship education** - The overall number of migrant children who attend Slovak primary (approximately 1,100)<sup>42</sup> or secondary schools (approximately 500)<sup>43</sup> continues to be rather low; most of them (about two thirds) are migrants from other EU member states. That is why education of these children has not come to the centre of government's attention as yet. Research projects carried out and qualitative surveys published by non-governmental organisations that examine these issues every now and then<sup>44</sup> indicate that the rate of migrant parents' participation in the school life is relatively low. There are 56 bilingual schools operating in Slovakia at the moment; all of them provide education in the state language plus that of some other EU member state (e.g. English, German, Spanish or French). Consequently, children of third country nationals currently do not have access to bilingual education in Slovakia.<sup>45</sup>

For the time being, Slovakia's education system does not segregate migrants' children in separate classes or schools as it is often the case with Romani children, mostly because the overall number of these children at Slovak primary and secondary schools continues to be very low. A survey that examined this issue in 2011 did not establish any segregation with respect to migrants' children within education system; however, in-depth interviews with teachers have indicated that as

<sup>38</sup> Slovakia, Act No. 400/2009 Coll. on civil service, as amended (*Zákon o štátnej službe a o zmene a doplnení niektorých zákonov*), Art.1/4.

<sup>39</sup> Slovakia, Act No. 400/2009 Coll. on civil service, as amended (*Zákon o štátnej službe a o zmene a doplnení niektorých zákonov*), Art. 3.

<sup>40</sup> Slovakia, Act No. 400/2009 Coll. on civil service, as amended (*Zákon o štátnej službe a o zmene a doplnení niektorých zákonov*), Art. 3.

<sup>41</sup> Slovakia, Act No. 460/1992 Coll. the Constitution of the Slovak Republic (*Zákon č. 460/1992 Z. z. Ústava Slovenskej republiky*); available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/1992/460/20141201](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/1992/460/20141201).

<sup>42</sup> Slovakia, Institute of Information and Prognoses of Education (*Ústav informácií a prognóz školstva*) (2014) 'Štatistická ročenka školstva'; available at: [www.uips.sk/prehlady-skol/statisticka-rocenka---zakladne-skoly](http://www.uips.sk/prehlady-skol/statisticka-rocenka---zakladne-skoly)

<sup>43</sup> Slovakia, Institute of Information and Prognoses of Education (*Ústav informácií a prognóz školstva*) (2014) 'Štatistická ročenka školstva'; available at: [www.uips.sk/prehlady-skol/statisticka-rocenka---zakladne-skoly](http://www.uips.sk/prehlady-skol/statisticka-rocenka---zakladne-skoly)

<sup>44</sup> Here we refer particularly to the Centre for the Research of Ethnicity and Culture and the Milan Šimečka Foundation.

<sup>45</sup> Pokrivčáková, S. (2013), *Príprava učiteľov na bilingválne vzdelávanie*, Banská Bystrica, Univerzita Mateja Bela.

the overall number of migrants' children attending Slovak schools increases there will be growing pressure to place them into separate classes and schools.

The only training programme for teachers that would specifically focus on issues of migration and integration of migrants was a programme jointly implemented by the Milan Šimečka Foundation and the Centre for the Research of Ethnicity and Culture between 2010 and 2013. In 2008, a cross-sectional theme of multicultural education that should be pursued within all subjects was made an integral part of government's official educational programme. In other words, it targets all pupils and students.<sup>46</sup>

#### 4. Social Cohesion

Social cohesion in Slovakia is mostly defined in social or economic terms. Government program manifesto states that social cohesion depends on the cohesion of all layers of society and on combining balanced economic policy with social policy. *Integration Policy of the Slovak Republic* does not explicitly define social cohesion, it indirectly refers to it while defining its fundamental principles. For instance, it spells out the necessity to support local policies "since self-governments further integration of foreigners and help forge social cohesion between different communities and the majority society".<sup>47</sup>

In recent years there have been several surveys that set out to examine mutual relations between the majority and migrants and the "sense of belonging" on the part of migrants. The negative attitudes on the part of the majority often make migrants hide their typical features that would distinguish them from the majority population and might provide grounds for their stigmatisation. The lack of knowledge and interaction between the majority and migrants undermines social cohesion and leads to the creation of parallel worlds.<sup>48</sup> Another survey pointed out that migrants' feeling of safety and stability depends on their formal status in the country. The migrants with uncertain prospects (i.e. those with a temporary or tolerated residence status) reported a lesser degree of stability and footing in Slovakia compared to the migrants who have obtained permanent residence.<sup>49</sup>

#### Combating racism and intolerance

*Integration Policy of the Slovak Republic* features several concrete measures aimed at improving migrants' social interaction. Most of them form part of the section entitled "Cultural and Social Integration, for instance - Support foreigners' participation in civil, cultural and political life of the society, Strive to deepen mutual cooperation between communities of foreigners, etc":<sup>50</sup> Practical implementation of these measures has not been evaluated as yet; the evaluation is scheduled to be completed by the end of April 2015.<sup>51</sup>

**Mixed marriages:** The applicable authorities in Slovakia only keep statistics on mixed marriages; in other words, it is impossible to retrieve information on informal

<sup>46</sup> Slovakia, State Pedagogical Institute (*Štátny pedagogický ústav*) (2010), 'Multikultúrna výchova (prierezová téma) ISCED 3'; available at: [www.statpedu.sk/files/documents/svp/prierezove\\_temy/multikulturalna\\_vychova\\_isced3.pdf](http://www.statpedu.sk/files/documents/svp/prierezove_temy/multikulturalna_vychova_isced3.pdf).

<sup>47</sup> Slovakia, Government of the Slovak Republic (*Vláda Slovenskej republiky*) (2014), 'Integračná politika Slovenskej republiky', January 2014, p. 3.

<sup>48</sup> Gallová Kriglerová, E. – Kadlečíková, J. – Lajčáková, J. (2009), *Migranti. Nový pohľad na staré problémy. Multikulturalizmus a kultúrna integrácia migrantov na Slovensku*, Bratislava, Centrum pre výskum etnicity a kultúry, p. 63.

<sup>49</sup> Blažek, M. – Andrášová, S. – Paulenová, N. (2013), *Skúsenosti migrantov a migrantiek na Slovensku s násilím*, Bratislava, IOM, p. 55.

<sup>50</sup> Slovakia, Ministry of Labour, Social Affairs and Family of the Slovak Republic (*Ministerstvo práce, sociálnych vecí a rodiny SR*) (2014), 'Integračná politika Slovenskej republiky', pp. 20-21.

<sup>51</sup> The information supplied by the Ministry of Labour, Social Affairs and Family of the Slovak Republic on 9 March 2015 in response to an official request for information.

	<p>partnerships that lack the official status of a marriage. It is fair to assume that many mixed couples prefer loose partnerships to official marriages, mostly due to multiple obstacles and complications people in Slovakia face when they want to enter into matrimony with foreign nationals.</p>
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	<p>Available data suggest that the overall share of mixed marriages is almost 15% of all officially registered marriages since 2010; the total number of marriages concluded in Slovakia between two foreign nationals is rather negligible: eight in 2010, 11 in 2011, 10 in 2012, and 17 in 2013.</p>
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# 1. Legal and policy instruments for migrant integration

## 1.1. Description of existing instruments and target groups

	<p>This section should present the overall state of play concerning national and, where applicable, regional legal and policy instruments focusing on how they address fundamental rights, core EU values and principles, as well as international legal standards and related EU law and policies, such as the Common Basic Principles and the Common Agenda on integration of migrants. Please complete the <b>template in Annex 2</b>.<sup>52</sup></p> <p>Please make sure the brief information you provide in the table includes the following aspects:</p>
	<p>Does the national strategy on migrant integration contain a definition of integration? If so, please include it in the original language and full English translation.</p> <p><i>Integration Policy of the Slovak Republic</i><sup>53</sup> was drafted by the Ministry of Labour, Social Affairs and Family of the Slovak Republic (hereinafter only as the "Ministry of Labour") and approved by the Government in January 2014. It provides a description of basic principles and a definition of the term "integration":</p> <p><u>Original language:</u> <i>Integračná politika chápe integráciu ako kontinuálny, dlhodobý a dynamický obojstranný proces, ktorý zahŕňa jednak cudzincov, žijúcich v prijímajúcej krajine, ako aj celú spoločnosť. Aktívna povaha integračnej politiky pritom zdôrazňuje potrebu vzájomného rešpektovania sa a recipročného uznávania práv a povinností oboch skupín. Slovenská republika (ďalej "SR") považuje komunity cudzincov za integrálnu súčasť našej spoločnosti a oceňuje ich prínos v hospodárskej, kultúrnej, vzdelanostnej, ľudsko-právnej a spoločenskej oblasti.</i></p> <p><u>English translation:</u> The integration policy views integration as a continuous, long-term and dynamic two-way process that includes foreigners living in the host country as well as the entire society. The active nature of the integration policy emphasizes the need for mutual respect and reciprocal recognition of both groups' rights and obligations. The Slovak Republic (hereinafter referred to as "SR") considers communities of foreigners to be an integral part of our society and appreciates their contribution in economic, cultural, educational, human rights and social areas.</p>

<sup>52</sup> You can use and update the information as in the Table 1.7 of the FRA Annual Report 2012 (pp.62-63). You should add more detail, for example, instead of identifying 'education' under the category 'focus area' be more specific, e.g. review of curriculum in secondary education to address integration issues, etc, provided this level of detail is specifically mentioned in the relevant policy instruments

<sup>53</sup> Slovakia, Ministry of Labour, Social Affairs and Family of the Slovak Republic (*Ministerstvo práce, sociálnych vecí a rodiny SR*) (2014), 'Integračná politika Slovenskej republiky'.

		<p>On the other hand, <i>Migration Policy of the Slovak Republic with an Outlook to 2020</i><sup>54</sup> adopted in 2011 defines Slovakia's integration model as an <b>assimilation</b> one:</p> <p><u>Original version:</u> <i>Integrácia imigrantov do spoločnosti prijímajúcej krajiny je kontinuálny, dlhodobý a dynamický obojstranný proces, ktorý zahŕňa jednak cudzincov zákonne sa zdržiavajúcich v prijímajúcej krajine, ale aj obyvateľov spolu s celkovým nastavením právneho rámca hostiteľskej spoločnosti. Aktívna povaha integračných politík pritom zdôrazňuje potrebu vzájomného rešpektovania sa a recipročného uznávania práv a povinností oboch skupín. Slovenská republika považuje komunity cudzincov za integrálnu súčasť spoločnosti a oceňuje ich prínos v hospodárskej, kultúrnej, vzdelanostnej a spoločenskej oblasti. Slovenská republika sa prikláňa k <b>integračnému modelu, ktorý je založený na plnej akceptácii reálií Slovenskej republiky migrantmi.</b></i></p> <p><u>English translation:</u> Integration of immigrants into society of the host country is a continuous, long-term, and dynamic two-way process that includes not only foreigners legally residing in the host country but also inhabitants along with the overall set-up of the host society's legal framework. The active character of integration policies emphasises the need for mutual respect and reciprocal recognition of both groups' rights and obligations. The Slovak Republic considers communities of foreigners to be an integral part of society and appreciates their contribution in economic, cultural, educational and social areas. <b>The Slovak Republic inclines to an integration model that is based on the migrants' full acceptance of Slovak life and institutions.</b></p> <p><u>Regional instruments:</u> As far as local integration policies go, Martin is the only municipality in Slovakia to have adopted its own strategy in August 2012; however, the strategy fails to provide any definitions of integration or references to fundamental rights with respect to migrants.<sup>55</sup></p>
	<p>Are there specific references in the national strategy or relevant legal or policy instruments to fundamental rights in relation to migrants?</p>	<p>Generally speaking, <i>Integration Policy of the Slovak Republic</i> emphasises justice, equality, endeavour to compensate for disadvantages, prevention of discrimination, <b>respect for human rights and freedoms</b>, protection of the vulnerable and adherence to legal regulations and international commitments of the Slovak Republic.</p>

<sup>54</sup> Slovakia, Government of the Slovak Republic (*Vláda SR*) 'Migračná politika Slovenskej republiky s výhľadom do roku 2020', 31 August 2011.

<sup>55</sup> Slovakia, Martin municipality (mesto Martin) 'Rámcová stratégia integrácie cudzincov žijúcich v meste Martin', August 2012, available at: [www.martin.sk/VismoOnline\\_ActionScripts/File.ashx?id\\_org=700031&id\\_dokumenty=5815](http://www.martin.sk/VismoOnline_ActionScripts/File.ashx?id_org=700031&id_dokumenty=5815)

		<p>The document specifically refers to the <i>right to education</i> as a universal human right anchored in the Constitution of the Slovak Republic and a number of international documents. According to the document, the right to education is not determined by citizenship and all defined target groups are entitled to it.</p> <p>Furthermore, the document emphasizes the need to protect <i>the rights of the victims of exploitation</i> and to provide them with adequate support in terms of <i>protecting their human rights</i> and providing tolerated residence to migrants who have been illegally employed under particularly exploitative working conditions. The document on migration policy also stressed <i>human rights guarantees</i> as one of the basic principles for attaining the outlined policy objectives.</p>
	<p>Which are the target groups of the national integration strategy? Please provide any definitions relevant or the determination of the persons that are entitled to or beneficiaries of the relevant action plans and policy measures (e.g. 'integration agreements': who signs them and what do they contain). Please specify any residence requirements (e.g. which migrant and/or residence status counts or not for "legally residing third country nationals" that eventually would be covered by these policies) for persons to be considered members of the targeted groups.</p>	<p>According to the official document, principal target groups of the integration policy include:</p> <ul style="list-style-type: none"> <li>- Migrants, who entered the territory of the Slovak Republic, lived temporarily or settled permanently in the Slovak Republic; in particular, all age groups of migrants including children who are Slovak nationals.</li> <li>- The Integration Policy places special emphasis on foreigners who have been granted international forms of protection.</li> <li>- The Integration Policy acknowledges that the process of integration is not finished at the point of obtaining Slovak citizenship; special attention should also be paid to the second generation of foreigners, i.e. Slovak citizens who are of foreign origin or were born abroad.</li> </ul> <p>The document remains relatively vague about most measures that are envisaged to be implemented with respect to concrete groups of migrants; this also goes for stipulated deadlines that are identified very vaguely.</p> <p>In its <i>Action Plan for Integration Policy of the Slovak Republic for the years 2014 – 2016</i> adopted in September 2014 ("Action plan"),<sup>56</sup> the Ministry of Labour, Social Affairs and Family was expected to identify detailed integration measures along with applicable deadlines.</p> <p>But in the chapter on healthcare, for instance, the Action Plan assigned a very general task to the Ministry of Health of the Slovak Republic (hereinafter only as the "Ministry of Health"). <i>"At the same time, it is necessary to improve access to healthcare for marginalised groups, groups of foreigners affected by life crisis, persons with severe disabilities, seniors and foreigners</i></p>

<sup>56</sup> Slovakia, Ministry of Labour, Social Affairs and Family of the Slovak Republic (*Ministerstvo práce, sociálnych vecí a rodiny SR*) (2014), 'Akčný plán Integrovačnej politiky Slovenskej republiky v podmienkach Ministerstva práce, sociálnych vecí a rodiny Slovenskej republiky na roky 2014 – 2016'; available at: [www.employment.gov.sk/files/slovensky/ministerstvo/integracia-cudzincov/dokumenty/ap-k-ip-2014-2016.pdf](http://www.employment.gov.sk/files/slovensky/ministerstvo/integracia-cudzincov/dokumenty/ap-k-ip-2014-2016.pdf).

		<p><i>without permanent residence,</i>” the document reads, describing the deadline as “continuous”. A separate chapter 2.7 of the document does focus on the status of unaccompanied minors; however, the proposed measures are aimed rather at elaborating a methodological manual and analysing the current state of affairs.</p> <p>Also, it remains unclear whether <b>migrants with tolerated residence</b> (i.e. one of three types of residence status) may at least partially be considered a target group of the integration policy or are merely formally mentioned in the document’s chapters on access to healthcare and on employment and social protection. One thing is for sure: <i>Integration Policy of the Slovak Republic</i> neither lists them among specific target groups nor places any special emphasis on them, although it recognises them as vulnerable; in fact, these persons are virtually excluded from the integration process just like <b>foreigners without a residence permit</b>. In our opinion, neither of these two groups is a target group of Slovakia’s official integration policy.</p> <p>Slovakia’s legal order or Integration Policy does not recognise the instrument of “integration agreements”.</p>
	<p>In reference to the CBP 1<sup>57</sup> ‘<i>Integration is a dynamic, two-way process of mutual accommodation by all immigrants and residents of Member States</i>’: please specify if and how the majority population is explicitly targeted; distinguish, if possible, between policies or measures targeting the general population and specific target groups, such as public authorities, e.g. teachers, police, judiciary, etc.; outline the objectives of such policies and measures, and their duration.</p>	<p>Naturally, the Action Plan<sup>58</sup> also focuses on working with majority society; however, none of the identified measures has a fixed deadline.</p> <p><u>Majority population:</u></p> <p><b>Measure No. 3 of Integration Policy (item 2.3.1 of the Action Plan)</b> specifies the obligations “<i>to create, pursue and implement communication strategies, different communication and information tools and channels and to get a broad spectrum of actors involved in order to inform of integration in a professional, objective and comprehensible fashion</i>” as well as “<i>to support cultural activities aimed at developing an intercultural dialogue through various organisations and to further the concepts of understanding and mutually respecting cultural diversity in order to strengthen social cohesion</i>”.</p> <p><b>Measure No.7 of Integration Policy (item 2.5.5 of the Action Plan)</b> proposes “<i>to develop a grant scheme for self-governments, non-governmental organisations and organisations associating foreigners in order to support activities aimed at raising general public’s awareness of migration issues and of foreigners living in Slovakia as well as activities catalysing integration on the local level</i>”.</p>

<sup>57</sup> Council of Europe, Common Basic Principles for Migrant Integration Policy in the EU, 19 November 2004, available at [www.consilium.europa.eu/ueDocs/cms\\_Data/docs/pressData/en/jha/82745.pdf](http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/jha/82745.pdf).

<sup>58</sup> Slovakia, Ministry of Labour, Social Affairs and Family of the Slovak Republic (*Ministerstvo práce, sociálnych vecí a rodiny SR*) (2014), ‘Akčný plán Integrovačnej politiky Slovenskej republiky v podmienkach Ministerstva práce, sociálnych vecí a rodiny Slovenskej republiky na roky 2014 – 2016’; available at [www.employment.gov.sk/files/slovensky/ministerstvo/integracia-cudzincov/dokumenty/ap-k-ip-2014-2016.pdf](http://www.employment.gov.sk/files/slovensky/ministerstvo/integracia-cudzincov/dokumenty/ap-k-ip-2014-2016.pdf).



Experts:

Through **Measure No. 4 of Integration Policy (item 2.3.2 of the Action Plan)**, the Ministry of Labour intends to "support dialogue among experts on integration on various levels". The ministry expects to encourage the expert debate especially "through meetings of the Interdepartmental Commission for Labour Migration and Foreigners' Integration (Medzirezortná komisia pre oblasť pracovnej migrácie a integrácie cudzincov pri MPSVR SR – MEKOMIC), which is the ministry's coordination body for implementation of tasks in the field of migration and integration policy as well as an advisory body to the minister of labour, social affairs and family". Unfortunately, the expert dialogue will most probably not include non-governmental organisations and migrants' communities; at the moment, neither of the two is members of MEKOMIC and is not invited to its meetings.

Students:

**Measure No. 4 of Integration Policy (items 2.3.2 and 2.3.9 of the Action Plan):** envisages that "lectures for students shall form part of accredited subjects taught at Slovak universities (cooperation should involve University of Constantine the Philosopher in Nitra and University of Matej Bel in Banská Bystrica)".

Employees, majority population and civil servants:

**Measure No. 11 of Integration Policy (item 2.3.7 of the Action Plan)** is supposed "to assist in eliminating social barriers and prejudices through intercultural education and discussions among employers, general public and civil servants" as well as "to inform employers on the conditions of hiring foreigners, particularly on [foreigners'] equal footing once they obtain work permits, on foreigners' life and labour conditions and their social security".

Public authorities (offices of labour, social affairs and family):

**Measure No. 12 of Integration Policy (item 2.3.8 of the Action Plan)** proposes "to raise awareness of employees of offices of labour, social affairs and family of the issues of racism and discrimination" as well as "to organise trainings for their social workers on the issues of 'race', racism, discrimination and exclusion and increase professionalism of employees of offices of labour, social affairs and family in the field of assisting foreigners".

Healthcare providers:

**Measure No. 2 of Integration Policy (item 2.4.2 of the Action Plan)** seeks "to inform healthcare providers on the scope of healthcare that must be provided to foreigners upon their submitting of a certificate on eligibility to receive healthcare".

		Other categories of professionals such as employees of the judiciary or law enforcement bodies are not official target groups identified by <i>Integration Policy of the Slovak Republic</i> .
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**1.2. Drivers & barriers in developing, implementing and assessing legal and policy instruments**

On the basis of material collected, including past research, studies, assessments, evaluation and contacts with the authorities, public officials and key actors for social inclusion and participation of migrants, outline the main drivers and barriers for social inclusion and integration policies <b>in general</b> . Please mention also any important differences at regional level. A more detailed outline of <b>specific</b> drivers and barriers for specific policy areas will be required in the following sections.	On the local level, there has been a significant development in the field of drafting and adopting specific local strategies of migrant integration, largely thanks to mutual cooperation between the Centre for the Research of Ethnicity and Culture (CVEK) and the Association of Slovak Towns and Communities (ZMOS). ZMOS is currently implementing a project entitled <i>Capacity building in the area of migrant integration policies on the level of local and regional self-governance</i> (BUK), which is co-financed from the European Fund for the Integration of Third-Country Nationals. The gist of the project is to train responsible employees at local self-governments of seven pilot towns, namely Banská Bystrica, Dolný Kubín, Michalovce, Prievidza, Senec, Snina and Svidník, in migration issues. The municipalities participating in the project are currently in the process of drafting their specific integration policies and seeking ways to get local migrant communities involved in the consultation process.
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**1.2.1. Drivers**

The key drivers for successful integration policies, therefore factors that are considered to contribute positively in the design, development, implementation, assessment and accomplishment of policy goals and in strengthening social inclusion and participation of migrants and their descendants. For example, are these policies mainstreamed in other public policies, for example in employment, education, housing, etc. and how is this achieved?	There are only few drivers for successful intergation policies. First of all - European funds (Eureopean Intergation fund and European Refugee Fund) allow for at least some distribution of financial sources to integration policies. Secondly, NGOs working with migrants or migrant communities themselves are very active in integration policies and thus can be perceived as the main actors in <b>implementation</b> of integration policies. In most cases, they supplement state institutions which are not effective in realisation of any concrete and maesurable action (see barriers).
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**1.2.2. Barriers**

Barriers, limitations, constraints or resistance faced in designing, developing and	Government did not allocate any state budget funds to finance its own integration policy; as a result, its practical implementation is up to the good will and spare
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	<p>implementing such policies and measures, therefore factors that may hinder their effectiveness and influence negatively their outcomes. For example, budgetary limitations, or problems of coordination of governance levels, priority of interventions, lack of training or lack of mainstreaming of relevant policies, lack of action by competent actors or limited data about the interested population, could be factors that may function as obstacles or affect negatively the implementation of selected migrant integration measures.</p>	<p>capacities of ministerial departments involved. The <i>Action Plan for Integration Policy of the Slovak Republic for the years 2014 – 2016</i> failed to stipulate any concrete tasks or deadlines for their fulfilment; instead, it outlines in rather vague terms the tasks that might be proposed in the future. Within the framework of Interdepartmental Commission for Labour Migration and Foreigners' Integration (MEKOMIC), the Ministry of Labour discusses and coordinates activities in this area with other ministries; however, the outcomes of their meetings are withheld from general public. One of the greatest impediments to practical implementation of the integration policy is the general lack of statistics on migrants living in Slovakia. This problem has several dimensions:</p> <p>(1) a great volume of statistical data on Slovakia's population cannot be analysed from the viewpoint of migrants, usually because statistical databases lack the information on nationality or because it is technically impossible to divide the data for Slovak citizens and foreign nationals;<sup>59</sup></p> <p>(2) the indicators of migrants' integration to be regularly monitored and assessed had not been circumscribed until 2014; since the recently defined indicators have not been evaluated as yet, it remains unclear whether they will be reliable in measuring migrants' integration;<sup>60</sup></p> <p>(3) while <i>Integration Policy of the Slovak Republic</i> circumscribed the indicators to evaluate the integration policy, it failed to stipulate exact target values that are supposed to be achieved by implementing the integration policy.<sup>61</sup></p> <p>As far as financing the integration policy goes, a comparison of the total volume of financial aid drawn from certain funds of the Solidarity and Management of Migration Flows programme, namely the European Integration Fund (EIF) and the European Refugee Fund (ERF), indicates that the volume of funds allocated to integration of refugees and integration of third country nationals was almost identical between 2010 and 2013. Overall, government spent almost €3.56 million from the EIF (including state budget funds) on integration of third country nationals and over €3.8 million from the ERF (including state budget funds) on integration of refugees (please see section 1.2.5), although the number of third country nationals who arrive in Slovakia as legal migrants is significantly higher than the number of third country nationals who arrive illegally.<sup>62</sup> The</p>
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<sup>59</sup> Chudžíková, A. (2011), 'Dostupnosť štatistických dát o migrantoch na Slovensku ako podmienka vyhodnocovania politík' in Vašečka, M. (ed.) *Indikátory pre 21. storočie. Vieme ako merať úspešnosť integrácie migrantov?*, Bratislava, SGI.

<sup>60</sup> Slovakia, Ministry of Labour, Social Affairs and Family of the Slovak Republic (*Ministerstvo práce, sociálnych vecí a rodiny SR*) (2014), 'Integračná politika Slovenskej republiky', pp. 10-11.

<sup>61</sup> Slovakia, Ministry of Labour, Social Affairs and Family of the Slovak Republic (*Ministerstvo práce, sociálnych vecí a rodiny SR*) (2014), 'Integračná politika Slovenskej republiky'.

<sup>62</sup> Slovakia, Ministry of Interior of the Slovak Republic (*Ministerstvo vnútra SR*), 'Štatistický prehľad legálnej a nelegálnej migrácie v Slovenskej republike'; available at: [www.minv.sk/?rocnky](http://www.minv.sk/?rocnky).

		<p>barrier of more effective integration is the unproportionally division of the funds used for the integration of refugees (illegal migrants) on the one side and the integration of third country nationals on the other side (legal migrants). In our view the priorities for financing the integration activities are not suitable and do not fit appropriately the situation of foreigners in Slovakia.</p> <p>The implementation and evaluation of integration policies is further complicated by the fact that they are outlined not only by the <i>Integration Policy of the Slovak Republic</i>,<sup>63</sup> which is implemented by the Ministry of Labour but also by the <i>Migration Policy of the Slovak Republic with an Outlook to 2020</i>,<sup>64</sup> which is implemented by the Ministry of the Interior of the Slovak Republic (“Ministry of Interior”). Both of these documents have been further elaborated upon in action plans for individual ministries and other state administration bodies and are regularly evaluated.</p>
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### 1.2.3. Language learning and integration tests

	Please provide information about:	
	Main language learning support programmes and courses. Provide details about organisation of such programmes and actors implementing them, funding support, location, duration, frequency, numbers of beneficiaries, entitlements and limitations for accessing courses.	For the time being, Slovakia lacks such language support and/or integration programmes. In <b>Chapter 2.5 Education</b> , the <i>Action Plan</i> assigns the Ministry of Education, Science, Research and Sports and the Ministry of Labour with the task to “design and organise standardised Slovak language courses for adult foreigners in compliance with the European reference framework, including a possibility to obtain a certificate on achieved level of language proficiency”. While the document fails to go into any details, it also calls for designing methodological aids and textbooks for migrants and setting up a task force that would specifically oversee this issue.
	Knowledge level of the language achieved through such programmes (please use the <u>Common European Framework Reference levels - CEFR</u> ).	Not applicable, see above.
	Language tests required for migrants to access residence or other legal status affecting equal treatment and access to rights. Please provide information about their content and character, level of knowledge required,	Not applicable, see above.  Under the amended Act on citizenship in 2007, applicants must undergo a language test, however, they do not know in advance how to prove their knowledge of Slovak (and “realities” of Slovak Republic). They have no access to the questions before the test or access to free (state organized) language courses. The level and content are both subject to the discretion of non-

<sup>63</sup> Slovakia, Ministry of Labour, Social Affairs and Family of the Slovak Republic (*Ministerstvo práce, sociálnych vecí a rodiny SR*) (2014), ‘Integračná politika Slovenskej republiky’.

<sup>64</sup> Slovakia, Ministry of Interior of the Slovak Republic (*Ministerstvo vnútra SR*) (2011), ‘Migračná politika Slovenskej republiky s výhľadom do roku 2020’.

numbers of participants, and rates of success/failure.	specialised administrators at the Commission of the Regional District office.
Integration tests for access to residence or other status affecting equal treatment and access to rights. Please provide information about their content and character, range of knowledge required, numbers of participants, and rates of success/failure.	Not applicable, see above.
Mother tongue learning programmes for children of migrants.	Not applicable, see above.
Please provide insights about key issues, debates, challenges or problems related to the implementation of the above measures and policies. The findings should be substantiated through existing assessments, research or studies and case law <b>(use template in Annex 9)</b> .	Not applicable, see above.

#### 1.2.4. Monitoring and assessment – Use of indicators

In this section please outline monitoring and evaluation procedures applied by public authorities at national and regional level, as applicable, for migrant integration. In particular, please present any indicators used for the monitoring, assessment and review of integration policies in the areas of political and social participation, social cohesion, and intolerance, inclusive and welcoming society. Please make sure to report here the link of such indicators with fundamental rights and the way their use reflects to the review of such policies.	The monitoring and evaluation of the process of migrant integration is applied via periodic assessment of fulfilling the currently valid government policy document addressing the issue of migrant integration, which typically takes place once a year. The currently valid policy document entitled <i>Integration Policy of the Slovak Republic</i> was adopted on January 29, 2014. In the course of the evaluation process, all public authorities are obliged to submit a progress report on discharging tasks assigned to them by this document or similar documents adopted in the past; until 2014, the reference policy document in this area was the <i>Strategy of Foreigners' Integration in the Slovak Republic</i> . The first assessment of fulfilling the <i>Integration Policy of the Slovak Republic</i> is scheduled to take place by April 30, 2015. <sup>65</sup> Unlike previous policy documents, the currently valid policy document stipulates not only objectives to be attained and measures to be adopted but also indicators to be applied in the process of assessing the achieved progress. Most of the stipulated indicators are quantitative; unfortunately, the document fails to specify concrete data or figures to be attained in the process of fulfilling the policy document. The Report on
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<sup>65</sup> The information supplied by the Ministry of Labour, Social Affairs and Family of the Slovak Republic on 9 March 2015 in response to an official request for information.

		<p>fulfilling the Integration Policy of the Slovak Republic<sup>66</sup> has been discussed at the government's session on 29 April 2015. Even if it was announced by the Ministry of Labour, Social Affairs and Family that the Report will also contain an evaluation of the list of indicators of integration, the report does not provide any information on the progress in the evaluation of the indicators of integration and data collection.</p> <p>Another government policy document that partly touches upon the issue of migrant integration is <i>Migration Policy of the Slovak Republic with an Outlook to 2020</i>, which was adopted on August 21, 2011. Focusing primarily on the issue of inbound immigration, the document spells out the objectives and principles of Slovakia's immigration policy. The principal objective the document defines in the field of integration policy is to "propose and pursue such integration measures that would prevent the risk of building an economically, socially and culturally divided society and forming close communities of migrants".<sup>67</sup> The document also specifies measures aimed at encouraging migrants' participation and human rights measures aimed at eliminating discrimination and intolerance while emphasising the importance of monitoring and evaluating the integration policy through assessing integration indicators and gathering relevant statistical data.<sup>68</sup> Since adoption of the policy document, the measures adopted in this area have been evaluated three times – for years 2011,<sup>69</sup> 2012<sup>70</sup> and 2013.<sup>71</sup> As the <i>Migration Policy of the Slovak Republic with an Outlook to 2020</i> has been further elaborated upon in individual ministries' action plans,<sup>72</sup> its implementation takes place through assessing the fulfilment of these action plans.</p> <p>As far as activities aimed at monitoring and evaluating migrant integration go, the progress report for 2011 observed that the Ministry of Labour, Social Affairs and Family had cooperated with the Migration Policy Group on a project entitled "European Indicators of Migrant</p>
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<sup>66</sup> Slovakia, Government of the Slovak Republic (2015) A summary report on the fulfillment of the objectives and measures of Integration policy of the Slovak Republic in 2014. Available at:

<http://www.rokovania.sk/Rokovanie.aspx/BodRokovaniaDetail?idMaterial=24524>.

<sup>67</sup> Slovakia, Ministry of Interior of the Slovak Republic (*Ministerstvo vnútra SR*) (2011), 'Migračná politika Slovenskej republiky s výhľadom do roku 2020', p. 4.

<sup>68</sup> Slovakia, Ministry of Interior of the Slovak Republic (*Ministerstvo vnútra SR*) (2011), 'Migračná politika Slovenskej republiky s výhľadom do roku 2020', p. 5.

<sup>69</sup> Slovakia, Ministry of Interior of the Slovak Republic (*Ministerstvo vnútra SR*) (2012), 'Súhrnná správa o stave plnenia úloh, zámerov a cieľov migračnej politiky za rok 2011'.

<sup>70</sup> Slovakia, Ministry of Interior of the Slovak Republic (*Ministerstvo vnútra SR*) (2013), 'Súhrnná správa o stave plnenia úloh, zámerov a cieľov migračnej politiky za rok 2012'.

<sup>71</sup> Slovakia, Ministry of Interior of the Slovak Republic (*Ministerstvo vnútra SR*) (2014), 'Súhrnná správa o stave plnenia úloh, zámerov a cieľov migračnej politiky za rok 2013 a o činnosti Riadiaceho výboru pre migráciu a integráciu cudzincov'.

<sup>72</sup> Slovakia, Government of the Slovak Republic (Vláda SR) (2012), 'Súhrnná správa o stave plnenia úloh, zámerov a cieľov migračnej politiky za rok 2011', p. 1.

		<p>Integration".<sup>73</sup> During the examined period, the Statistical Office of the Slovak Republic in cooperation with the Ministry of Interior continued to introduce monitoring several variables in order to be able to evaluate data on foreigners and adopt other measures aimed at fulfilling Article 3 of the Regulation No. 862/2007 (EC) of the European Parliament and of the Council on Community statistics on migration and international protection.<sup>74</sup></p> <p>In the course of 2012, the Ministry of Labour, Social Affairs and Family continued to take part in international projects aimed at improving the mechanism of gathering statistical data and monitoring indicators of migrant integration; in concrete terms, this cooperation involved the UNHCR and MPG.<sup>75</sup> Meanwhile, the Statistical Office of the Slovak Republic continued to cooperate with the Ministry of Interior on copying the Ministry's data into its own databases. In line with requirements spelled out in EU regulations, the Statistical Office of the Slovak Republic gradually included the required "core" variables into all statistical surveys on households in order to be able to evaluate the statistics on the migrant population.<sup>76</sup></p> <p>The 2013 global report on discharging tasks stipulated by the <i>Migration Policy of the Slovak Republic with an Outlook to 2020</i> observes that the Ministry of Labour, Social Affairs and Family has included the task of monitoring the indicators of migrant integration into its own action plan for years 2014 – 2015 and that the continuously gathered data will be assessed in a special annex to the global progress report on discharging the <i>Integration Policy of the Slovak Republic</i>,<sup>77</sup> which should be elaborated by the end of April 2015.<sup>78</sup> According to the same report, the Statistical Office of the Slovak Republic currently has three sources of statistical data at its disposal: (1) the most recent population census of inhabitants, flats and houses carried out in 2011; (2) demographic statistics on population migration based on the so-called "reports on moving"; and (3) primary data from the alien registry maintained by the Bureau of Border and Alien Police. The Statistical Office of the Slovak Republic discovered that data provided by these sources differ significantly, which is why it currently</p>
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<sup>73</sup> Slovakia, Ministry of Interior of the Slovak Republic (*Ministerstvo vnútra SR*) (2012), 'Súhrnná správa o stave plnenia úloh, zámerov a cieľov migračnej politiky za rok 2011', p. 10.

<sup>74</sup> Slovakia, Ministry of Interior of the Slovak Republic (*Ministerstvo vnútra SR*) (2012), 'Súhrnná správa o stave plnenia úloh, zámerov a cieľov migračnej politiky za rok 2011', p. 15.

<sup>75</sup> Slovakia, Ministry of Interior of the Slovak Republic (*Ministerstvo vnútra SR*) (2013), 'Súhrnná správa o stave plnenia úloh, zámerov a cieľov migračnej politiky za rok 2012', Annex, p. 72.

<sup>76</sup> Slovakia, Ministry of Interior of the Slovak Republic (*Ministerstvo vnútra SR*) (2013), 'Súhrnná správa o stave plnenia úloh, zámerov a cieľov migračnej politiky za rok 2012', Annex, pp. 97-98.

<sup>77</sup> Slovakia, Ministry of Interior of the Slovak Republic (*Ministerstvo vnútra SR*) (2014), 'Súhrnná správa o stave plnenia úloh, zámerov a cieľov migračnej politiky za rok 2013 a o činnosti Riadiaceho výboru pre migráciu a integráciu cudzincov', Annex, p. 58.

<sup>78</sup> The information supplied by the Ministry of Labour, Social Affairs and Family of the Slovak Republic on 9 March 2015 in response to an official request for information.

		works on harmonising available statistical data on migrants and migration. <sup>79</sup>
	Provide full wording and translation in English of each indicator used per area and dimension covered as well as its full definition, legal basis, rationale, and link with fundamental rights or EU law ( <b>use table in the Annex 4</b> ).	
	Please provide data and evidence about the adoption of related Zaragoza indicators, especially in the dimensions of active citizenship and welcoming society. Please consult the publication <a href="#">Using EU Indicators of Immigrant Integration</a> (ESN, MPG) and report more detailed and updated specific descriptions and mapping of indicators used in the Member States.	As far as migrant integration in Slovakia goes, the currently valid policy document entitled <i>Integration Policy of the Slovak Republic</i> stipulates a set of indicators for foreigners' integration that should be monitored in Slovakia. <sup>80</sup> This set of indicators is based on indicators outlined in the Zaragoza Pilot Study (for further details, please see Annex 4). Unfortunately, the mentioned policy document not only fails to stipulate who should evaluate the set indicators and in what way but also to specify the sources from which the data should be gathered. The indicators should be assessed annually as part of evaluating the fulfilment of measures outlined in the <i>Integration Policy of the Slovak Republic</i> . The initial evaluation of the integration indicators should be completed by the end of April 2015. <sup>81</sup>
<b>1.2.5 Funding integration policies (EIF, ERF, EMIF)</b>		
	Please provide information about the distribution of funds for integration of migrants, as well as their social inclusion and participation. In particular, provide specific breakdown of funding per general area of integration policies – with particular focus on active citizenship, participation, welcoming society, social cohesion - in the last year and for the period 2010-2014 if available. (Use the table in the Annex 5).	<p>In compliance with the multiyear financing scheme of the European Fund for the Integration of Third-Country Nationals for the period of 2007 – 2013, financial assistance for the Slovak Republic was divided to cover four basic priorities:<sup>82</sup></p> <ol style="list-style-type: none"> <li>1. Pursuing of activities envisaged as part of practical implementation of "Common Basic Principles of Migrant Integration Policy in the EU";</li> <li>2. Elaborating indicators and methodologies of assessing progress, amending policies and measures and facilitating coordination of comparative learning;</li> <li>3. Building capacities in the field of promoting and coordinating intercultural knowledge on different levels and portfolios of government;</li> <li>4. Exchanging experience, time-tested methods and information among EU member states in the field of integration.</li> </ol> <p>Between 2010 and 2013, Slovakia supported the implementation of integration projects with a total amount of almost €3.56 million; of that figure,</p>

<sup>79</sup> Slovakia, Ministry of Interior of the Slovak Republic (*Ministerstvo vnútra SR*) (2014), 'Súhrnná správa o stave plnenia úloh, zámerov a cieľov migračnej politiky za rok 2013 a o činnosti Riadiaceho výboru pre migráciu a integráciu cudzincov', Annex, p. 79.

<sup>80</sup> Slovakia, Ministry of Labour, Social Affairs and Family of the Slovak Republic (*Ministerstvo práce, sociálnych vecí a rodiny SR*) (2014), 'Integračná politika Slovenskej republiky', pp. 10-11.

<sup>81</sup> The information supplied by the Ministry of Labour, Social Affairs and Family of the Slovak Republic on 9 March 2015 in response to an official request for information.

<sup>82</sup> Slovakia, Ministry of Interior of the Slovak Republic (*Ministerstvo vnútra SR*) (2006), 'Viacročný program Európskeho fondu pre integráciu štátnych príslušníkov tretích krajín na obdobie rokov 2007 – 2013', a draft amended on 24 August 2008; available at: [www.minv.sk/?o-europskom-fonde-pre-integraciu-obcanov-tretich-krajin](http://www.minv.sk/?o-europskom-fonde-pre-integraciu-obcanov-tretich-krajin).



		<p>€2,669,969.5 was provided by the European Integration Fund (EIF) and €889,989.96 by the state budget (for further details, please see Annex 5).<sup>83</sup> It is impossible to establish what percentage of these funds has been allocated to activities aimed at furthering active citizenship, participation, welcoming society and social cohesion because the Ministry of Interior, which is the national administrator of the Solidarity and Management of Migration Flows programme, does not keep its statistics divided in this way. All available data on the allocation of funds are broken down by the mentioned four priorities.</p> <p>The call to submit integration projects to be financed from the EIF in 2014 announced on May 26, 2014, has been later cancelled due to insufficient funding.<sup>84</sup></p> <p>From 2015 on, future integration activities should be financed from the Fund for Asylum, Migration and Integration. In early 2014, the initial draft of the National Programme to Establish the Fund for Asylum, Migration and Integration for the Period of 2014 – 2020 was submitted to an interdepartmental debate procedure; in the course of the process, the Ministry of Interior received a plethora of comments and remarks regarding the future Fund’s principal focus.<sup>85</sup> A new draft that would incorporate the submitted comments and outline the Fund’s financial budget has not been published as yet.</p> <p>For the programming period of 2008 – 2013, the European Refugee Fund (ERF) identified the following three priorities in Slovakia:<sup>86</sup></p> <ol style="list-style-type: none"> <li>1. Implementing the principles and measures envisaged in <i>acquis communautaire</i> in the field of asylum, including principles and measures related to integration objectives;</li> <li>2. Developing reference tools and evaluation methodologies in order to improve the quality of procedures related to reviewing applications for international protection and strengthening administrative structures in order to respond to challenges brought by intensifying practical cooperation with other EU member states;</li> </ol>
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<sup>83</sup> Authors’ own calculations based on statistical data for particular years published on the official website of the Ministry of Interior, section “European Fund for the Integration of Third-Country Nationals”; available at: [www.minv.sk/?podporene-projekty-3](http://www.minv.sk/?podporene-projekty-3)

<sup>84</sup> The information published on the official website of the Ministry of Interior, section “Department of Foreign Aid – Challenges – New; available at: [www.minv.sk/?aktualne\\_vyzvy](http://www.minv.sk/?aktualne_vyzvy); date of release unspecified.

<sup>85</sup> Slovakia, Ministry of Interior of the Slovak Republic (*Ministerstvo vnútra SR*) (2014), ‘Návrh Národného programu pre Fond pre azyl, migráciu a integráciu na obdobie rokov 2014 – 2020. Vyhodnotenie pripomienkového konania’; available at: [www.minv.sk/swift\\_data/source/mvsr\\_a\\_eu/amif/narodny\\_program/Vyhodnotenie%20pripomienkoveho%20konania%20%20AMIF.pdf](http://www.minv.sk/swift_data/source/mvsr_a_eu/amif/narodny_program/Vyhodnotenie%20pripomienkoveho%20konania%20%20AMIF.pdf).

<sup>86</sup> Slovakia, Ministry of Interior of the Slovak Republic (*Ministerstvo vnútra SR*) (2008) ‘Viacročný program. Európsky fond pre utečencov na obdobie rokov 2008 až 2013’; available at: [www.minv.sk/?o-europskom-fonde-pre-utecencov-2008-2013](http://www.minv.sk/?o-europskom-fonde-pre-utecencov-2008-2013).

		<p>3. Pursuing activities aimed at strengthening joint responsibility of EU member states and third countries.</p> <p>Overall, the ERF participated in financing projects worth more than €3.8 million since 2010; of that amount, €2,852,794.11 was provided by the ERF and €950,931.44 by the state budget.<sup>87</sup> Like in the case of EIF, it is impossible to establish what proportion of the funds was allocated to activities aimed at furthering active citizenship, participation, welcoming society and social cohesion because the Ministry of Interior breaks down the allocated funds in compliance with described priorities.</p> <p>It was possible to finance future integration projects from the Employment and Social Inclusion operating programme of the European Social Fund (ESF); however, no call to submit integration projects to be financed from the ESF was published in 2013. Instead, the target group of migrants has been incorporated into programming documents for the next period.<sup>88</sup> No project aimed at supporting migrants was financed from this programme in 2012<sup>89</sup> or in 2011.<sup>90</sup></p>
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## 2. Promoting equal treatment and non-discrimination

### 2.1. The implementation of anti-discrimination legislation and equal treatment

	Briefly provide information on the following:	
	Outreach and awareness raising campaigns, training schemes, etc. undertaken by national or regional public authorities (including national equality bodies) targeting migrants and their descendants on the national anti-discrimination legal framework.	Currently, migrants in Slovakia are not viewed as the principal target group of campaigning or training aimed at raising awareness of antidiscrimination legislation. All government strategies and other policy documents concerning either prevention of discrimination in general or integration of migrants in particular are rather based on awareness-raising trainings and other activities that focus on the majority population or providers of services for migrants.

<sup>87</sup> Authors' own calculations based on statistical data on supported projects published on the official website of the Ministry of Interior, section "European Refugee Fund (2008 – 2013)"; available at: [www.minv.sk/?podporene-projekty-1](http://www.minv.sk/?podporene-projekty-1).

<sup>88</sup> Slovakia, Ministry of Interior of the Slovak Republic (*Ministerstvo vnútra SR*) (2014), 'Vyhodnotenie plnenia jednotlivých úloh rozpracovaných z Migračnej politiky Slovenskej republiky s výhľadom do roku 2020 v časovom, vecnom a finančnom plnení na podmienky jednotlivých subjektov za rok 2013', p. 60.

<sup>89</sup> Slovakia, Ministry of Interior of the Slovak Republic (*Ministerstvo vnútra SR*) (2013), 'Súhrnná správa o stave plnenia úloh, zámerov a cieľov migračnej politiky za rok 2012', Annex, p. 75.

<sup>90</sup> Slovakia, Ministry of Interior of the Slovak Republic (*Ministerstvo vnútra SR*) (2012), 'Súhrnná správa o stave plnenia úloh, zámerov a cieľov migračnej politiky za rok 2011', Annex, p. 55.

		<p>The Strategy of Foreigners' Integration adopted in 2009<sup>91</sup> featured several measures in the field of preventing discrimination and xenophobia with respect to migrants. In 2011, the Ministry of Labour, Social Affairs and Family created a platform for experts in the field of migrant integration to discuss migrant-related issues on a regular basis; however, the issue of migrant discrimination has not quite become the centre of the panel's attention as yet. The Ministry of Culture designs grant schemes for various disadvantaged population groups that are designed, inter alia, to prevent xenophobia and intolerance. Unfortunately, none of the projects supported has directly focused on raising migrants' awareness of their rights.<sup>92</sup> The policy document also bound the Ministry of Health Care to expand education of medical professionals to include issues of direct or indirect discrimination. In cooperation with Trnava University's Faculty of Health Sciences and Social Work, the ministry incorporated these issues into university curricula.<sup>93</sup> Again, though, we are obliged to point out that these educational activities do not target migrants themselves but rather professionals who come in touch with them.</p> <p>In 2014, the cabinet adopted the Integration Policy of the Slovak Republic that specifically targets migrants. While the document spells out several measures aimed at eliminating discrimination in various areas, none of them focuses directly on working with migrants and raising their awareness of antidiscrimination legislation and human rights.<sup>94</sup></p> <p>For the time being, trafficking in human beings is practically the only area where campaigns aimed at raising migrants' awareness of their rights are being pursued. The Ministry of Interior conceived and carried out a campaign entitled "People Are Not for Sale", which partly focused on migrants. Using a portable showroom in the shape of a giant gift box, it was an interactive campaign designed to raise public awareness about trafficking in human beings. Once inside the box, visitors lured by attractive packaging that advertised seemingly lucrative jobs could learn about real-life stories of trafficked people. The campaign's message was that tempting job offers could very often have a criminal background and it that was relatively easy to become a victim if one was not aware of potential risks.</p>
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<sup>91</sup> Slovakia, Ministry of Labour, Social Affairs and Family of the Slovak Republic (*Ministerstvo práce, sociálnych vecí a rodiny*), 'Konceptia integrácie cudzincov', May 2009.

<sup>92</sup> Slovakia, Ministry of Labour, Social Affairs and Family of the Slovak Republic (*Ministerstvo práce, sociálnych vecí a rodiny*) (2012), 'Súhrnná správa o plnení opatrení vyplývajúcich z koncepcie integrácie cudzincov za rok 2011', February 2012.

<sup>93</sup> Slovakia, Ministry of Labour, Social Affairs and Family of the Slovak Republic (*Ministerstvo práce, sociálnych vecí a rodiny*) (2012), 'Súhrnná správa o plnení opatrení vyplývajúcich z koncepcie integrácie cudzincov za rok 2011', February 2012.

<sup>94</sup> Slovakia, Government of the Slovak Republic (*Vláda Slovenskej republiky*) (2014), 'Integračná politika Slovenskej republiky', January 2014.

<p>Evidence through polls, surveys, academic research, etc. on the awareness of migrants and/or their descendants concerning the right to equal treatment. Please indicate differences between ethnic/ migrant groups, living in different geographic areas, gender and age, as well as trends in time.</p>	<p>In Slovakia, awareness of human rights and equal treatment is neglected in the long term. There have been but a handful of surveys that explored this issue within Slovakia's population as such; in the segment of migrants, a specific survey is yet to be conducted. However, a number of surveys have examined the process of migrant integration, identifying potential barriers stemming from discrimination.</p> <p>In 2011, the Institute for Public Affairs carried out a qualitative survey examining the status of migrants on the country's labour market. The principal focus of the survey was to analyse legal aspects of discrimination in employment, the scope of discrimination against migrants and employers' perception of migrant workers; however, it also touched upon migrants' views and notions of discrimination. The findings revealed that migrants were quite familiar with the concept of discrimination as most respondents explained it as injustice, unequal treatment or rejection based on ethnicity or other grounds.<sup>95</sup> They described discrimination in various areas of life, particularly in access to jobs, healthcare and other services. Not all of the respondents experienced discrimination directly; in fact, many of them observed that their rights in Slovakia were implemented more thoroughly compared to their home country. But most of them claimed they had first-hand experience with discrimination in everyday contact with the majority population. Their experience with discrimination is also affected by other factors, especially gender. The survey concluded that female respondents, particularly those who came to Slovakia with children but without husbands, were more disadvantaged compared to men.</p> <p>Two years earlier, the Centre for the Research of Ethnicity and Culture conducted a survey on migrants' subjective perception of their socio-economic integration. The survey indicated that migrants' legal conscience was generally very poor as the complexity of valid laws combined with inadequate assistance from applicable institutions did not allow them to become sufficiently oriented in Slovakia's legal order. While respondents were not directly asked about their knowledge of antidiscrimination legislation, the survey observed that migrants were more vulnerable to abuse ensuing from the lack of awareness, particularly on the labour market. Another problem is that in case of migrants, losing jobs often leads to revoking of residence permits, which makes them even more vulnerable to discrimination.<sup>96</sup> In several other areas such as housing, healthcare or education, respondents</p>
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<sup>95</sup> Hlinčíková, M. – Lamačková, D. – Sekulová, M. (2011), *Migranti a migrantky na trhu práce - identifikácia a prekonávanie bariér diskriminácie* Bratislava, Institute for Public Affairs, pp. 37 – 40.

<sup>96</sup> Brnula, P. – Cenker, M. – Gallová Kriglerová, E. (2009), 'Skúsenosti migrantov s integráciou na Slovensku', in Košťál, C. – Vašečka, M. (eds.) *Integrácia migrantov - vieme čo chceme ?*, Bratislava, Institute of Public Policy, pp. 22 – 94.

		<p>often perceived unequal treatment or even rejection on the part of service providers; however, none of them reported the perceived discrimination to applicable authorities. Although this qualitative survey examined 35 respondents and therefore could not provide statistically relevant data, it indicated that the issue of discrimination was still absent from the public discourse and that migrants were unable to conceptualise it in their responses.</p> <p>Likewise, a 2011 survey entitled <i>Migrants on the Labour Market</i> did not primarily examine migrants' awareness of their rights. Nevertheless, it pointed out that even the employees of institutions that are supposed to provide services to migrant workers (e.g. employment agencies) lacked sufficient knowledge of antidiscrimination legislation with respect to employing foreigners and therefore they were unable to advise them effectively and refer them to relevant institutions in the case of employer's breach of that legislation. Also, the survey observed that discrimination against migrants on Slovakia's labour market was relatively frequent. "This is mostly the result of prejudices on the part of employers and public institutions' officials as well as their irresponsible attitude to identifying and tackling migrants' problems," the survey concluded. "At the same time, the existing public policies aimed at supporting migrants' employment are unsatisfactorily implemented. Last but not least, the situation is complicated by the lack of relevant statistical and research data as well as the non-existence of surveys examining the impact of various measures on the labour market".<sup>97</sup></p> <p>In 2011, Human Rights League published a study that explored discrimination against foreigners with additional protection status. Like other similar surveys, the study observed frequent discriminatory behaviour with respect to this category of foreigners in different areas, especially in access to the labour market and to services. The authors of the study observed that foreigners in Slovakia were not aware of the possibilities of legal protection against discrimination and recommended that government improve migrants' awareness of their rights<sup>98</sup> as well as of practical benefits of additional protection status. Like other similar surveys, the study concluded that institutions of first contact with migrants lacked adequate knowledge of valid laws (including antidiscrimination ones), which was a major catalyst of discriminatory behaviour. Their</p>
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<sup>97</sup> Debrecéniová, J. – Pufflerová, Š. (2011), *Analýza reálnych možností migrantov a migrantiek participovať na nediskriminačnej báze na trhu práce na Slovensku* Bratislava, Občan, demokracia a zodpovednosť, p. 2; available at: <http://diskriminacia.sk/zapojenie-migrantov-a-migrantiek-na-slovenskom-trhu-prace/#more-1385>

<sup>98</sup> Liga za ľudské práva (2011), *Stav integrácie cudzincov s doplnkovou ochranou na Slovensku a návrhy odporúčaní pre tvorcov verejných politík*, Bratislava, Liga za ľudské práva; available at: [www.employment.gov.sk/files/slovensky/ministerstvo/integracia-cudzincov/dokumenty/stav\\_integracie\\_cudzincov\\_s\\_doplnkovou\\_ochranou\\_do\\_spolocnosti.pdf](http://www.employment.gov.sk/files/slovensky/ministerstvo/integracia-cudzincov/dokumenty/stav_integracie_cudzincov_s_doplnkovou_ochranou_do_spolocnosti.pdf) .

	principal recommendation was further education of various groups of professionals in this area.
Evidence of complaints lodged by migrants and/or their descendants - % of total complaints to equality bodies, % of admissible complaints, statistics about outcomes of investigation, % of cases establishing discrimination. Please indicate differences between ethnic/ migrant groups, geographic areas, gender and age, as well as trends in time.	<p>Equality bodies in Slovakia fail to gather sufficiently detailed data on discrimination complaints filed by migrants. In response to an official request for information, the Slovak National Centre for Human Rights stated it did not keep statistics on complainers' nationality or ethnic origin. According to the official response, the Centre received four discrimination motions from foreign nationals in 2013 but none of the four complaints fell within the scope of its authority; in 2014, the Centre received two motions with identical result.<sup>99</sup></p> <p>Similarly, the Office of Public Defender of Rights lacks detailed statistical data on nationality, age, sex etc. of migrants who have filed complaints. According to its official statistics, the body has received 49 complaints from foreign nationals since 2010 (out of the total number of 10,098 complaints filed over the same time); however, only two complaints concerned discrimination.<sup>100</sup></p>
Tools, measures and positive initiatives aiming at facilitating reporting incidents of discrimination – e.g. translation facilities to report and submit complaints in multiple languages – and tackling under-reporting and low rights-awareness.	<p>Responsible authorities in Slovakia take minimum initiative in adopting measures aimed at encouraging foreigners to report cases involving discrimination. In 2013, the Slovak National Centre for Human Rights as the main equality body commissioned translation of Antidiscrimination Act into English in order to make it accessible also to those who do not speak Slovak.<sup>101</sup> In the course of 2010, it organised a training course on migrants' rights and antidiscrimination legislation for members of the Border Control and Alien Registration Office. Overall, 186 law enforcement officers took part in the training programme; all participants received a manual entitled <i>Sprievodca ľudskými právami, azylovou problematikou, právami dieťaťa a nediskrimináciou</i> [Guidebook on Human Rights, Asylum Issues, Rights of the Child and Non-Discrimination].<sup>102</sup></p> <p>The National Labour Inspectorate provides free legal counselling in compliance with Labour Inspection Act,<sup>103</sup> even if a foreign national requests counsel; however, labour inspectorates fail to pursue any concrete activity or specific initiative with respect to migrants. As part of the "Good Practice Examples" project, the National Labour Inspectorate in 2014 issued a Stop Discrimination leaflet that is available at every labour</p>

<sup>99</sup> The information supplied by the Slovak National Centre for Human Rights on 16 January 2015 in response to an official request for information.

<sup>100</sup> The information supplied by the Office of Public Defender of Rights on 20 January 2015 in response to an official request for information.

<sup>101</sup> The information provided on the website of the Slovak National Centre for Human Rights (*Slovenské národné stredisko pre ľudské práva*); available at: [www.snslp.sk/#page=2367](http://www.snslp.sk/#page=2367)

<sup>102</sup> The information supplied by the Slovak National Centre for Human Rights on 27 January 2015 in response to an official request for information.

<sup>103</sup> Slovakia, Act No. 85/2005 Coll. on labour inspection (*Zákon č. 85/2005 Z. z. o inšpekcii práce*), available at: [www.slovlex.sk/pravne-predpisy/SK/ZZ/2005/85/20150330](http://www.slovlex.sk/pravne-predpisy/SK/ZZ/2005/85/20150330)

		<p>inspectorate.<sup>104</sup> Unfortunately, these leaflets are available only in Slovak and are not specifically or directly targeted at migrants.<sup>105</sup></p> <p>The Border Control and Alien Registration Office is perhaps the most agile in ensuring availability of important information on the rights of migrants. In recent years, the Office commissioned translation of all relevant internal regulations pertaining to migrants' rights in the detention procedure at police detention centres into 26 languages.<sup>106</sup></p>
	<p>In particular, provide information about any legal protection on grounds of nationality, which is not covered by the EU anti-discrimination Directives,<sup>107</sup> but is a prohibited ground in several Member States. Please explain how unequal treatment on the basis of nationality is treated and provide exemplary cases, if any. Please provide information on the relevant practice and case law (<b>use template in Annex 9</b>)</p>	<p>Antidiscrimination Act (Act No. 356/2004), which transposed EU antidiscrimination directives, also <b>outlaws discrimination on grounds of nationality</b> (Article 2 Paragraph 1); however, Article 4 Paragraph 1 letter a) of the same law specifies that "this law does not apply to instances of unequal treatment of foreigners that have to do with their conditional entry and dwelling on Slovakia's territory". In other words, Antidiscrimination Act only applies to migrants who are <b>legal residents</b> in Slovakia.<sup>108</sup></p> <p>If third country nationals reside legally on Slovakia's territory, protection against discrimination applies to them <b>just as it does to Slovak citizens</b>.<sup>109</sup> Nevertheless, it seems that "migrants face discrimination after they have complied with entry conditions and even after they have become naturalised".<sup>110</sup></p> <p>Antidiscrimination Act explicitly regulates the following specifically defined areas: labour relations and similar legal relations, healthcare and social security, education, and provision of goods and services (Article 3 Paragraph 1), in conjunction with the rights of persons defined by separate laws (Article 3 Paragraph 2).<sup>111</sup> In other words, even though the ban on discrimination in these areas is universal according to Article 1 of Antidiscrimination Act, its breach is only constituted</p>

<sup>104</sup> Slovakia, National Labour Inspectorate (*Národný inšpektorát práce*) (2014), 'Stop diskriminácii', an information leaflet; available at: [www.safework.gov.sk](http://www.safework.gov.sk).

<sup>105</sup> The information supplied by the National Labour Inspectorate on 22 January 2015 in response to an official request for information.

<sup>106</sup> The information supplied by the Ministry of Interior of the Slovak Republic on 26 January 2015 in response to an official request for information.

<sup>107</sup> As of Article 3.2 of the Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin.

<sup>108</sup> Slovakia, Slovak National Centre for Human Rights (*Slovenské národné stredisko pre ľudské práva*) (2008), *Sprievodca antidiskriminačným zákonom*, p. 20; available at: [www.snslp.sk/files/sprievodca\\_antidiskriminacnym\\_zakonom.pdf](http://www.snslp.sk/files/sprievodca_antidiskriminacnym_zakonom.pdf).

<sup>109</sup> For further details, please visit official website of the Citizen, Democracy and Accountability civic association at: <http://diskriminacia.sk/faq/#1>

<sup>110</sup> Debrecéniová, J. – Pufflerová, Š. (2011), *Analýza reálnych možností migrantov a migrantiek participovať na nediskriminačnej báze na trhu práce na Slovensku*, Bratislava, Občan, demokracia a zodpovednosť, p. 1; available at: <http://odz.sk/analyza-zapojenie-migrantov-a-migrantiek-na-slovenskom-trhu-prace/>.

<sup>111</sup> For instance the Labour Code - Act No. 311/2011 Coll. (*Zákonník práce*), the Act No. 195/1998 Coll. on social assistance (*Zákon o sociálnej pomoci*) or the Act No. 576/2004 Coll. on healthcare (*Zákon o zdravotnej starostlivosti, službách spojených s poskytovaním zdravotnej starostlivosti a o zmene a doplnení niektorých zákonov*).

		<p><i>"with respect to exercising certain right in specified areas, as it ensues from a specific law".<sup>112</sup></i></p> <p>Consequently, the ban on discrimination on grounds of nationality applies to areas specified by Antidiscrimination Act, including employment, education or housing; however, the ban on discrimination in the field of provision of goods and services (i.e. including housing) only applies to goods and services provided by legal entities or natural persons – entrepreneurs (Article 5 Paragraph 2 letter d)).</p> <p>Apart from Antidiscrimination Act, the ban on discrimination on grounds of nationality in the field of labour relations is also spelled out in Article 1 of the Labour Code (Act No. 311/2001). In practice, though, many foreigners face discrimination as they are subjected to institutional discrimination (e.g. impeded access to the labour market, red tape in the process of obtaining work permits, recognition of qualifications) and abuse on the part of employers.<sup>113</sup> Most migrants who manage to find a job fear the potential loss of their residence permits, which gives employers excessive power in terms of keeping migrant workers' dependent and maintaining their uncertainty vis-à-vis government authorities.<sup>114</sup></p> <p>In the field of employment, a good example of promising practice with respect to refugees and persons with additional protection who form a specific category of migrants was passing an amendment to the law on employment services (Act No. 5/2004) in 2013. The amendment put persons with additional protection on an equal footing with refugees in that they do not need a work permit (Article 22 Paragraph 7 letters f) and h)).</p> <p>Besides the area of employment, legal protection of migrants is specifically spelled out also in the law on social assistance (Act No. 195/1998; Art. 2/2). The ban on discrimination on grounds of nationality is also anchored in the following laws: law on performing works in the public interest (Act No. 552/2003; Art. 5/2), law on the civil service of customs officers (Act No. 200/1998, Article 5a/1), law on the civil service of members of the Police Force, the Slovak Intelligence Service, the Penitentiary and Judicial Guard and the Railroad Police (Act No. 73/1998, Art. 2a/1), law on the fire and rescue service (Act No. 315/2001, Art. 16/2), law on trade enterprise (Act No. 455/1991, Art. 5a/1),</p>
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<sup>112</sup> Slovakia, Slovak National Centre for Human Rights (*Slovenské národné stredisko pre ľudské práva*) (2008), *Sprievodca antidiskriminačným zákonom*, p. 19; available at: [www.snslp.sk/files/sprievodca\\_antidiskriminacnym\\_zakonom.pdf](http://www.snslp.sk/files/sprievodca_antidiskriminacnym_zakonom.pdf).

<sup>113</sup> Debrecéniová, J. – Pufflerová, Š. (2011), *Analýza reálnych možností migrantov a migrantiek participovať na nediskriminačnej báze na trhu práce na Slovensku*, Bratislava, Občan, demokracia a zodpovednosť, p. 2; available at: <http://odz.sk/analyza-zapojenie-migrantov-a-migrantiek-na-slovenskom-trhu-prace/>.

<sup>114</sup> Debrecéniová, J. – Pufflerová, Š. (2011), *Analýza reálnych možností migrantov a migrantiek participovať na nediskriminačnej báze na trhu práce na Slovensku*, Bratislava, Občan, demokracia a zodpovednosť, p. 4; available at: <http://odz.sk/analyza-zapojenie-migrantov-a-migrantiek-na-slovenskom-trhu-prace/>.



		<p>law on prosecutors and candidate prosecutors (Act No. 154/2001, Art. 20/3), law on employment services (Act No. 5/2004, Art. 14/2), and law on universities (Act No. 131/2002, Art. 55/2).</p> <p>According to Article 140 letter d) of the Criminal Statute (Act No. 300/2005), perpetrating a criminal offence in order to incite violence against other persons on grounds of their nationality is considered a special motive that may aggravate the applicable sentence.</p>
	<p>Please provide information about the application of the legislation concerning discrimination against migrants – on any ground – in accessing law enforcement and judiciary services. In particular please clarify whether and when the latter are considered and treated, or not, as services available to the public, therefore falling within the scope of the directives and the jurisdiction of Equality Bodies.<sup>115</sup></p>	<p>Antidiscrimination Act (Act No. 356/2004) explicitly regulates certain specifically defined areas, which do not include access to law enforcement and judicial services.<sup>116</sup> Consequently, this area does not fall within the jurisdiction of Slovakia’s official Equality Body.</p> <p>Although Antidiscrimination Act fails to enact migrants’ access to law enforcement and judicial services, every person in the Slovak Republic <b>including migrants</b> has the right to legal assistance in every proceeding before courts of law, state administration or public administration bodies; this right is spelled out in Article 47 Paragraph 2 of the Constitution of the Slovak Republic (Act No. 460/1992).<sup>117</sup></p> <p>Since Antidiscrimination Act “does not apply to instances of unequal treatment of foreigners that have to do with their conditional entry and dwelling on Slovakia’s territory” (Art. 4/1/a), a specific problem seems to be migrants’ access to legal assistance in proceedings before the Bureau of Border and Alien Police. The law on foreigners’ residence (Act No. 404/2011) guarantees their access to legal assistance only in certain types of proceedings;<sup>118</sup> as far as migrants’ entry and dwelling on Slovakia’s territory goes, valid laws fail to guarantee access to legal assistance.<sup>119</sup></p> <p>Nevertheless, case law of the Constitutional Court<sup>120</sup> suggests that even in proceedings before the Bureau of Border and Alien Police, law enforcement bodies are obliged to instruct detained migrants about the possibilities of choosing a legal representative and create conditions for their fair access to legal</p>

<sup>115</sup> Please note that these are considered non-economic services by the EU Commission (Services of general interest, including social services of general interest: a new European commitment, COMM 725 (2007) of 20 November 2007, yet not always they are considered by Equality Bodies to fall in the areas of application of the anti-discrimination directives.

<sup>117</sup> Mittelmannová, M. (2014), *Majú cudzinci právo na právnu pomoc v konaniach pred cudzineckou políciou?*, Bratislava, Liga za ľudské práva, p. 2; available at:

[www.hrl.sk/sites/default/files/publications/pravo\\_na\\_pravnu\\_pomoc\\_mittelmannova.pdf](http://www.hrl.sk/sites/default/files/publications/pravo_na_pravnu_pomoc_mittelmannova.pdf)

<sup>118</sup> For instance in proceedings concerning administrative expulsion (Art. 77/7-9), detention (Art. 90/1/c) and detention of asylum seekers (Art. 88a/4, Art. 90/1/a/3).

<sup>119</sup> Mittelmannová, M. (2014), *Majú cudzinci právo na právnu pomoc v konaniach pred cudzineckou políciou?*, Bratislava, Liga za ľudské práva, pp. 1-2; available at:

[www.hrl.sk/sites/default/files/publications/pravo\\_na\\_pravnu\\_pomoc\\_mittelmannova.pdf](http://www.hrl.sk/sites/default/files/publications/pravo_na_pravnu_pomoc_mittelmannova.pdf)

<sup>120</sup> Please see I. ÚS 58/2001

		assistance. <sup>121</sup> The problem of detained migrants' access to effective legal assistance has also been highlighted by Slovakia's ombudswoman. <sup>122</sup>
	Please provide statistical data about numbers of discrimination cases/complaints submitted to competent bodies (Equality Bodies, Administrative Courts), as well as about their outcomes <b>(use the tables in the Annex 8)</b>	
<b>2.2.Implementation of equal treatment of various permit holders</b>		
	<p>Please summarize <u>briefly</u> in this section any key issues affecting the implementation of equal treatment of permit holders, as defined by the following EU legislation; these could be, for example, practical issues and bottlenecks, administrative delays, coordination and cooperation of public authorities, etc.</p> <p>Please substantiate findings, as far as possible, through formal evaluations, as well as research or studies and case law <b>(use template in Annex 9)</b>. Please bear in mind that no assessment of the <b>legal transposition</b> process is required. In regard to the five categories below, please provide <u>statistical data</u> issued in 2014 or valid on 31.12.14. <b>(use annex 3)</b></p>	
<p>2.2.1.<u>Long Term Residence</u> (LTR) status holders (Art.11 of the Directive <a href="#">2003/109/EC</a>)</p>	<p>According to experience of the Human Rights League, problematic can be granting this type of residence permit to migrants with subsidiary protection (if they lack identity documents); others may include increased attention of the Bureau of Border and Alien Police (UHCP) pays to migrants from certain "risk" countries and a refusal to grant residence permits "for security reasons".</p> <p>Lack of valid travel document is a problem in submitting the application, mainly in case of stateless people. Stateless person, in order to be recognized as stateless, by foreign police needs to prove his/ her statelessness by submitting evidence. The problem is also the reservation that Slovakia has in relation to 1954 Statelessness Convention, concretely its Article 27. Based on this reservation Slovakia issues Convention travel document only to a stateless person who is granted permanent residence permit in Slovakia. Stateless people who are granted e.g. tolerated stay in Slovakia and are holders of foreigners passport issued by foreigners police can use this passport when submitting application for long-term residence only when they are able to prove their identity otherwise (by submitting another document proving their identity, which can also be a problem in case of stateless people). Moreover, people on tolerated stay (granted tolerated stay for the following reasons: their travelling out of Slovakia is not possible and their detention is not reasonable, or because there is obstacle in their expulsion) cannot submit application for long-term</p>	

<sup>121</sup> Mittelmannová, M. (2014), *Majú cudzinci právo na právnu pomoc v konaniach pred cudzineckou políciou?*, Bratislava, Liga za ľudské práva p. 3; available at:

[www.hrl.sk/sites/default/files/publications/pravo\\_na\\_pravnu\\_pomoc\\_mittelmannova.pdf](http://www.hrl.sk/sites/default/files/publications/pravo_na_pravnu_pomoc_mittelmannova.pdf)

<sup>122</sup> Slovakia, Office of Public Defender of Rights (*Kancelária verejného ochrancu práv*) (2013), *Správa verejnej ochrankyne práv o dostupnosti právnej pomoci zaisteným príslušníkom tretích krajín*; available at:

[www.vop.gov.sk/files/Dostupnos%C5%A5%20pr%C3%A1vnej%20pomoci%20zaisten%C3%BDm%20cudzincm.pdf](http://www.vop.gov.sk/files/Dostupnos%C5%A5%20pr%C3%A1vnej%20pomoci%20zaisten%C3%BDm%20cudzincm.pdf)

	residence permit at all (the period of these two types of tolerated stay are not counted in the necessary 5 years of legal stay). <sup>123</sup>
2.2.2. <u>Single-permit procedure</u> permit holders (Art.12 and 13 of the Directive <a href="#">2011/98/EU</a> )	The previously valid law (until December 31, 2014) that regulated the procedure of granting residence permits for the purpose of employment was simpler and more transparent in practice because third country nationals knew they had obtained work permits before they applied for residence permits and could simply choose not to file the residence permit application if they had not received the work permit. According to the currently valid law, from January 2014, however, the migrants do not receive a confirmation from employment agencies that they can apply for jobs on Slovakia's labour market until their residence permit applications have been scrutinised and quite possibly denied by the Bureau of Border and Alien Police. <sup>124</sup> Another interesting aspect is that Slovakia's legal order binds employers to advertise open job positions only if they intend to hire third country nationals. In such a case, employers are obliged to advertise open job positions (i.e. the number of vacant jobs and their description) 30 days before the third country nationals in question file their residence permit applications. The law fails to regulate the situation in which the employer does not know in advance if any third country nationals will be interested in open job positions; advertising open job positions and filling them with third country nationals thus may appear disadvantageous compared to hiring job seekers who do not need a confirmation from employment agencies. <sup>125</sup> This obligation also applies to employers who already employ third country nationals whose residence permits have just expired and they now need to renew them. In such a case, the employers are obliged to advertise for 30 days the job positions that are actually filled by third country nationals who are applying for the renewal of residence permits for the purpose of employment. The employers are often unaware about this obligation, which further complicates the procedure of renewing migrant workers' residence permits. <sup>126</sup>
2.2.3. <u>Blue card</u> holders (Art.14 and 12 of the Directive <a href="#">2009/50/EC</a> )	Blue cards have been issued to migrants since July 20, 2011. By the end of 2014 (i.e. three and a half years after this type of residence permit had been introduced), Slovakia registered only 20 blue card holders. The greatest practical hindrance in the process of applying for blue cards is the requirement that the applicant's monthly wage must be at least 1.5 times higher than the average monthly wage in a given sector

<sup>123</sup> Interview with Katarina Fajnorova, the Human Rights League, 11 March 2015.

<sup>124</sup> The information was retrieved during an interview with a Human Rights League representative.

<sup>125</sup> Slovakia, Act No. 5/2004 Coll. on employment services as amended (*Zákon č. 5/2004 Z. z. o službách zamestnanosti v znení neskorších predpisov*), Article 21 Paragraph 4; available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/2004/5/20150301](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2004/5/20150301)

<sup>126</sup> The information was retrieved during a personal interview with a Human Rights League representative, 25 February 2015.

	of national economy. <sup>127</sup> Other obstacles were not reported by NGOs.
<p>2.2.4. Family reunification permit holders (specifically in terms of access to labour market - Art. 14 of Directive <a href="#">2003/86/EC</a>)</p>	<p>In compliance with Article 14 Paragraph 2 of Directive 2003/86/EC, the Ministry of Labour reserved the right to decide on the conditions under which family members shall exercise an employed or self-employed activity. As a result, employment agencies are given up to 12 months to scrutinise the situation on Slovakia's labour market before issuing work permits to migrants' family members.</p> <p>Main problems they face according to the Human Rights League are: submitting the application for residence permit at the embassy (we have noticed problems at the embassies in accepting applications for residence permit and / or the embassy filled in with the foreigners application for visa instead of application for residence permit); the obligation to leave the territory of Slovakia once the validity of visa expires, because the period during which foreigners police is deciding on the application for residence permit is not considered legal stay in Slovakia, hence a foreigner (after the visas granted for the maximum of 90 days expires) has to wait for the decision on granting residence permit outside the territory of Slovakia, which often means away from his/ her family member – families can be separated for months by this policy. Another problem couples who wish to live together in Slovakia face is to prove their marriage is not „marriage of convenience“. It is for couples often difficult to prove opposite when they even cannot live in one household during the procedure (as the husband/ wife has to wait in his/ her country of origin for being granted residence permit).</p>
<p>2.2.5. Beneficiaries of international protection long term residence status holders<sup>128</sup></p>	<p>Those that apply for long-term residence are usually subsidiary protection holders. They can face similar problems as people on tolerated stay in terms of ability to prove their identity (if they do not possess valid travel document). Another problem they face is the ability to prove regular income and health insurance (those subsidiary protection holders who are unemployed cannot submit application for long-term residence because they are usually unable to prove regular income and health insurance – note: subsidiary protection holders, who are not employed or self-employed fall outside public health insurance system and their health care is paid directly by Migration Office of the Ministry of Interior, however, in order to submit application for long-term residence they have to prove they have health insurance; card for health care issued by Migration Office is not acceptable). Private health</p>

<sup>127</sup> Slovakia, Act No. 404/2011 Coll. on Residence of Foreigners and on amendment and supplementation of certain acts as amended (*Zákon č. 404/2011 o pobyte cudzincov v znení neskorších predpisov*), Article 38 Paragraph 6 letter c); available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/2011/404/20140101](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2011/404/20140101).

<sup>128</sup> As per recitals 6 and 7 of Directive [2011/51/EU](#) of the European Parliament and of the Council of 11 May 2011 amending Council Directive 2003/109/EC to extend its scope to beneficiaries of international protection Text with EEA relevance.

insurance is acceptable, but is expensive and they often cannot afford to pay for it. Therefore, in general only employed or self-employed subsidiary protection holders can submit application for long-term residence.

## 2.3.Key developments and trends

Please include in this section key developments in the area of equal treatment and anti-discrimination that concern only migrants and/or their descendants. Key developments may be new legislation or policies, abolition, update, improvement or reform of existing ones, as well as important case law, court, equality body or administrative cases, that have had or may have an impact on the implementation of the anti-discrimination legislation and equal treatment policies that related to the rights of migrants and/or their descendants **(for presentation of case law, use template in Annex 9)**. Such developments may also affect the actual situation on the ground, including public debates and perceptions among the native population and migrants.

Anti-discrimination Act applies to only those foreign nationals who are **legally residing** in the territory of the Slovak Republic, i.e. protection against discrimination applies to them **just as it does to Slovak citizens**. Still, migrants face certain extent of institutional discrimination in various areas, e.g. labour market (impeded access to the labour market, red tape in the process of obtaining work permits, recognition of qualifications). In this regard, it is positive that the requirement of additional protection holders to obtain work permit before entering labour market was abolished in 2013.

Despite existing discriminatory practices against migrants raising awareness of migrants on their rights still lags behind in Slovakia. Existing research (however limited) points out lacking awareness of migrants on their rights and ways to seek remedies in cases they are discriminated against. All awareness-raising activities concerned with anti-discrimination target providers of services to migrants. The only development in this field could be identified with respect to victims of human trafficking; the Ministry of Interior ran an information campaign targeting foreign as well as national victims of human trafficking. The mentioned surveys were conducted in years 2009-2011; however, no measures to counter discrimination of migrants and to raise their awareness in this area have been taken yet. Nor did it lead to any changes in the ways equality bodies collect data on discrimination, i.e. data on complainants' nationality are not recorded. It is therefore impossible to conclude how many migrants filed discrimination complaints. However, in 2013 the Slovak Equality Body (National Centre for Human Rights) commissioned a translation of Anti-discrimination Act to English making it available to those who do not speak Slovak. Similar initiative has been taken by the Bureau of Border and Alien Police who translated all relevant internal regulations pertaining to migrants' rights into 26 languages.

## 3. Participation of migrants and their descendants in society

### 3.1. Political rights at national level

#### 3.1.1. Citizenship acquisition

	<p>In this section please provide information about the specific requirements and criteria for citizenship acquisition, if any, that relate to the applicants active participation in society, genuine links or bond to the society or the country, schooling period or other 'socialization' requirements. -Path to citizenship for foreign born third country nationals (the so-called '1st generation')</p>
	<p>Please provide information about the specific requirements and criteria for citizenship acquisition, if any, that relate to the applicants active participation in society, genuine links or bond to the society or the country, schooling period or other 'socialization' requirements. - Path to citizenship for country-born (so-called '2nd generation') and country-grown migrant children (so-called '1,5 generation').</p> <p>Slovakia's official integration policy regards citizenship acquisition as a natural conclusion of the process of foreigners' integration. When reviewing citizenship applications, the Ministry of Interior prefers the interests of the state to those of foreign nationals.<sup>129</sup> According to Article 7 of Act No. 40/1993 on State Citizenship of the Slovak Republic, citizenship <b>may</b> be granted to applicants who have permanently resided in Slovakia (in compliance with Act No. 404/2011 on Foreigners' Residence) for at least <b>eight years</b> immediately preceding the moment of submitting a state citizenship application. The required length of residence in the country was extended to eight years by an amendment to State Citizenship Act passed in 2007; the amendment's initiators justified it by the necessity to tighten the process of screening persons who apply for state citizenship.<sup>130</sup> According to justification report to the amendment, it was necessary to "extend the length of required legal residence on the territory of the Slovak Republic, which is a prerequisite to applicants' sufficient integration into society, elimination of potential doubts regarding their integrity and demonstration of benefits to the Slovak Republic in concrete areas". The justification report also argued it was important to examine the degree of foreigners' integration into society and their identification with the state's legal order. For this purpose, information on discharging their obligations vis-à-vis the state (e.g. in the field of contributions and taxes, etc.) may be gathered.<sup>131</sup> <i>Integration Policy</i></p>

<sup>129</sup> Slovakia, Ministry of Labour, Social Affairs and Family of the Slovak Republic (*Ministerstvo práce, sociálnych vecí a rodiny SR*) (2014), 'Integračná politika Slovenskej republiky', 20 January 2014; available at: [www.employment.gov.sk/files/slovensky/ministerstvo/integracia-cudzincov/dokumenty/vlastny-material-integracna-politika-januar-2014.pdf](http://www.employment.gov.sk/files/slovensky/ministerstvo/integracia-cudzincov/dokumenty/vlastny-material-integracna-politika-januar-2014.pdf).

<sup>130</sup> Lajčáková, J. (ed.) (2012), *Minority Policy in Slovakia in 2011: An Annual Report*, Bratislava, Centre for the Research of Ethnicity and Culture; available at: [http://cevek.sk/uploaded/files/Minority%20policy%20in%20Slovakia%20in%202011\\_Annual%20Report.pdf](http://cevek.sk/uploaded/files/Minority%20policy%20in%20Slovakia%20in%202011_Annual%20Report.pdf).

<sup>131</sup> Slovakia, National Council of the Slovak Republic (*Národná rada SR*) *Explanatory report to the amendment of the Act No. 40/1993 Coll. on Slovak Citizenship as amended* (Dôvodová správa k novele zákona č. 40/1993 Z. z. o štátnom občianstve Slovenskej republiky v znení neskorších predpisov).

		<p><i>of the Slovak Republic</i> also stipulates that the Ministry of Interior assesses the applicants' overall degree of integration, their benefits to society and their acclimatisation to Slovakia's cultural and social environment as well as with Slovak laws.<sup>132</sup> It seems government authorities assume the longer the time the migrant spends living in the host society the greater is the degree of his or her integration. Unfortunately, the policy documents fail to identify any steps or measures on the part of government that are supposed to make the process of their integration easier or smoother. Also, the method by which the Ministry of Interior intends to assess the degree of applicants' acclimatisation to the country's cultural and social environment is far from clear.</p> <p>When assessing citizenship applications, the Ministry of Interior may ask for the position of a municipality where the applicant has a registered domicile. According to Interior Ministry officials, the municipality should provide information on whether the applicant in question actually resides there, what are the relations with his or her neighbours like and whether it is appropriate to grant them citizenship. The problem is there is no law or regulation that would specify what the municipality should report on and what information it is supposed to provide. Furthermore, municipal authorities sometimes have no knowledge that there are any migrants living on their territory.<sup>133</sup></p> <p>The police are required to elaborate a complex report on all citizenship applicants, providing information on whether they have observed the residence regime and reported all the facts they were supposed to report. Besides, the police check upon applicants' family and social background; in doing so, the police do not communicate directly with the applicants but rather with people from their surroundings (e.g. relatives, friends, neighbours, etc.). The applicants themselves are often unaware of these processes. According to available information, these processes are not formalised in any way and it is unclear what criteria the police use when assessing the degree of applicants' integration.<sup>134</sup></p> <p>Judging from Citizenship Act provisions, it seems the degree of migrants' integration is regarded primarily as the degree of fulfilling their obligations with respect to government. Also, it is plain to see that security</p>
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<sup>132</sup> [www.employment.gov.sk/files/slovensky/ministerstvo/integracia-cudzincov/dokumenty/vlastny-material-integracna-politika-januar-2014.pdf](http://www.employment.gov.sk/files/slovensky/ministerstvo/integracia-cudzincov/dokumenty/vlastny-material-integracna-politika-januar-2014.pdf)

<sup>133</sup> Lajčáková, J. (ed.) (2012), *Minority Policy in Slovakia in 2011: An Annual Report*, Bratislava, Centre for the Research of Ethnicity and Culture; available at:

[http://cvek.sk/uploaded/files/Minority%20policy%20in%20Slovakia%20in%202011\\_Annual%20Report.pdf](http://cvek.sk/uploaded/files/Minority%20policy%20in%20Slovakia%20in%202011_Annual%20Report.pdf).

<sup>134</sup> Lajčáková, J. (ed.) (2012), *Minority Policy in Slovakia in 2011: An Annual Report*, Bratislava, Centre for the Research of Ethnicity and Culture; available at:

[http://cvek.sk/uploaded/files/Minority%20policy%20in%20Slovakia%20in%202011\\_Annual%20Report.pdf](http://cvek.sk/uploaded/files/Minority%20policy%20in%20Slovakia%20in%202011_Annual%20Report.pdf) .

		<p>criteria are given top priority: <i>"During the process of reviewing a citizenship application, the Ministry of Interior must request a position from the applicable unit of the Slovak Police Force, an extract from the applicant's criminal record from the Office of Attorney General and, if necessary, it shall also request positions from the Slovak Intelligence Service and other state administration bodies concerned."</i><sup>135</sup></p> <p>According to Article 8 Paragraphs 5-8 of Act No. 40/1993 on State Citizenship, all citizenship applicants are required to demonstrate satisfactory proficiency in Slovak language, both oral and written. Their sufficient command of Slovak is tested at an interview during which they must answer questions concerning themselves and their nearest persons as well as questions of general nature, especially concerning Slovakia's history, geography, life and institutions. Tests are administered by District Offices of the Ministry of Interior. Also, all citizenship applicants are required to read aloud a randomly chosen news article in Slovak, which is at least 500 words long, and write a summary of that article within the time limit of 30 minutes.</p> <p><b>Acquisition of citizenship by migrants of the 2<sup>nd</sup> and 1.5<sup>th</sup> generation</b></p> <p>Neither the Strategy of Foreigners' Integration in the Slovak Republic of 2009 nor the more recent Integration Policy in the Slovak Republic adopted in 2014 explicitly address acquisition of citizenship by these categories of migrants. However, Citizenship Act does govern this issue as follows: by the act of birth, state citizenship of the Slovak Republic acquires any child whose one parent at least is a Slovak citizen; any child that is born on the territory of the Slovak Republic to parents without citizenship; any child that is born on the territory of the Slovak Republic to parents who are foreign nationals but their child at birth does not acquire citizenship of any of the two (Article 5 Paragraph 1). A child that is born on the territory of the Slovak Republic to parents who are foreign nationals and acquires their citizenship at birth may acquire Slovak citizenship after permanently residing on Slovakia's territory for three years immediately preceding the moment of submitting a state citizenship application (Article 7 Paragraph 2 letter f).</p> <p>As for migrant children who were not born on Slovakia's territory, they are eligible to apply for</p>
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<sup>135</sup> Slovakia, Ministry of Labour, Social Affairs and Family of the Slovak Republic (*Ministerstvo práce, sociálnych vecí a rodiny SR*) (2014), 'Integračná politika Slovenskej republiky', 20 January 2014; available at: [www.employment.gov.sk/files/slovensky/ministerstvo/integracia-cudzincov/dokumenty/vlastny-material-integracna-politika-januar-2014.pdf](http://www.employment.gov.sk/files/slovensky/ministerstvo/integracia-cudzincov/dokumenty/vlastny-material-integracna-politika-januar-2014.pdf) .



		<p>Slovak citizenship if they reside on Slovakia's territory for at least three years before they reach the age of 18 (Article 7 Paragraph 2 letter c). Citizenship applications on behalf of children under 14 must be filed by their parents who must also submit their child's birth certificate, a certificate testifying to the child's permanent residence on Slovakia's territory, a certificate on the child's school attendance and a confirmation by a health insurance company that the child has paid insurance premiums to the public health insurance scheme and for how long (Article 8 Paragraph 12). The language proficiency examination described above must be taken by all citizenship applicants older than 14.</p>
	<p>Debates, issues and challenges concerning the implementation of citizenship policies</p>	<p><b>Testing migrants' proficiency in Slovak language</b></p> <p>Although all citizenship applicants are required to demonstrate their satisfactory proficiency in Slovak language, there is no law or regulation that would explicitly define the scope of that proficiency. Besides, government fails to provide any assistance to migrants who would like to master the language. There are no standards pertaining to the language examination and there is no required level of proficiency in Slovak stipulated in compliance with Common European Framework of Reference for Languages (CEFR). Last but not least, language preparation of migrants is not financed from public funds at all. All in all, evaluating citizenship applicants' language skills is left up to a subjective opinion of a three-member commission comprising employees of the applicable local state administration authority.<sup>136</sup> The Strategy of Foreigners' Integration in the Slovak Republic<sup>137</sup> of 2009 proposed adoption of several measures that were supposed to help migrants master Slovak language and simultaneously specify requirements regarding their proficiency. These tasks were assigned to the Ministry of Interior in cooperation with the Ministry of Education, Science, Research and Sports; however, in progress reports on the document's implementation the Ministry of Interior repeatedly stated it did not see any problems in the process of testing migrants' proficiency in Slovak and therefore it did not see the need to adopt any measures. The progress report for 2012 reads as follows: <i>"...applicants for Slovak citizenship must be adequately capable of communicating and writing in the state language before filing the application, partly with respect to their necessary integration into society (i.e. law-stipulated length of residence on Slovakia's territory prior to filing the application), status, employment classification, education status, intellect, health condition, age, etc.</i></p>

<sup>136</sup> Lajčáková, J. (ed.) (2012), *Minority Policy in Slovakia in 2011: An Annual Report*, Bratislava, Centre for the Research of Ethnicity and Culture; available at: <http://cvek.sk/uploaded/files/Minority%20policy%20in%20Slovakia%20in%202011%20Annual%20Report.pdf>.

<sup>137</sup> Slovakia, Ministry of Labour, Social Affairs and Family of the Slovak Republic (*Ministerstvo práce, sociálnych vecí a rodiny SR*) (2009), 'Konceptia integrácie cudzincov v Slovenskej republike', May 2009.

		<p><i>All these circumstances are taken into account during the process of testing [migrants'] Slovak language proficiency; it is impossible to generalise them and stipulate any general rules that would be binding for all applicants.</i><sup>138</sup></p> <p><b>Lengthy time limits</b></p> <p>The currently valid Citizenship Act stipulates a 24-month time limit to review and process citizenship applications. The time limit was extended from nine to 24 month by the amendment to Citizenship Act passed in 2007. The Ministry of Interior argued the time limit had to be extended because it was extremely time-consuming to gather and verify all the necessary facts about the applicant's person.<sup>139</sup> Furthermore, the time limit may be extended even further. According to Article §8a Paragraph 7 of Citizenship Act, should the Ministry of Interior need positions from other government bodies prior to issuing its decision, elapsing the time limit is suspended from the point of requesting the position until the point of its delivery back to the Ministry of Interior.</p> <p><b>Costliness of the process</b></p> <p>The administration fee for granting Slovak citizenship to a person older than 18 is €700; for children under 15 it is €100 and for minors between 15 and 18 it is €150.<sup>140</sup> The fee for adults was raised from the original €663.50 to €700 by the amendment to Administration Fee Act passed in 2012. The migrants who have been granted asylum in Slovakia are exempt from these fees.<sup>141</sup> The cost of the whole process might increase, for instance due to costs of extracts from criminal records from every country where the applicant legally resided over the past 15 years. Moreover, the applicant must submit official confirmation of residence which costs another €5. In case the applicant owns a business, an extract from Business register costs another €3.90.<sup>142</sup></p> <p><b>Length of residence</b></p>
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<sup>138</sup> Slovakia, Ministry of Labour, Social Affairs and Family of the Slovak Republic (*Ministerstvo práce, sociálnych vecí a rodiny SR*) (2013), 'Súhrnná správa o plnení opatrení vyplývajúcich z Koncepcie integrácie cudzincov v Slovenskej republike za rok 2012', p. 58, February 2013; available at: [www.employment.gov.sk/files/slovensky/ministerstvo/integracia-cudzincov/dokumenty/suhrnna\\_sprava\\_2012.pdf](http://www.employment.gov.sk/files/slovensky/ministerstvo/integracia-cudzincov/dokumenty/suhrnna_sprava_2012.pdf).

<sup>139</sup> Lajčáková, J. (ed.) (2012), *Minority Policy in Slovakia in 2011: An Annual Report*, Bratislava, Centre for the Research of Ethnicity and Culture; available at: [http://cvek.sk/uploaded/files/Minority%20policy%20in%20Slovakia%20in%202011\\_Annual%20Report.pdf](http://cvek.sk/uploaded/files/Minority%20policy%20in%20Slovakia%20in%202011_Annual%20Report.pdf).

<sup>140</sup> Slovakia, Act. No 145/1995 Coll. on administrative fees, as amended (*Zákon č. 145/1995 Z. z. o správnych poplatkoch v znení neskorších predpisov*), 17 July 1995; available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/1995/145/20150102](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/1995/145/20150102).

<sup>141</sup> Slovakia, Act No. 145/1995 on administrative fees, as amended (*Zákon č. 145/1995 Z. z. o správnych poplatkoch v znení neskorších predpisov*),.

<sup>142</sup> Slovakia, Act No. 145/1995 Coll. on administrative fees, as amended (*Zákon č. 145/1995 Z. z. o správnych poplatkoch v znení neskorších predpisov*).

		<p>Slovakia ranks among countries with the strictest requirement as far as citizenship applicants' length of permanent residence in the country is concerned. Currently, all migrants who wish to apply for Slovak citizenship must have permanent residence on Slovakia's territory for at least eight years prior to filing their citizenship application.<sup>143</sup> The following categories of migrants are exempt from this requirement: foreigners who are married to Slovak citizens with whom they have shared a common household for at least five years before filing their citizenship application; foreigners who are of significant benefit for Slovakia (e.g. artists, athletes, scientists, etc.); foreigners who were granted asylum at least four years before filing their citizenship application; foreigners without nationality who have permanently resided on Slovakia's territory for at least three years before filing their citizenship application.<sup>144</sup></p> <p><b>Emphasis on safety principles</b></p> <p>The Ministry of Interior is relatively thorough in checking out whether citizenship applicants do not pose a security threat to the country. For this purpose, it may ask for a position of the Slovak Intelligence Service, which is basically the highest security screening standard there is in Slovakia. A standard document that helps establish integrity of all citizenship applicants is an extract from the criminal record from every country where they legally resided over the past 15 years. And even after citizenship applicants have complied with all legal requirements, their application may still be rejected as there is no legal claim for Slovak citizenship.<sup>145</sup></p>
	<p>Key developments and trends – case law (<b>please use the template in the Annex 9</b> to provide information about the cases – here only a simple reference to the case name is required) or new provisions and reforms.</p>	<p>Recent case law concerning citizenship acquisition of migrants involves: denial of citizenship and refusal to reveal secret information to the applicants in proceedings for the state citizenship, in connection with discrimination in legal proceedings. The Slovak Ombudsperson has also submitted several motions to the Constitutional Court about such cases, all dismissed. See Annex 9 (case law reference: 2S 54/2013 and PL. ÚS 5/2014-27)</p>
	<p>Please indicate key and/or milestone dates – e.g. of major reforms - regarding citizenship acquisition for migrants and/or their descendants.</p>	<p>Perhaps the most fundamental change was passing the amendment to Citizenship Act in 2007, which extended the required length of permanent residence in the country from five to eight years. The same amendment extended the time limit for reviewing citizenship applications from nine to 24 months. At the same</p>

<sup>143</sup> For further details, please see [www.mipex.eu](http://www.mipex.eu) .

<sup>144</sup> Slovakia, Act No. 40/1993 Coll. on state citizenship of the Slovak Republic, as amended (*Zákon č. 40/1993 Z. z. o štátnom občianstve Slovenskej republiky v znení neskorších predpisov*), Article 7; available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/1993/40/20100717](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/1993/40/20100717) .

<sup>145</sup> Lajčáková, J. (ed.) (2012), *Minority Policy in Slovakia in 2011: An Annual Report*, Bratislava, Centre for the Research of Ethnicity and Culture; available at: [http://cevk.sk/uploaded/files/Minority%20policy%20in%20Slovakia%20in%202011\\_Annual%20Report.pdf](http://cevk.sk/uploaded/files/Minority%20policy%20in%20Slovakia%20in%202011_Annual%20Report.pdf).

		time, the amendment specified the support documents that must be submitted along with the citizenship application. <sup>146</sup> In 2012, the administration fee for granting state citizenship was raised from €663.50 to €700 for all applicants older than 18. <sup>147</sup>
Naturalisation rate - % of migrants that have been naturalized compared to migrant stock and to general population – listing the most numerous groups on the basis of their previous nationality, by gender and age-group if available. <b>Please provide the latest available data.</b> The most recent data provided by Eurostat concern the year 2012.		In 2013, a total of 207 foreigners successfully applied for Slovak citizenship, amounting for a naturalisation rate of 0.289% of the total migrant population (71,649 persons as of December 31, 2013) <sup>148</sup> and 0.004% of Slovakia's total population (5,415,949 as of December 31, 2013) <sup>149</sup> .

**Citizenships acquisition by previous nationality, gender and age group as of 31 December 2013<sup>150</sup>**

	Total		Age group			
	M	F	0-19	20-34	35-59	60+
<b>Ukraine</b>	70		11	24	35	0
	20	50				
<b>Serbia</b>	67		9	38	20	0
	44	23				
<b>Hungary</b>	62		61	0	0	1
	30	32				
<b>Russian Federation</b>	32		14	10	8	0
	17	15				
<b>Czech Republic</b>	23		4	4	9	6
	12	11				
<b>USA</b>	17		1	0	5	11
	8	9				
<b>Vietnam</b>	16		7	6	3	0
	7	9				
<b>Israel</b>	11		0	3	5	3
	2	9				
<b>Romania</b>	8		3	2	3	0
	3	5				

<sup>146</sup> Lajčáková, J. (ed.) (2012), *Minority Policy in Slovakia in 2011: An Annual Report*, Bratislava, Centre for the Research of Ethnicity and Culture; available at: [http://cvek.sk/uploaded/files/Minority%20policy%20in%20Slovakia%20in%202011\\_Annual%20Report.pdf](http://cvek.sk/uploaded/files/Minority%20policy%20in%20Slovakia%20in%202011_Annual%20Report.pdf).

<sup>147</sup> Slovakia, Act No. 145/1995 Coll. on administrative fees, as amended (*Zákon č. 145/1995 Z. z. o správnych poplatkoch v znení neskorších predpisov*).

<sup>148</sup> Slovakia, Bureau of Border and Alien Police (*Úrad hraničnej a cudzineckej polície SR*) (2014), 'Annual Statistical Overview of Legal and Illegal Migration in the Slovak Republic in 2013'; available at: [www.minv.sk/swift\\_data/source/policia/hranicna\\_a\\_cudzinecka\\_policia/rocniky/rok\\_2013/Annual\\_Statistical\\_Overview\\_of\\_Legal\\_and\\_Illegal\\_Migration\\_in\\_the\\_Slovak\\_Republic\\_2013.pdf](http://www.minv.sk/swift_data/source/policia/hranicna_a_cudzinecka_policia/rocniky/rok_2013/Annual_Statistical_Overview_of_Legal_and_Illegal_Migration_in_the_Slovak_Republic_2013.pdf).

<sup>149</sup> Information available at: <http://archiv.statistics.sk/html/showdoc.dodocid=65809.html>.

<sup>150</sup> Ministry of Interior of the Slovak Republic, information provided upon request on 6 May 2015.

<b>Croatia</b>	7		3	0	3	1
	5	2				

**Citizenships acquisition by previous nationality, gender and age group as of 31 December 2014<sup>151</sup>**

	Total		Age group			
	M	F	0-19	20-34	35-59	60+
<b>Ukraine</b>	76		18	18	39	1
	26	50				
<b>Hungary</b>	70		69	1	0	0
	36	34				
<b>Serbia</b>	65		8	39	16	2
	39	26				
<b>Vietnam</b>	50		23	16	11	0
	20	30				
<b>Czech Republic</b>	37		2	6	19	10
	20	17				
<b>USA</b>	30		7	4	9	10
	15	15				
<b>Russian Federation</b>	23		17	3	1	2
	12	11				
<b>Romania</b>	7		2	3	2	0
	3	4				
<b>Israel</b>	7		0	0	6	1
	3	4				
<b>Iraq</b>	7		2	2	3	0
	5	2				

### 3.1.2. National elections voting rights - turnout

<p>Third country nationals are allowed in exceptional cases to vote in national elections. In this section please provide the specific requirements and criteria for participation of citizens of migrant background (and third country nationals in the very few cases where this is foreseen) in national elections, as well as any available data on their voting turnout. Please specify any</p>	<p>In Slovakia, political participation of migrants is an issue that remains largely neglected by government bodies. It is touched upon by the <i>Strategy of Foreigners' Integration in the Slovak Republic of 2009</i><sup>152</sup>, which acknowledges the importance of migrants' participation in the country's political life, but only on the level of regional and local self-governance as the document does not even mention the level of national elections in this respect. A more recent document, <i>Integration Policy of the Slovak Republic of 2014</i>, fails to address the issue of migrants' political participation altogether.<sup>153</sup> This issue is being currently exposed by Human Rights League, which in Slovakia</p>
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<sup>151</sup> Ministry of Interior of the Slovak Republic, information provided upon request on 6 May 2015.

<sup>152</sup> Slovakia, Ministry of Labour, Social Affairs and Family of the Slovak Republic (*Ministerstvo práce, sociálnych vecí a rodiny SR*) (2009), 'Konceptia integrácie cudzincov v Slovenskej republike', May 2009.

<sup>153</sup> Slovakia, Ministry of Labour, Social Affairs and Family of the Slovak Republic (*Ministerstvo práce, sociálnych vecí a rodiny SR*) (2014), 'Integračná politika Slovenskej republiky', 20 January 2014; available at: [www.employment.gov.sk/files/slovensky/ministerstvo/integracia-cudzincov/dokumenty/vlastny-material-integracna-politika-januar-2014.pdf](http://www.employment.gov.sk/files/slovensky/ministerstvo/integracia-cudzincov/dokumenty/vlastny-material-integracna-politika-januar-2014.pdf).

	<p>differences in different geographic areas or by type of national level voting circumstances (e.g. parliament, referendum, president of the republic etc.). In addition to official data and also if such data are not available, make reference to any relevant quantitative or qualitative academic research concerning the exercise of the right to vote and related drivers and barriers.</p>	<p>implements an international project entitled Migration Participation Project that aspires to provide an overview of migrant participation in Central and Eastern European member states of the European Union.<sup>154</sup> At the same time, political participation of migrants is the one area of integration policy that continues to be perceived as relatively controversial by the public opinion. In a representative survey carried out in 2012 by the Centre for the Research of Ethnicity and Culture, 57.1% of the total of 1,005 respondents stated they would object to foreigners holding important political posts in Slovakia,<sup>155</sup> this despite the fact that foreigners without Slovak citizenship do not have access to high political posts as they are not allowed to run in elections to the National Council of the Slovak Republic, the country's parliament.</p> <p>Only Slovak citizens who have reached the age of 18 by the day of elections are allowed to vote in the national elections;<sup>156</sup> the same goes for voting in direct presidential elections<sup>157</sup> and in a country-wide referendum (organization of a referendum at the municipal level is governed by a so called general regulation adopted by the town. Foreigner with permanent residence is defined as an "inhabitant" with a right to vot.<sup>158</sup> The right to run for a seat in the national parliament is reserved to those Slovak citizens who have a permanent residence on Slovakia's territory and have reached the age of 21 by the day of elections.<sup>159</sup> Identical rules regarding elections to the national parliament apply to migrants who have acquired Slovak citizenship; on the other hand, migrants who have not become Slovak citizens are not allowed to vote or to run in elections to the National Council of the Slovak Republic. Other EU member states' nationals who have not acquired Slovak citizenship but are permanent residents on Slovakia's territory are allowed to vote and run in elections to the European Parliament.<sup>160</sup></p>
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<sup>154</sup> For further details, please see [www.migrant-participation.eu/](http://www.migrant-participation.eu/).

<sup>155</sup> Gallová Kriglerová, E. – Kadlečíková, J. (2012), *Verejná mienka v oblasti pravicového extrémizmu. Výskumná správa*, Bratislava, Open Society Foundation; available at: [www.cvek.sk/uploaded/files/vyskumna\\_sprava.pdf](http://www.cvek.sk/uploaded/files/vyskumna_sprava.pdf).

<sup>156</sup> Slovakia, Act No. 333/2004 Coll. on elections to the National Council of the Slovak Republic, as amended, valid until 30.6.2015 (*Zákon č. 333/2004 Z. z. o voľbách do Národnej rady SR v znení neskorších predpisov*), Articles 2 and 3; available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/2004/333/20110701](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2004/333/20110701)

<sup>157</sup> Slovakia, Act No. 46/1999 Coll. on the method of electing the president of the Slovak Republic, on plebiscite and the president's removal, as amended, valid until 30.6.2015 (*Zákon č. 46/1999 Z. z. o spôsobe voľby prezidenta Slovenskej republiky, o ľudovom hlasovaní a jeho odvolaní v znení neskorších predpisov*); available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/1999/46/20110701](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/1999/46/20110701)

<sup>158</sup> Slovakia, Act No. 564/1992 Coll. on the method of organising a referendum, as amended, valid until 30.6.2015 (*Zákon č. 564/1992 Z. z. o spôsobe vykonania referenda v znení neskorších predpisov*); available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/1992/564/20110701](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/1992/564/20110701)

<sup>159</sup> Slovakia, Act No. 333/2004 Coll. on elections to the National Council of the Slovak Republic, as amended, valid until 30.6.2015 (*Zákon č. 333/2004 Z. z. o voľbách do Národnej rady SR v znení neskorších predpisov*), Articles 2 and 3; available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/2004/333/20110701](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2004/333/20110701).

<sup>160</sup> Slovakia, Act No. 331/2003 Coll. on elections to the European Parliament, as amended (*Zákon č. 331/2003 Z. z. o voľbách do Európskeho parlamentu v znení neskorších predpisov*); available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/2003/331/20140101](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2003/331/20140101)

	<p>Please indicate any programmes or information campaigns aiming at informing citizens of migrant background about their political rights and encouraging the exercise of the right to vote.</p>	<p>Since migrants who have not acquired Slovak citizenship are not allowed to vote or run in elections to the national parliament, in presidential elections or in a referendum, there is no need to conceive or carry out information campaigns aimed at raising migrants' awareness of their right to vote. Before the most recent elections to the European Parliament held in May 2014, there was no initiative that could be viewed as an awareness-raising campaign; however, mainstream media did occasionally inform about the right of eligible foreigners to take part in these elections.<sup>161</sup> According to information provided by the recording clerk with the Central Election Commission, approximately 130 citizens of other EU member states were registered as voters eligible to vote in the most recent elections to the European Parliament.<sup>162</sup></p>
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### 3.1.3. National level election – representation

	<p>The number of <b>candidates</b> with migrant background (where available, specify own or parent's country of birth) at the latest national level elections (specify date).</p>	<p>Such statistics are not available.</p>
	<p>The number of <b>elected representatives</b> with migrant background at national level (e.g. parliament, senate).</p>	<p>Not a single person with migrant background currently holds a seat in the National Council of the Slovak Republic.<sup>163</sup></p>
	<p>Those <b>appointed</b> to public office (e.g. ministers, secretaries of state, etc.) by end of 2014.</p>	<p>Not a single person with migrant background currently holds any seat in important public office.</p>

## 3.2. Political rights at regional/local level

### 3.2.1. Regional/Local elections voting rights – turnout

	<p>Specify what regional/local voting rights are given to third country nationals and any different entitlements according to residence status,</p>	<p>Eligible to vote in elections to regional self-governance bodies are all Slovak citizens and third country nationals with permanent residence in a given self-governing region and have reached the age of 18</p>
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<sup>161</sup> TA3 (2014), 'V eurovoľbách môžu voliť aj cudzinci, nie však všetci', 18 May 2014; available at: [www.ta3.com/clanok/1040405/v-eurovolbach-mozu-volit-aj-cudzinci-nie-vsak-vsetci.html](http://www.ta3.com/clanok/1040405/v-eurovolbach-mozu-volit-aj-cudzinci-nie-vsak-vsetci.html); Pravda (2014), 'Voliči už môžu žiadať o volišké preukazy pre eurovoľby', 30 April 2014; available at: <http://spravy.pravda.sk/eurovolby-2014/clanok/316268-volici-uz-mozu-ziadat-o-volicke-preukazy-pre-eurovolby/>; Webnoviny.sk (2014), 'Slováci rozhodli, kto získa lukratívne miesta v Bruseli', 24 May 2014; available at: [www.webnoviny.sk/eurovolby-2014/clanok/825871-nazivo-eurovolby-pripomina-slovakom-aj-google/](http://www.webnoviny.sk/eurovolby-2014/clanok/825871-nazivo-eurovolby-pripomina-slovakom-aj-google/).

<sup>162</sup> Pravda (2014), 'Voliči už môžu žiadať o volišké preukazy pre eurovoľby', 30 April 2014; available at: <http://spravy.pravda.sk/eurovolby-2014/clanok/316268-volici-uz-mozu-ziadat-o-volicke-preukazy-pre-eurovolby/>.

<sup>163</sup> Bargerová, Z. (2014), 'Fostering political participation and policy involvement of immigrants in nine Central and Eastern EU Countries. Analysis on electoral participation of third country nationals with permanent residence permit in the Slovak Republic' (an unpublished paper provided by the author); available at: [www.migrant-participation.eu/soubory/6.pdf](http://www.migrant-participation.eu/soubory/6.pdf).

<p>permit type or length of stay etc</p>	<p>by the day of elections.<sup>164</sup> The same applies for the local referendum.<sup>165</sup> Any person with the right to vote in these elections, including third country nationals, is also entitled to run for a seat in the regional parliament or for the post of regional governor.<sup>166</sup> The only condition to suffrage in regional elections (both passive and active) is a valid permanent residence permit. The right to vote and to run for posts in regional self-governance bodies represents one of few opportunities for political participation to foreigners in general and third country nationals in particular. The latter, for instance, are not allowed to vote or to run for posts in political parties' bodies, although they are allowed to run on their tickets in regional elections. According to the currently valid law on political parties and political movements, only Slovak citizens with permanent residence on Slovakia's territory and citizens of other EU member states who have reached the age of 18 have the right to vote and run for posts in political parties' bodies.<sup>167</sup> The same law fails to specify whether migrants who have not acquired Slovak citizenship are allowed to become members of political parties. Consequently, it remains unclear whether migrants may run on political parties' tickets in elections to regional or local self-governance bodies in fact, it seems that migrants without Slovak citizenship are only allowed to run as independent candidates. According to the Slovak Constitution,<sup>168</sup> the right to establish and associate in political parties and political movements rests with citizens of Slovakia, as opposed to its inhabitants. Furthermore, specific conditions pertaining to membership in political parties are spelled out in individual political parties' statutes. The statutes of all political parties currently represented in parliament stipulate that their members must be Slovak citizens; some political parties' statutes even require that all their members be Slovak citizens with permanent residence on Slovakia's territory. Therefore, losing Slovak citizenship or changing permanent residence constitutes grounds for the revocation of party membership.</p>
<p>Key and/or milestone dates regarding the voting and/or election rights for migrants</p>	

<sup>164</sup> Slovakia, Act No. 303/2001 Coll. on elections to bodies of regional self-governance, as amended, valid until 30.6.2015 (*Zákon č. 303/2001 Z. z. o voľbách do orgánov samosprávnych krajov v znení neskorších predpisov*); available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/2001/303/20110701](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2001/303/20110701)

<sup>165</sup> Slovakia, Act No. 369/1990 Coll. on Municipalities as amended (*Zákon č. 369/1990 Z.z. o obecnom zriadení v platnom znení*), §3, 6 September 1990; available at [www.slov-lex.sk/pravne-predpisy/SK/ZZ/1990/369/20140701](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/1990/369/20140701)

<sup>166</sup> Slovakia, Act No. 303/2001 Coll. on elections to bodies of regional self-governance, as amended, valid until 30.6.2015 (*Zákon č. 303/2001 Z. z. o voľbách do orgánov samosprávnych krajov v znení neskorších predpisov*); available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/2001/303/20110701](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2001/303/20110701)

<sup>167</sup> Slovakia, Act No. 85/2005 Coll. on political parties and political movements, as amended (*Zákon č. 85/2005 Z. z. o politických stranách a politických hnutiach v znení neskorších predpisov*), 11 March 2005; available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/2005/85/20150330](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2005/85/20150330)

<sup>168</sup> Slovakia, Act No. 460/1992 Coll. Constitution of the Slovak Republic (*Zákon č. 460/1992 Z. z. Ústava Slovenskej Republiky*); available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/1992/460/20141201](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/1992/460/20141201) .



	and/or their descendants at regional/local level	
	Please indicate any programmes or information campaigns aiming at informing citizens of migrant background about their political rights and encouraging the exercise of the right to vote.	So far, Slovakia has not witnessed a single information campaign that would be aimed at raising awareness of migrants or aliens (i.e. migrants who have not acquired Slovak citizenship) of their political rights or encouraging them to exercise their right to vote; however, nationwide media brought several articles on the scope of foreigners' right to vote before regional elections in 2013 as well as before municipal elections in 2014. <sup>169</sup>
	In addition to official data and also if such data are not available, make reference to any relevant quantitative or qualitative academic research concerning the exercise of the right to vote and related drivers and barriers.	<p>As of December 31, 2014, a total of 76,615 foreigners held some type of permit entitling its holder to reside on Slovakia's territory; of that number, 47,544 were citizens of other EU member states and 29,171 were third country nationals.<sup>170</sup> As of the same date, 47,544 EU/EEA citizens and 12,297 third country nationals held permanent residence permits. The Bureau of Border and Alien Police were unable to supply statistical data on the overall number of foreigners older than 18 who held a permanent residence permit.<sup>171</sup> That is why it is impossible to establish how many foreigners were eligible to take part in regional or municipal elections.</p> <p>Currently, the rate of migrants' participation in regional or municipal elections is not monitored in any way. As a result, there are no official statistics on migrants' turnout in elections to regional or local self-governance bodies. We have only been able to acquire unofficial information on foreigners' turnout in the November 2014 municipal elections in one town, which was provided by one employee of the municipal authority's department of social affairs who happened to sit on the local election commission; however, one should note that this inquiry was that employee's personal initiative and therefore the figure cannot be regarded as official. According to information provided, only 17 out of the total number of approximately 650 foreigners eligible to vote in the town in question (i.e. some 2.6%) came to the polling stations.<sup>172</sup></p>

<sup>169</sup> Aktuality.sk (2014), 'V komunálnych voľbách môžu voliť aj cudzinci', 30 September 2014; available at: [www.aktuality.sk/clanok/262646/v-komunalnych-volbach-mozu-volit-aj-cudzinci/](http://www.aktuality.sk/clanok/262646/v-komunalnych-volbach-mozu-volit-aj-cudzinci/); Teraz.sk (2014), 'Starostov a primátorov môžu voliť aj cudzinci', 30 September 2014; available at: [www.teraz.sk/eurovolby-2014/volby-komunalne-cudzinci/100066-clanok.html](http://www.teraz.sk/eurovolby-2014/volby-komunalne-cudzinci/100066-clanok.html); Topky.sk (2014), 'V komunálnych voľbách môžu starostov a primátorov voliť aj cudzinci', 30 September 2014; available at: [www.topky.sk/cl/1000809/1427699/V-komunalnych-volbach-mozu-starostov-a-primatorov-volit-aj-cudzinci](http://www.topky.sk/cl/1000809/1427699/V-komunalnych-volbach-mozu-starostov-a-primatorov-volit-aj-cudzinci); TVnoviny.sk (2014), 'Ak chcete ísť o týždeň voliť, skontrolujte si občiansky', 8 November 2014; available at: [www.tvnoviny.sk/komunalne-volby/1777120-ak-chnete-ist-o-tyzden-volit-skontrolujete-si-obciansky?TUU7NTQxOzAyNDUgcXFzYDhlNTYyXndhZHE=nhfnckrj](http://www.tvnoviny.sk/komunalne-volby/1777120-ak-chnete-ist-o-tyzden-volit-skontrolujete-si-obciansky?TUU7NTQxOzAyNDUgcXFzYDhlNTYyXndhZHE=nhfnckrj); Pluska (2014), 'K voľbám prídu na Slovensku v novembri aj cudzinci. Čo musia mať?', 30 September 2014; available at: [www.plus7dni.sk/spravvy/z-domova/k-volbam-pridu-slovensku-novembri-aj-cudzinci-co-musia-mat.html](http://www.plus7dni.sk/spravvy/z-domova/k-volbam-pridu-slovensku-novembri-aj-cudzinci-co-musia-mat.html).

<sup>170</sup> Slovakia, Bureau of Border and Alien Police (Úrad hraničnej a cudzineckej polície SR), (2015), 'Štatistický prehľad legálnej a nelegálnej migrácie v Slovenskej republike za rok 2014'; available at: [www.minv.sk/swift\\_data/source/policia/hranicna\\_a\\_cudzinecka\\_policia/rocnky/rok\\_2014/2014-rocenka-UHCP-SK.pdf](http://www.minv.sk/swift_data/source/policia/hranicna_a_cudzinecka_policia/rocnky/rok_2014/2014-rocenka-UHCP-SK.pdf).

<sup>171</sup> The information supplied by the Bureau of Border and Alien Police via e-mail on 20 February 2015 in response to an official request for information.

<sup>172</sup> The information was provided by an employee of the Prievidza municipal authority's department of social affairs on November 21, 2014.

		<p>A qualitative survey conducted in 2013-2014 examining the degree of migrants' integration on the local level indicated that self-governance bodies themselves attributed virtually no significance to migrants' political participation. In fact, very few of them were aware of migrant populations inhabiting their municipality, let alone of the right of migrants with a permanent residence status to vote and run in elections to local self-governance bodies. At the same time, the survey suggested that migrants who lived in the three towns examined did not pay any particular attention to their participation in public affairs. The migrants' insufficient interest in political participation may be interpreted in two different ways. One of them has to do with arriving migrants' different cultural and social capital as civic and political participation does not constitute a solid part of social organisation in most migrants' home countries. The other concerns migrants' individual reasons for poor civic and political participation such as heavy workload, lack of information, etc.<sup>173</sup></p>
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### 3.2.2. Regional/local level election – representation

	<p>The number of <b>candidates</b> that were third country nationals and/or with migrant background at the latest regional/local level elections (specify date)</p>	<p>In the most recent elections to regional self-governance bodies in November 2013, at least ten candidates with migrant background ran for seats in regional parliaments, forming at least 0.39% of all candidates running for these posts;<sup>174</sup> however, this statistic is not official, just as it remains unclear how many of these migrant candidates have acquired Slovak citizenship and how many of them were “merely” third country nationals with a permanent residence permit.</p> <p>The data on candidates with migrant background running in the most recent municipal elections in November 2014 are not available.</p>
	<p>The number and % of <b>elected representatives</b> with migrant background at regional/local level (e.g. municipalities, regions, prefectures etc.)</p>	<p>Only one out of the ten candidates with migrant background who ran in the most recent regional elections in November 2013 mustered sufficient voter support, clinching a seat in the regional parliament of the Trenčín self-governing region.<sup>175</sup> Out of the total number of 408 elected members of regional parliaments, representatives with migrant background thus make up 0.25%.</p> <p>The data on the success rate of candidates with migrant background running in the most recent</p>

<sup>173</sup> Hlinčíková, M.– Chudžíková, A. – Gallová-Kriglerová, E. – Sekulová, M. (2014), *Migranti v meste: Prítomní a (ne)viditeľní*, Bratislava, Centrum pre výskum etnicity a kultúry – Inštitút pre verejné otázky; available at: [http://cvek.sk/uploaded/files/Migranti\\_v\\_meste\\_WEB.pdf](http://cvek.sk/uploaded/files/Migranti_v_meste_WEB.pdf) .

<sup>174</sup> Authors' calculations based on official data provided on the official website of the Statistical Office of the Slovak Republic; for further details, please see <http://volby.statistics.sk/osk/osk2013/VUC/home-sk.html> ; 11 February 2015.

<sup>175</sup> Authors' calculations based on official data provided on the official website of the Statistical Office of the Slovak Republic; for further details, please see <http://volby.statistics.sk/osk/osk2013/VUC/home-sk.html> ; 11 February 2015.

		municipal elections in November 2014 are not available.
	Those who were <b>elected</b> or <b>appointed</b> to a high public office (e.g. mayor, vice mayor etc.) by end of 2014.	At this point, Slovakia does not have a single public official with migrant background to have been elected or appointed to a high public office on the regional or local level.
	Please identify related limitations and challenges or public debates, as well as relevant research, studies and assessments.	<p>The issue of migrants' political participation has not become publicly discussed in Slovakia as yet. It has recently been brought to the fore by Human Rights League, which is a non-governmental organisation that takes part in an international project entitled "Migrant Participation Project".<sup>176</sup> Other than that, the issue of migrants' political participation on the local level has been rather briefly touched upon in one of the recent surveys carried out by the Centre for the Research of Ethnicity and Culture. The survey exposed not only self-governments' unawareness of the fact that foreigners with a domicile on their respective territories are equal members of their constituencies but even of such foreigners' existence within respective city limits. The migrants who lived in the three towns examined did not pay any particular attention to their participation in public affairs. The migrants' low interest in political participation may be interpreted in two different ways. One of them has to do with arriving migrants' different cultural and social capital as civic and political participation does not constitute a solid part of social organisation in most migrants' home countries. The other concerns migrants' individual reasons for poor civic and political participation such as heavy workload, lack of information, etc.<sup>177</sup> Government takes a very formal attitude to migrants' integration in general, which may be illustrated by annual progress reports on discharging the <i>Strategy of Foreigners' Integration in the Slovak Republic</i> for years 2010, 2011 and 2012. This approach is mirrored also in the agenda of migrants' political participation. To make matters worse, Slovakia's attitude to the issues of migration and integration is largely subordinated to the principle of national security, which negatively affects the strict requirements for granting permanent residence status and, subsequently, migrants' chances to take part in regional and municipal elections. For instance, third country nationals become eligible to apply for a permanent residence permit after five years of living on Slovakia's territory.<sup>178</sup></p>

<sup>176</sup> For further details on the project, please see [www.migrant-participation.eu/?lng=none](http://www.migrant-participation.eu/?lng=none).

<sup>177</sup> Hlinčíková, M. – Chudžíková, A. – Gallová-Kriglerová, E. – Sekulová, M. (2014), *Migranti v meste: Prítomní a (ne)viditeľní*, Bratislava, Centrum pre výskum etnicity a kultúry – Inštitút pre verejné otázky; available at: [http://cevek.sk/uploaded/files/Migranti\\_v\\_meste\\_WEB.pdf](http://cevek.sk/uploaded/files/Migranti_v_meste_WEB.pdf).

<sup>178</sup> Bargerová, Z. (2014), 'Fostering political participation and policy involvement of immigrants in nine Central and Eastern EU Countries. Analysis on electoral participation of third country nationals with permanent residence permit in the Slovak Republic' (an unpublished paper provided by the author); available at: [www.migrant-participation.eu/soubory/6.pdf](http://www.migrant-participation.eu/soubory/6.pdf).

### 3.3.Consultation

#### 3.3.1.Consultative bodies at national/regional/local level

	<p>Are there any migrants' consultative bodies in place at national / regional/ local level foreseen and/or operational in practice? Since when and on which legal basis (please provide reference). Please specify whether migrants' consultative/advisory/representative bodies are established by law or other type of normative regulation, policy or practice.</p>	<p>Currently, Slovakia lacks a consultative body that would have a chance to influence shaping of public policies concerning migrant issues on the national, regional or local level.<sup>179</sup> In the course of 2014 there was a rather vivid debate on establishing a committee for foreigners' rights at the Government Council for Human Rights, National Minorities and Gender Equality; unfortunately, those concerned were unable to agree on who should be the committee's administrator. Besides, representatives of migrants' communities were not even invited to take part in these debates. The <i>Integration Policy of the Slovak Republic</i> adopted in 2014<sup>180</sup> envisages that the Government Council for Human Rights, National Minorities and Gender Equality should be responsible for establishing such a committee. According to the <i>Action Plan to the Integration Policy of the Slovak Republic</i> adopted by the Ministry of Labour, Social Affairs and Family,<sup>181</sup> establishing a committee for foreigners' rights appears premature given the continuously low overall number of migrants in Slovakia.</p> <p>To certain – rather limited – degree, representatives of migrants' communities took part in drafting the <i>Strategy of Foreigners' Integration in the Slovak Republic</i>, which was adopted in 2009; their participation is mentioned in the document itself but without specification on the number of meetings or mechanisms of consultation.<sup>182</sup> We recently discussed the previous participation of 5 communities in drafting process, during 8 interviews with their leaders. Their participation in drafting was rather formal, however, Ministry invited them to take part at preparatory meetings. We can do an interview with the Officer who organized it in 2009 if needed, otherwise, only our personal knowledge is available.</p>
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<sup>179</sup> Bargerová, Z. (2014), 'Hlas migrantov na Slovensku nezaznieva'; available at:

[www.hrl.sk/sites/default/files/publications/hlas\\_migrantov\\_na\\_slovensku\\_nezaznieva.pdf](http://www.hrl.sk/sites/default/files/publications/hlas_migrantov_na_slovensku_nezaznieva.pdf)

<sup>180</sup> Slovakia, Ministry of Labour, Social Affairs and Family (*Ministerstvo práce, sociálnych vecí a rodiny SR*) (2014), 'Integračná politika Slovenskej republiky', 20 January 2014; available at:

[www.employment.gov.sk/files/slovensky/ministerstvo/integracia-cudzincov/dokumenty/vlastny-material-integracna-politika-januar-2014.pdf](http://www.employment.gov.sk/files/slovensky/ministerstvo/integracia-cudzincov/dokumenty/vlastny-material-integracna-politika-januar-2014.pdf).

<sup>181</sup> Slovakia, Ministry of Labour, Social Affairs and Family (*Ministerstvo práce, sociálnych vecí a rodiny SR*) (2014),

'Akčný plán Integrovačnej politiky Slovenskej republiky v podmienkach Ministerstva práce, sociálnych vecí a rodiny Slovenskej republiky na roky 2014-2016'; available at: [www.employment.gov.sk/files/slovensky/ministerstvo/integracia-cudzincov/dokumenty/ap-k-ip-2014-2016.pdf](http://www.employment.gov.sk/files/slovensky/ministerstvo/integracia-cudzincov/dokumenty/ap-k-ip-2014-2016.pdf).

<sup>182</sup> Slovakia, Ministry of Labour, Social Affairs and Family of the Slovak Republic (*Ministerstvo práce, sociálnych vecí a rodiny SR*) (2009), 'Konceptia integrácie cudzincov v Slovenskej republike', May 2009.

		<p>On the other hand, they were completely left out from the process of drafting the <i>Integration Policy of the Slovak Republic</i> or National Strategy of Human Rights' Protection and Implementation. In the course of 2014, migrants' representatives have been invited – again, rather sporadically and in very small numbers – to Integration Forums (Only one Integration forum with foreign communities was organized by the NGO, not by a Ministry of Labour, in January 2014, approximately 4 foreigners representing communities attended upon the invitation of the HRL), a series of panel discussions organised by Human Rights League in cooperation with already abolished Centre for the Coordination of Foreigners' Integration at the Ministry of Labour, Social Affairs and Family.<sup>183</sup></p> <p>Recently, self-governments have begun to show some sporadic signs of willingness to get migrants involved in policy-making processes on the local level. For instance, the Association of Slovak Towns and Villages in cooperation with the Centre for the Research of Ethnicity and Culture is currently working with seven municipalities in the field of drafting and implementing action plans of migrant integration on the local level.<sup>184</sup> Some of the participating municipalities even consider letting migrants be represented in various advisory bodies; for the time being, though, this ambition remains at the stage of plans.</p>
	<p>What is the mandate of the body – duration and procedures? In particular specify if and by which modalities these bodies are competent to participate in consultations only on migration or integration issues or if they participate also in consultations on other issues? How do these bodies work in practice?</p>	<p>Migrants' representatives were only invited to participate in drafting the <i>Strategy of Foreigners' Integration in the Slovak Republic</i> that was adopted in 2009;<sup>185</sup> however, they did not form a stable advisory body but were consulted rather on the <i>ad hoc</i> basis. In 2014, a few migrants took part in 1 Integration Forum<sup>186</sup>; again, this was not about sitting on a formal advisory body but about individual involvement of particular migrants. Representatives of migrants' communities are completely overlooked when it comes to shaping public policies in areas that do not concern the issues of migration and migrant integration.</p>
	<p>Frequency of convening of the body/-ies/ meetings with competent public authorities. What is foreseen and how is it implemented in practice?</p>	<p>Not applicable</p>
	<p>Role in relation to other public or private bodies. Is there a statutory role of coordination and cooperation with other</p>	<p>Not applicable</p>

<sup>183</sup> For further details, please see [www.hrl.sk/projekty/forum-integracie-platforma-pre-otvoreny-dialog-o-migracii-integracii-cudzincov](http://www.hrl.sk/projekty/forum-integracie-platforma-pre-otvoreny-dialog-o-migracii-integracii-cudzincov) .

<sup>184</sup> For further details on the project, please see [www.projektbuk.sk](http://www.projektbuk.sk) .

<sup>185</sup> Slovakia, Ministry of Labour, Social Affairs and Family of the Slovak Republic (*Ministerstvo práce, sociálnych vecí a rodiny SR*) (2009), 'Konceptia integrácie cudzincov v Slovenskej republike', May 2009.

<sup>186</sup> More information available at [www.hrl.sk/projekty/forum-integracie-platforma-pre-otvoreny-dialog-o-migracii-integracii-cudzincov](http://www.hrl.sk/projekty/forum-integracie-platforma-pre-otvoreny-dialog-o-migracii-integracii-cudzincov)

	public or private stakeholders foreseen? How is this implemented in practice?	
	Participation in decision-making (consultative, observer status, voting right etc.). Are such bodies competent to participate in decision-making at national/regional/local level in regard to the design, implementation, assessment and/or review of integration-specific, migration or other policies of general interest? Are such bodies and/or their representatives participating in any way to allocation, distribution, monitoring, evaluation or management of funding social inclusion and integration policies, measures and programmes at national level?	Not applicable
	What are the modalities for representation and participation of migrants, e.g. elections, designation etc.? What is foreseen and how is it implemented in practice?	Not applicable
	On which criterion are migrant groups represented (migrant status, foreign-born, foreign nationality etc.)? What is foreseen and how is it implemented in practice?	Not applicable
	Is there any evidence through formal evaluations or academic research on awareness about such national level consultative bodies among migrants and their descendants, and among the general public?	Not applicable

### 3.4. Participation in trade-unions and professional association

	In this section based on available data, research, surveys, studies, etc. please provide information about:
	Membership and participation of migrant workers in <u>workers' unions and craft associations</u> :

<p>Are there any legal or practical limitations or barriers for the membership of migrant workers in trade unions and craft associations?</p>	<p>The Labour Code (Act No. 433/2003)<sup>187</sup> guarantees all employees the right to organise in trade unions or professional associations in order to further their interests through the means of collective bargaining. According to Article 6, Paragraph 2, letter d) of Antidiscrimination Act (Act No. 365/2004),<sup>188</sup> any discrimination on grounds of racial, ethnic or national origin is outlawed while exercising this right, i.e. in the process of “entering and operating in organisations of employees, organisations of employers and organisations associating persons from certain professions, including the benefits these organisations provide to their members”. There are no legal impediments to any person’s membership in trade unions and professional associations as foreign nationals from other European and non-European countries who work in Slovakia are guaranteed identical labour rights as Slovak citizens. The openness to migrants’ membership has been repeatedly declared by the most influential trade unions in Slovakia as well as the spokeswoman of the Confederation of Slovak Trade Unions.<sup>189</sup> Perhaps the most important practical impediment is the language barrier as there is no regulation that would stipulate trade unions’ obligation to provide information on their activities and membership requirements in other languages than Slovak.<sup>190</sup></p>
<p>Do workers’ associations encourage and support membership and participation of migrant workers? E.g. through information and raising awareness initiatives in more languages, translation and language support services etc.</p>	<p>As we have pointed out earlier, there is no regulation in Slovakia’s legal system that would oblige trade unions and professional associations to provide information to their members in foreign languages; therefore, doing so is completely up to individual trade unions. Some of the trade unions operate their official websites in more languages. The same goes for the Confederation of Slovak Trade Unions (KOZ), which serves as an umbrella organisation for all workers’ organisations in the country and provides general information on trade unions.<sup>191</sup> As KOZ spokeswoman pointed out, there are trade union initiatives specifically focusing on migrants in some other European countries but no such initiative has been launched in Slovakia as yet. There is a fledgling debate on the national level (i.e. under the auspices of KOZ) on a more targeted approach to migrants; however, it has not produced any tangible results so far. Among discussed measures is placing the migrant agenda</p>

<sup>187</sup> Slovakia, Act No. 433/2003 Coll. (Labour Code) as amended (*Zákon č. 433/2003 Z. z. - zákonník práce v znení neskorších predpisov*); available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/2003/433/20031108](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2003/433/20031108).

<sup>188</sup> Slovakia, Act No. 365/2004 Coll. (Antidiscrimination Act) as amended (*Zákon č. 365/2004 Z. z. o rovnakom zaobchádzaní v niektorých oblastiach a o ochrane pred diskrimináciou (Antidiskriminačný zákon) v znení neskorších predpisov*), available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/2004/365/20150101](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2004/365/20150101).

<sup>189</sup> The information supplied by the spokeswoman of the Confederation of Slovak Trade Unions on 11 March 2015 in response to an official request for information.

<sup>190</sup> The information supplied by the spokeswoman of the Confederation of Slovak Trade Unions on 11 March 2015 in response to an official request for information.

<sup>191</sup> Please visit the official website of the Confederation of Slovak Trade Unions at [www.kozsr.sk/index.php?langz=en](http://www.kozsr.sk/index.php?langz=en) , 11 March 2015.

		under the jurisdiction of a trade union ombudsman. But since this post was established only recently and is envisaged to be filled in several months, it remains unclear whether and in what form will the future trade union ombudsman handle the migrant agenda. <sup>192</sup>
	What is the rate of participation (figures and % of association members, figures and % of migrant professionals as members, or descriptive data if statistical data is not available) of migrant workers in the most representative workers' unions and associations? Please specify the geographic and workforce range/type of associations (referring to national, regional, local and to the range of workers represented and degree of association).	There has been no research into migrants' participation in trade unions and/or professional associations. At the same time, according to KOZ spokeswoman there are no statistical data available that would map out membership of different migrant groups in particular trade unions. This is partly due to the fact that trade union organisations do not inquire about new members' nationality or ethnicity at the point of entering. As we have pointed out earlier, migrants are free to become members of trade unions and professional associations in compliance with the principle of non-discrimination; for the same reason, though, they are not treated as a specific category of employees and therefore there are no statistics on membership of migrants. <sup>193</sup>
	Are migrant workers elected as representatives of trade unions and workers' or craft associations? Please provide figures if available, and report the related legal or practical limitations or barriers, eventually faced by migrant workers.	According to KOZ spokeswoman, there are no statistical data available that would map out membership of different migrant groups in particular trade unions and therefore it is impossible to estimate the percentage of migrants who hold executive or influential posts within these organisations. <sup>194</sup> Since every single trade union organisation has statutes of a civic association, activities of all trade unions are regulated by Act No. 83/1990 on association of citizens. The law stipulates that activities of a civic association are governed by its own statutes, which also spell out the method of electing its representatives to higher executive posts. <sup>195</sup> So, migrant workers' access to higher executive posts of trade unions is legally guaranteed; however, specific conditions are spelled out by particular trade unions' statutes. None of the contacted trade unions admitted that a migrant status might be a hindrance to holding higher executive posts; however, fluency in Slovak might stand as an informal condition. At the same time, though, none of the contacted trade unions was aware that any migrant workers would be interested in running for these posts.
	Are there differences between associations for high and low skill workers, different	The valid laws in Slovakia allow all employees from all professions to organise regardless of the country of origin, race, ethnicity, nationality or sex. <sup>196</sup> Since there

<sup>192</sup> The information supplied by the spokeswoman of the Confederation of Slovak Trade Unions on 11 March 2015 in response to an official request for information.

<sup>193</sup> The information supplied by the spokeswoman of the Confederation of Slovak Trade Unions on 11 March 2015 in response to an official request for information.

<sup>194</sup> The information supplied by the spokeswoman of the Confederation of Slovak Trade Unions on 11 March 2015 in response to an official request for information.

<sup>195</sup> Slovakia, Act No. 83/1990 Coll. on association of citizens as amended (*Zákon č. 83/1990 Z. z. o združovaní občanov v znení neskorších predpisov*); available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/1990/83/20090901](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/1990/83/20090901).

<sup>196</sup> Slovakia, Act No. 433/2003 Coll. (Labour Code) as amended (*Zákon č. 433/2003 Z. z. - zákonník práce v znení neskorších predpisov*) available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/2003/433/20031108](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2003/433/20031108).



	<p>industries and trades, and/or different geographic area of country of origin, citizenship or birth or gender?</p>	<p>are no official statistics on migrants' membership in trade unions, it is impossible to make a qualified estimate of which trade union organisations associate most members from the ranks of migrants. Nevertheless, KOZ spokeswoman presented an assumption that most migrants were probably organised in trade unions operating in manufacturing industries (e.g. Trade Union Wood, Forests, Water<sup>197</sup>), which associate employees with lower education status, whereas their representation was probably lower in trade unions operating in non-manufacturing industries (e.g. Trade Union of Workers in Education and Science<sup>198</sup>), which associate employees with higher qualifications.<sup>199</sup> Be it as it may, though, the contacted trade unions were unable to confirm or invalidate this assumption due to the lack of statistical data.</p>
<p><b>Membership and participation of migrant entrepreneurs and expert professionals to professional and scientific associations:</b></p>		
	<p>Are there any legal or practical limitations or barriers for the membership of migrant workers in professional, employer and scientific associations (such as medical, engineer, bar associations)?</p>	<p>The membership conditions that apply to trade unions in manufacturing professions are identical to those that apply in the specific area of professional organisations associating employees who operate in non-manufacturing professions, science and research.</p> <p>The Labour Code (Act No. 433/2003)<sup>200</sup> guarantees all employees the right to organise in trade unions or professional associations in order to further their interests through the means of collective bargaining. According to Article 6, Paragraph 2, letter d) of Antidiscrimination Act (Act No. 365/2004),<sup>201</sup> any discrimination on grounds of racial, ethnic or national origin is outlawed while exercising this right, i.e. in the process of "entering and operating in organisations of employees, organisations of employers and organisations associating persons from certain professions, including the benefits these organisations provide to their members". There are no legal impediments to any person's membership in trade unions and professional associations as foreign nationals from other European and non-European countries who work in Slovakia are guaranteed identical labour rights as Slovak citizens.</p> <p>On the other hand, there are several practical impediments, particularly the language barrier, as there is no regulation that would stipulate trade</p>

<sup>197</sup> Please visit the official website of the Trade Union Wood, Forests, Water at [www.ozdlv.sk/en/prihovor\\_en.html](http://www.ozdlv.sk/en/prihovor_en.html)

<sup>198</sup> Please visit the official website of the Trade Union of Workers in Education and Science at [www.ozpsav.sk/en/Basic-Information/About-TUWES.alej](http://www.ozpsav.sk/en/Basic-Information/About-TUWES.alej).

<sup>199</sup> The information supplied by the spokeswoman of the Confederation of Slovak Trade Unions on 11 March 2015 in response to an official request for information.

<sup>200</sup> Slovakia, Act No. 433/2003 Coll. (Labour Code) as amended (*Zákon č. 433/2003 Z. z. - zákonník práce v znení neskorších predpisov*); available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/2003/433/20031108](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2003/433/20031108)

<sup>201</sup> Slovakia, Act No. 365/2004 Coll. (Antidiscrimination Act) as amended (*Zákon č. 365/2004 Z. z. o rovnakom zaobchádzaní v niektorých oblastiach a o ochrane pred diskrimináciou (Antidiskriminačný zákon) v znení neskorších predpisov*); available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/2004/365/20150101](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2004/365/20150101).

		unions' obligation to provide information on their activities and membership requirements in other languages than Slovak. <sup>202</sup>
	Do professional associations encourage and support membership and participation of migrant professionals? E.g. through information and raising awareness initiatives in more languages, translation and language support services etc.	As we have pointed out earlier, there is no regulation in Slovakia's legal system that would oblige trade unions and professional associations to provide information to their members in foreign languages; therefore, doing so is completely up to individual trade unions.  Official websites of some professional associations also provide information in English, although this is not the rule. All the most influential professional associations contacted by our researchers expressed openness towards membership of migrants who work in Slovakia; on the other hand, none of them has any programme in place that would be specifically aimed at encouraging migrants to join. For instance, one representative of the Trade Union of Workers in Education and Science stated that "[our] trade union does not pursue any activities that would specifically target migrants; nevertheless, it welcomes every new member and is prepared to facilitate the entry process through individual approach". <sup>203</sup>
	What is the rate of participation and membership (figures and % of association members, figures and % of migrant professionals as members, or descriptive data if statistical data is not available) of migrant professionals in the most representative professional, employers' and scientific unions and associations? Please specify the geographic and workforce range/type of associations (referring to national, regional, local and to the range of professional represented and degree of association).	According to KOZ spokeswoman, there are no statistical data available that would map out membership of different migrant groups in trade unions, professional associations, interest groups and scientific organisations. This is partly due to the fact that these organisations do not inquire about new members' nationality or ethnicity at the point of entering. As we have pointed out earlier, migrants are free to become members of trade unions and professional associations in compliance with the principle of non-discrimination; for the same reason, though, they are not treated as a specific category of members and therefore there are no ethnically sensitive statistics on migrant members. <sup>204</sup> This practice was confirmed by the most influential professional associations that were contacted by our researchers: on the one hand, they do not prevent migrants from entering; on the other hand, they do not have any idea what percentage of their members is of other than Slovak citizenship or origin.
	Are migrants elected as representatives of professional, employers' and/or scientific associations? Please provide figures if available, and report the related legal or practical	Just like in the case of trade unions, there are no statistical data available that would map out membership of different migrant groups in particular professional, employers' or scientific associations and therefore it is impossible to estimate the percentage of migrants who hold executive or influential posts within these organisations. Since every single professional,

<sup>202</sup> The information supplied by the spokeswoman of the Confederation of Slovak Trade Unions on 11 March 2015 in response to an official request for information.

<sup>203</sup> The information supplied by the spokesperson of the Trade Union of Workers in Education and Science of Slovakia on 12 March 2015 in response to an official request for information.

<sup>204</sup> The information supplied by the spokeswoman of the Confederation of Slovak Trade Unions on 11 March 2015 in response to an official request for information.

	<p>limitations or barriers, eventually faced.</p>	<p>employers' or scientific association has statutes of a civic association, activities of all professional associations are regulated by Act No. 83/1990 on association of citizens. The law stipulates that activities of a civic association are governed by its own statutes, which also spell out the method of electing its representatives to higher executive posts.<sup>205</sup> So, migrants' access to higher executive posts of professional associations is legally guaranteed; however, specific conditions are spelled out by individual associations' statutes. None of the contacted professional associations admitted that a migrant status might be a hindrance to holding higher executive posts; however, fluency in Slovak might stand as an informal condition. Besides The Union of machinery industry, which is lead by a person with a Russian migrant background, who, however, has the Slovak citizenship and has been living in Slovakia for a long time, none of the contacted professional associations were aware that any migrants would be interested in running for these posts.</p>
	<p>Are there differences between associations for different professions, different skill levels and/or types of enterprise, different industries and trades, and/or different geographic area of country of origin, citizenship or birth or gender?</p>	<p>The valid laws in Slovakia allow all employees from all professions to organise regardless of the country of origin, race, ethnicity, nationality or sex.<sup>206</sup> Since there are no official statistics on migrants' membership in professional associations in general, including non-manufacturing professional and scientific associations, it is impossible to make a qualified estimate of which professional associations organise most members from the ranks of migrants.</p>

### 3.5. Participation in social, cultural and public life

	<p>In this section based on available data, research, studies, etc. provide information about the membership and participation of migrants and their descendants in media, cultural organisations and public life:</p>	
	<p>Are there any legal or practical limitations or barriers for the membership of migrants in professional associations related to the media, sports and culture?</p>	<p>The membership conditions that apply to trade unions and professional associations in manufacturing and non-manufacturing professions are identical to those that apply in the specific area of professional organisations associating employees who operate in media, sports and culture.</p> <p>The Labour Code (Act No. 433/2003)<sup>207</sup> guarantees all employees the right to organise in trade unions or professional associations in order to further their interests through the means of collective bargaining. According to Article 6, Paragraph 2, letter d) of</p>

<sup>205</sup> Slovakia, Act No. 83/1990 Coll. on association of citizens as amended (*Zákon č. 83/1990 Z. z. o združovaní občanov v znení neskorších predpisov*); available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/1990/83/20090901](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/1990/83/20090901).

<sup>206</sup> Slovakia, Act No. 433/2003 Coll. (Labour Code) as amended (*Zákon č. 433/2003 Z. z. - zákonník práce v znení neskorších predpisov*); available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/2003/433/20031108](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2003/433/20031108).

<sup>207</sup> Slovakia, Act No. 433/2003 Coll. (Labour Code) as amended (*Zákon č. 433/2003 Z. z. - zákonník práce v znení neskorších predpisov*); available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/2003/433/20031108](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2003/433/20031108).

		<p>Antidiscrimination Act (Act No. 365/2004),<sup>208</sup> any discrimination on grounds of racial, ethnic or national origin is outlawed while exercising this right, i.e. in the process of “entering and operating in organisations of employees, organisations of employers and organisations associating persons from certain professions, including the benefits these organisations provide to their members”. There are no legal impediments to any person’s membership in trade unions and professional associations as foreign nationals from other European and non-European countries who work in Slovakia are guaranteed identical labour rights as Slovak citizens. On the other hand, there are several practical impediments, particularly the language barrier, as there is no regulation that would stipulate trade unions’ obligation to provide information on their activities and membership requirements in other languages than Slovak.<sup>209</sup></p> <p>According to one foreign female journalist who works with the Slovak Radio, fluency in English is generally low among civil servants in Slovakia; consequently, the inability to speak Slovak is a disqualifying factor when applying for jobs at state-run media institutions. Along the same logic, since journalism is a language-sensitive profession, a satisfactory command of Slovak is an indispensable precondition to performing well at one’s job in the field of media.<sup>210</sup></p>
	<p>Do media, sports, culture professional associations encourage and support membership and participation of third country nationals as members? E.g. through information and raising awareness initiatives in more languages, translation and language support services etc.</p>	<p>Some professional associations operating in the field of media, culture and sports provide information on their activities in several foreign languages. Many of them explicitly advertise that they welcome foreign nationals as members; however, one should note that in doing so, they target foreign nationals in general rather than third country nationals in particular.</p> <p>The professional organisations that declare openness toward foreign nationals include, for instance, the Association of Slovak Writers, which describes itself as a “voluntary independent organisation of writers regardless of their artistic, political, generational or national affiliation. As the oldest association of writers in Slovakia (established in 1923 and endured in different forms, currently incorporated as a civic association), it strives to create favourable conditions for free development of Slovak literature and its general thriving at home and abroad”.<sup>211</sup> Another such</p>

<sup>208</sup> Slovakia, Act No. 365/2004Coll. (Antidiscrimination Act) as amended (Zákon č. 365/2004 Z. z. o rovnakom zaobchádzaní v niektorých oblastiach a o ochrane pred diskrimináciou (Antidiskriminačný zákon) v znení neskorších predpisov); available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/2004/365/20150101](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2004/365/20150101).

<sup>209</sup> The information supplied by the spokeswoman of the Confederation of Slovak Trade Unions on 11 March 2015 in response to an official request for information.

<sup>210</sup> The information provided on 27 February 2015 by a journalist of Romanian nationality who works for Radio Slovakia International.

<sup>211</sup> The information acquired from the official website of the Association of Slovak Writers; available at: <http://spolok-slovenskych-spisovatelov.webnode.sk/> (10.3.2015).

		<p>institution is the Slovak Syndicate of Journalists, which characterises itself as a “trade union association or professional organisation of journalists that is independent from political, economic, ideological and religious organs and organisations; its members include citizens of the Slovak Republic as well as foreign nationals who subscribe to the principles of freedom and democracy”.<sup>212</sup></p> <p>Nevertheless, none of the professional associations operating in the field of media, culture and sports that were contacted by our researchers has pursued any specific activities aimed at encouraging migrants’ membership; the best they have been capable of in this respect was making information on their official websites available in English.</p>
	<p>What is the rate of participation in the most representative professional associations? (figures and % of association members, figures and % of migrant professionals as members, or descriptive data if statistical data is not available).</p>	<p>There are no official statistics that would map out migrants’ membership in professional associations operating in the field of media, culture and sports, partly due to the fact that new members are not required to specify their nationality or ethnicity in membership applications and there is no other way to retrieve this information. Even organisations themselves do not keep such statistics, which is why they were unable to answer this question. Perhaps the only exception from this rule is the Slovak Syndicate of Journalists, which according to an estimate made by its spokesman associates approximately 20 foreign nationals. These data are easier to retrieve because foreign journalists who live in Slovakia are required to get official accreditation from the Ministry of Foreign Affairs.<sup>213</sup></p>
	<p>Are migrants elected as representatives of professional associations related to the media, sports and culture? Please provide figures if available, and report the related legal or practical limitations or barriers, eventually faced.</p>	<p>Since all professional associations operating in the field of media, sports and culture have been incorporated as civic associations, the requirements pertaining to running for higher executive posts are stipulated by each particular organisation’s statutes. There are no legal impediments that would prevent migrants from becoming members of these organisations or holding higher executive posts within them.<sup>214</sup> So, migrants’ access to higher executive posts of professional associations is legally guaranteed; however, specific conditions are spelled out by individual organisations’ statutes. None of the contacted professional associations admitted that a migrant status might be a hindrance to holding higher executive posts; however, fluency in Slovak might stand as an informal condition. At the same time, though, none of the contacted professional associations was aware that any migrant workers would be interested in running for these posts.</p>

<sup>212</sup> The information acquired from the official website of the Slovak Syndicate of Journalists; available at: [www.ssn.sk/clenstvo](http://www.ssn.sk/clenstvo), 10 March 2015.

<sup>213</sup> The information supplied by the spokesperson of the Slovak Syndicate of Journalists on 25 February 2015 in response to an official request for information.

<sup>214</sup> The information supplied by the Ministry of Education, Science, Research and Sports on 9 March 2015 in response to an official request for information.

	<p>Is there a visible or notable presence (or absence) of migrants and their descendants as media professionals?</p>	<p>There are no research data and/or statistics on migrants who work as media professionals as their nationality or country of origin is not recorded anywhere.</p> <p>Part of the system of public service broadcasters is Radio Slovakia International (RSI),<sup>215</sup> a radio station that broadcasts in different languages, targeting Slovaks living abroad as well as foreigners living in Slovakia;<sup>216</sup> however, RSI broadcasts exclusively via the Internet, which is why it would be exaggerated to speak of a notable presence of its foreign reporters or editors within Slovakia's ether.</p> <p>First published on March 1, 1995, <i>The Slovak Spectator</i> is a fortnightly that focuses not only on foreign readers but also on Slovakia's English-speaking community, keeping them abreast of latest developments in politics, culture or sports.<sup>217</sup> Two decades later, this fortnightly continues to be one of the most important and reliable news sources for foreigners living in Slovakia. Throughout its history, it has always employed a handful of foreign journalists. Given its relatively limited circulation of 5,000,<sup>218</sup> though, it would also be far-fetched to say that the paper is a landmark in Slovakia's media landscape.</p> <p>Despite the general lack of statistical data, it is fair to draw a conclusion that the presence of foreign media professionals is rather imperceptible in Slovakia. Perhaps the only exception in this respect is Canadian investigative journalist Tom Nicholson. Having worked as reporter and editor-in-chief of <i>The Slovak Spectator</i> in the past, Nicholson currently cooperates with <i>Sme</i>, one of the two largest daily papers in the country.<sup>219</sup> A prominent personality of Slovakia's journalistic community, Nicholson came to the limelight during a wave of civil unrest that engulfed Slovakia in early 2012. One could say that the whole string of anti-corruption protests was unleashed by Nicholson who shortly before published a book on corruption in Slovakia, suggesting close ties between the country's financial sharks and political top brass; the book became a bestseller and sparked the largest civil strife in years.<sup>220</sup></p> <p>Besides RSI and <i>The Slovak Spectator</i>, Slovakia also has a news server in English, <a href="http://www.thedaily.sk">www.thedaily.sk</a>, which</p>
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<sup>215</sup> For further details, please visit the official website of Radio Slovakia International at <http://en.rsi.rtvs.sk/>

<sup>216</sup> The information provided on 27 February 2015 by a journalist of Romanian nationality who works for Radio Slovakia International.

<sup>217</sup> For further details, please visit the official website of *The Slovak Spectator* fortnightly at <http://spectator.sme.sk/about-us>.

<sup>218</sup> Medialne.sk (2015) 'The Slovak Spectator má novú šéfredaktorku, je z neho dvojtýždenník'; available at: <http://medialne.etrend.sk/tlac/the-slovak-spectator-ma-novu-sefredaktorku-je-z-neho-dvojtyzdennik.html>, 13 March 2015

<sup>219</sup> For further details, please visit the official website of the *Sme* daily at <http://www.sme.sk/>

<sup>220</sup> Nicholson, T. (2012), *Gorila*, Bratislava, Dixit.

		<p>is operated by a translation agency and employs several foreign journalists.<sup>221</sup></p> <p>According to the Romanian female journalist who works with RSI, larger communities of migrants often operate specialised news portals in their respective languages, for instance Romanian (<a href="http://romani.sk/wordpress/">http://romani.sk/wordpress/</a>), Italian (<a href="http://www.buongiornoslovacchia.sk/">http://www.buongiornoslovacchia.sk/</a>) or Spanish (<a href="http://www.eslovaquia.sk/">http://www.eslovaquia.sk/</a>).<sup>222</sup></p>
	<p>Are migrants and/or their descendants present, visible and actively participating in public? (E.g. in public events, TV and electronic media, cultural events). Please substantiate on the basis of existing data or contacts with relevant authorities, actors and stakeholders, making sure to cover a wide spectrum and obtain as much as possible objective information.</p>	<p>So far, cultural and civic participation of migrants in Slovakia has not received adequate attention, both in terms of official support on the part of government institutions and in terms of attention on the part of research institutions that would examine the extent to which migrants participate in civil society and are organised in non-governmental organisations and interest groups.</p> <p>The issue of cultural migration was partly covered by a qualitative survey conducted in 2009 by the Centre for the Research of Ethnicity and Culture.<sup>223</sup> One of its findings was that the role of government institutions in the field of supporting migrant culture and encouraging migrants' civic participation has been almost completely taken over by civic associations established by migrants themselves (for instance the Association of Afghans in Slovakia<sup>224</sup> or the Islamic Foundation in Slovakia<sup>225</sup>). While these civic associations' official mission is to draw general public's attention to indigenous culture of specific migrant groups, they are in fact rather focused inside their particular communities, creating a platform for their members to meet with each other and practice their cultural habits.<sup>226</sup> Here, one should note that while foreign nationals are allowed to become members and even elected representatives of civic associations in Slovakia – depending on their statutes – founding a civic association requires at least one Slovak citizen with permanent residence in Slovakia.<sup>227</sup> Also, these expatriate associations along with non-governmental organisations often substitute government in providing migrants with social and legal counselling; in the long</p>

<sup>221</sup> Please visit the daily's official website at [www.thedaily.sk/about-the-daily/](http://www.thedaily.sk/about-the-daily/) (13.03.2015).

<sup>222</sup> The information provided on 27 February 2015 by a journalist of Romanian nationality who works for Radio Slovakia International.

<sup>223</sup> Gallová Kriglerová, E. – Kadlečiková, J. – Lajčáková, J. (2009), *Migranti. Nový pohľad na staré problémy: multikulturalizmus a kultúrna integrácia migrantov na Slovensku*, Bratislava, Centrum pre výskum etnicity a kultúry.

<sup>224</sup> Please visit the official website of the Association of Afghans in Slovakia at [www.zans.sk/](http://www.zans.sk/) (12.03.2015).

<sup>225</sup> Please visit the official website of the Islamic Foundation in Slovakia at [www.islamweb.sk/stranky/start.htm](http://www.islamweb.sk/stranky/start.htm) (12.03.2015).

<sup>226</sup> Gallová Kriglerová, E. – Kadlečiková, J. – Lajčáková, J. (2009), *Migranti. Nový pohľad na staré problémy: multikulturalizmus a kultúrna integrácia migrantov na Slovensku*, Bratislava, Centrum pre výskum etnicity a kultúry.

<sup>227</sup> The information supplied by the Ministry of Interior on 26 February 2015 in response to an official request for information.

		<p>term, though, they struggle financially due to the lack of state budget funding.<sup>228</sup></p> <p>A survey to examine the issue of migrant integration on the local level (Hlinčíková et al, 2014) also touched upon its cultural and civic dimension. The survey suggested that the level of migrants' integration, which directly affects their public presence and civic participation, largely depends on local specifics that have to do primarily with a given municipality's population structure, historical presence of mixed population (or absence thereof), the setting of local policies and activity of organisations operating within the local migrant community; all these factors cause local differences in the degree of migrants' integration.<sup>229</sup></p> <p>In their study, Popper et al. (2009) revealed that civic participation of migrants in Slovakia is extremely low in a number of examined areas, for instance in exercising active and passive suffrage, administering public affairs or being active members of organisations, societies (except expatriate associations) and political parties. Most migrants who took part in the survey explained the low level of their civic participation by heavy occupation at work but also by poor awareness of participation possibilities.</p> <p>Exceptions from this rule represent the migrants whose predecessors have lived in Slovakia long enough to acquire the status of officially recognised national minorities. At this point, Slovakia officially recognises 13 national minorities, namely Bulgarian, Croatian, Czech, German, Hungarian, Jewish, Moravian, Polish, Romani, Russian, Ruthenian, Serbian and Ukrainian. Members of these national minorities enjoy access to government-subsidised schemes designed to support minority cultures and their representatives are eligible to apply for grants disbursed within the annual subsidy scheme called "Supporting Culture of National Minorities" that is administered by the Office of Government Plenipotentiary for National Minorities. Within the scope of its powers, the Office "supports preservation, expression, protection and development of identities and cultural values of national minorities and participation of national minorities' members in administering public affairs".<sup>230</sup> At the same time, officially recognised national minorities are legally entitled to broadcasts in their respective languages aired by public service media; the time scope of these</p>
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<sup>228</sup> Lajčáková, J. (2013), *Menšinová politika na Slovensku v roku 2012 - výročná správa*, Bratislava, Centrum pre výskum etnicity a kultúry.

<sup>229</sup> Hlinčíková, M. – Chudžíková, A. – Gallová Kriglerová, E. – Sekulová, M. (2014), *Migranti v meste: Prítomní a (ne)viditeľní*, Bratislava, Centrum pre výskum etnicity a kultúry – Inštitút pre verejné otázky.

<sup>230</sup> For further details, please visit the official website of the Office of Government Plenipotentiary for National Minorities at [www.narodnostnemensiny.gov.sk/](http://www.narodnostnemensiny.gov.sk/) (12.03.2015).



		<p>broadcasts corresponds to the population's ethnic make-up.<sup>231</sup></p> <p>Among the so-called new minorities (i.e. sizeable populations of migrants and their descendants who have lived in Slovakia for several generations), representatives of the Vietnamese community have reportedly expressed interest in becoming an officially recognised minority. As far as countries outside the EU go, the Vietnamese form the third largest minority in Slovakia, following the Russians and the Serbians who have already been officially recognised.<sup>232</sup> According to available information, though, representatives of the Vietnamese community in Slovakia have not yet made any formal steps toward making the Vietnamese an officially recognised minority. According to Lajčáková (2011), the conditions a group of people who feel like a national minority must comply with in order to become recognised as one are not entirely clear in Slovakia.<sup>233</sup> According to the Slovak Constitution, the condition to granting minority rights is a person's Slovak citizenship and individual will to be part of the minority.<sup>234</sup> Besides citizenship, the constitution does not require compliance with other so-called objective criteria (e.g. different language, culture, size of population) that are part of international law definitions. In this context, it remains rather unclear what conditions did representatives of the Russian community have to comply with in order to become the last officially recognised national minority in 2003; it remains equally unclear whether the same status along with related government support might eventually be granted to communities of so-called new migrants such as ethnic Vietnamese.<sup>235</sup></p> <p>There is also another exception from the general pattern, as introduced in the preceding lines, which has to do with the public visibility of migrants representing Slovakia in the field of sports. Even though such visibility has not so much to do with the civic participation, it still somehow helps to bring attention to the phenomenon of migration and multicultural and multiethnic composition of the contemporary Slovakia. The group of sportspersons with the migrant background is not very numerous, but due to their visibility in media, especially in the</p>
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<sup>231</sup> Slovakia, Act No. 532/2010 Coll. on Radio and Television of the Slovak Republic as amended (*Zákon č. 532/2010 Z. z. o Rozhlase a televízii Slovenska v znení neskorších predpisov*), Article 5, Paragraph 1, letters b) and g); available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/2010/532/20140101](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2010/532/20140101).

<sup>232</sup> Krempaský J. (2015), 'Vietnamci chcú byť menšinou', *Sme* daily, 9 January 2013; available at: <http://www.sme.sk/c/6661508/vietnamci-chcu-byt-mensinou.html> (15.03.2015).

<sup>233</sup> Lajčáková, J. (2012), *Menšinová politika na Slovensku v roku 2011 - výročná správa*, Bratislava, Centrum pre výskum etnicity a kultúry.

<sup>234</sup> Slovakia, Act No. 460/1992 Coll. (Constitution of the Slovak Republic) (*Zákon č. 460/1992 Z. z. - Ústava Slovenskej republiky*), Article 34; available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/2001/135/20010413](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2001/135/20010413).

<sup>235</sup> Lajčáková, J. (2012), *Menšinová politika na Slovensku v roku 2011 - výročná správa* Bratislava, Centrum pre výskum etnicity a kultúry.

		<p>times of official sports events such as Olympic games or World cup, is somehow noticeable. Among the others, it is mostly biathlete Anastasia Kuzmina who is known nationwide and has become very popular after she won a gold medal. This creates a paradoxical situation when the original nationality of the sportsman or sportswoman is being downplayed and he or she is viewed as having the strongest bonds and loyalties to the Slovak nation. Because no need to say, the ability to represent Slovakia is strictly determined by the acquisition of Slovak citizenship.</p>
	<p>Are there legal or practical limitations for the media, culture or other type of public events by migrants and/or their descendants? (E.g. are there national language requirements for TV or radio stations, bureaucratic and representation requirements, etc.).</p>	<p>Slovakia's system of public service media includes Radio Slovakia International (RSI), a radio station that produces broadcasts in six different languages (English, French, German, Russian, Spanish and Slovak), targeting Slovaks who live abroad as well as foreigners who live in Slovakia.<sup>236</sup> Besides traditional news reporting, RSI also brings specific information on the life of foreigners in Slovakia.<sup>237</sup> According to a Romanian female journalist who works with RSI's English-language desk, proficiency in Slovak is an unwritten yet a hard-and-fast condition for those who want to work in Slovak public service media.<sup>238</sup></p> <p>In Slovakia, broadcasting in the languages of officially recognised national minorities is regulated by Act No. 532/2010 Coll. on Radio and Television of Slovakia (RTVS), which stipulates an obligation for public service media "to broadcast content-wise and regionally balanced broadcasts in languages of national minorities and ethnic groups living in Slovakia, in the time structure that corresponds to the ethnic make-up of the population of the Slovak Republic".<sup>239</sup> The scope as well as the programme structure is determined by the RTVS's Centre of Ethnic Broadcasting. According to valid laws,<sup>240</sup> foreigners without permanent residence are not eligible to apply for radio or television broadcasting licences.<sup>241</sup></p>
	<p>Are there positive measures for promoting or restrictions/barriers to the operation of migrant and ethnic minority (owned,</p>	<p>Slovakia's system of public service media includes Radio Slovakia International (RSI), a radio station that produces broadcasts in several different languages, targeting Slovaks who live abroad as well as foreigners who live in Slovakia.<sup>242</sup> While the founding and operation of this specific radio station may be</p>

<sup>236</sup> For further details, please visit the official website of Radio Slovakia International at <http://en.rsi.rtvs.sk/about-us>.

<sup>237</sup> The information provided on 27 February 2015 by a journalist of Romanian nationality who works for Radio Slovakia International.

<sup>238</sup> The information provided on 27 February 2015 by a journalist of Romanian nationality who works for Radio Slovakia International.

<sup>239</sup> Slovakia, Act No. 532/2010 Coll. on Radio and Television of the Slovak Republic as amended (*Zákon č. 532/2010 Z. z. o Rozhlase a televízii Slovenska v znení neskorších predpisov*), Article 5, Paragraph 1, letters b) and g); available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/2010/532/20140101](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2010/532/20140101).

<sup>240</sup> Slovakia, Act No. 308/2000 Coll. on broadcasting and retransmission as amended (*Zákon č. 308/2000 Z. z. o vysielaní a retransmisii v znení neskorších predpisov*), Article 45, Paragraph 3; available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/2000/308/20140101](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2000/308/20140101).

<sup>241</sup> Bargerová, Z. "Hlas migrantov na Slovensku nezaznieva"; available at: <http://migraceonline.cz/cz/e-knihovna/hlas-migrantov-na-slovensku-nezaznieva>

<sup>242</sup> For further details, please visit the official website of Radio Slovakia International at <http://en.rsi.rtvs.sk/about-us>.

	<p>directed or audience specific) media?</p>	<p>perceived as a positive service to migrants in Slovakia who do not speak Slovak, of aired broadcasts and its exclusive availability via the Internet do not make it a broadcast medium with a universal impact.</p> <p>The representation of different migrant groups in the media largely depends on whether the particular migrant group is an officially recognised national minority, mostly because public service media in Slovakia are bound by law to broadcast in languages of national minorities in the time structure that corresponds to the ethnic make-up of the country's population.<sup>243</sup></p> <p>As far as new television and radio stations go, as we have pointed out earlier, foreigners without permanent residence are not eligible to apply for radio or television broadcasting licences.<sup>244</sup></p> <p>Generally speaking, public service television and radio in Slovakia do not pursue any positive or meaningful initiatives that would be specifically aimed at serving migrant populations that are not officially recognised national minorities.</p>
	<p>Are there practical measures encouraging and promoting the visibility, voice and public presence of migrants and/or their descendants in the media, culture or other type of public events? (E.g. are there programmes and information provided by the media in other than the country official language, and migrants' languages, quotas for journalists and public programmes reflecting the diversity in society etc.?).</p>	<p>Besides promoting its broadcasting among expatriate Slovaks living abroad, Radio Slovakia International (RSI) directly targets communities of migrants living in Slovakia.<sup>245</sup> Occasionally, RSI reporters cover the issue of migrants in Slovakia through broadcasts with a specific focus. In 2014, for instance, RSI aired a discussion with the authors of a survey examining the life of foreigners in Slovakia;<sup>246</sup> nevertheless, this radio station lacks a more systematic approach to migration issues. Last year, RSI proposed to produce a series of regular broadcasts on the life of migrants in Slovakia but the proposal failed to muster sufficient institutional support from the Slovak Radio that operates the RSI channel.<sup>247</sup></p> <p>The Slovak Radio and Television (RTVS) allotted part of its programme structure to broadcasts for national minorities in order to cover different migrant groups living in Slovakia and promote their culture. In 2013, RTVS aired a total of 5,263 hours of radio broadcasts and 205 hours of television broadcasts designed for members of national minorities. All news, journalism and documentary broadcasts intended for national</p>

<sup>243</sup> Slovakia, Act No. 532/2010 Coll. on Radio and Television of the Slovak Republic as amended (*Zákon č. 532/2010 Z. z. o Rozhlase a televízii Slovenska v znení neskorších predpisov*), Article 5, Paragraph 1, letters b) and g); available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/2010/532/20140101](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2010/532/20140101).

<sup>244</sup> Bargerová, Z., 'Hlas migrantov na Slovensku nezaznieva'; available at: <http://migraceonline.cz/cz/e-knihovna/hlas-migrantov-na-slovensku-nezaznieva>.

<sup>245</sup> The information provided on 27 February 2015 by a journalist of Romanian nationality who works for Radio Slovakia International.

<sup>246</sup> Hlinčíková, M. – Chudžíková, A. – Gallová Kriglerová, E. – Sekulová, M. (2014), *Migranti v meste: Prítomní a (ne)viditeľní*, Bratislava, Centrum pre výskum etnicity a kultúry – Inštitút pre verejné otázky.

<sup>247</sup> The information provided on 12 March 2015 by a Slovak female journalist who works for Radio Slovakia International.

		<p>minorities are dramaturgically prepared and editorially produced by members of the given national minority. The largest proportion of the total broadcasting time is allotted to Hungarian, Ruthenian and Romani minorities. Representatives of all remaining national minorities have repeatedly criticised public service media's coverage of their respective minorities as inadequate, either in terms of volume or in terms of periodicity. RTVS does not air any broadcasts in languages of some officially recognised national minorities, for instance in Croatian or Bulgarian.<sup>248</sup></p> <p>Public service media in Slovakia are yet to introduce a specialised broadcast or programme that would examine the phenomenon of migration in a systematic or complex manner and thus provide a viable platform to cover different migrant groups living in Slovakia and educate the majority about their culture. Given the fact that the public opinion on migrants in Slovakia is rather negative in the long term,<sup>249</sup> we believe conceiving and airing such a broadcast would certainly contribute to raising public awareness and eventually to positively influencing the public opinion.</p> <p>There are no quotas that would bind public service media in Slovakia to hire employees of other than Slovak nationality. Consequently, public service media in Slovakia do not keep any statistics on the number of foreign nationals employed at particular departments.<sup>250</sup> The only subsidiary that was capable of providing more or less reliable figures was RSI whose editorial department currently employs 12 foreign journalists hailing from Belgium, France, Romania, England, New Zealand, Russia, Belarus, Germany, Austria, Spain and Cuba.<sup>251</sup></p>
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### 3.5.1. Diversity in the public sector

	<p>In this section based on available data, research, studies, etc. please provide information about recruitment of migrants and their descendants in the public sector:</p>	
	<p>Please describe how legal provisions allow or prevent the recruitment of third country nationals in the public sector. Please indicate specific areas, requirements, quotas if any, upward mobility and promotion</p>	<p>The legal basis for employment in the public sector consists of two laws<sup>252</sup>, each governing employment in the public sector on different levels. The Law on Civil Service<sup>253</sup> governs the recruitment and employment of the employees of the state of a higher employment rank (involved in management, decision-making, controlling or audit, legal representation or expert</p>

<sup>248</sup> O mediach.com (2014) 'Vysielanie RTVS pre národnostné menšiny čakajú zmeny', 11 April 2014, available at: [www.omediach.com/tv/item/4503-vysielanie-rtvs-pre-narodnostne-mensiny-ckaju-zmeny](http://www.omediach.com/tv/item/4503-vysielanie-rtvs-pre-narodnostne-mensiny-ckaju-zmeny) (15.03.2015).

<sup>249</sup> Vašečka, M. (2009), 'Postoje verejnosti k cudzincom a zahraničnej migrácii v Slovenskej republike', Bratislava, IOM.

<sup>250</sup> The information provided on 12 March 2015 by a Slovak journalist who works for Radio Slovakia International.

<sup>251</sup> The information provided on 27 February 2015 by a journalist of Romanian nationality who works for Radio Slovakia International.

<sup>252</sup> Slovakia, Act No. 400/2009 Coll. on civil service, as amended (*Zákon o štátnej službe a o zmene a doplnení niektorých zákonov*) and Slovakia, Act No. 552/2003 Coll. on work performance in the public interest, as amended (*Zákon o výkone prác vo verejnom záujme*); available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/2009/400/20150101](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2009/400/20150101).

<sup>253</sup> Slovakia, Act No. 400/2009 Coll. on civil service, as amended (*Zákon o štátnej službe a o zmene a doplnení niektorých zákonov*).

	<p>limitations if any, as well as if and how these provisions are applied in practice.</p>	<p>preparation of laws, strategic documents or state affairs)<sup>254</sup> or other high ranking state employees, such as those working for the Ministry of Foreign Affairs<sup>255</sup> or candidate judges<sup>256</sup>. These employees are generally not governed<sup>257</sup> by the Labour Code<sup>258</sup>. Nevertheless, as an employer, the state has to follow the Antidiscrimination legislature. A separate Antidiscrimination article is included in the law as well,<sup>259</sup> outlawing discrimination, inter alia, on the basis of national or ethnic background or origin. However, the law forbids discrimination of Slovak nationals and a formal requirement for employment in the public sector governed by the abovementioned law is a citizenship of Slovakia or other EU or EEA Member State<sup>260</sup>. <b>The law therefore allows for employment of citizens with migrant background, but not for employment of third country nationals<sup>261</sup>.</b></p> <p>The Law on work performance in the public interest<sup>262</sup> governs the recruitment and employment of the employees of state authorities, municipalities or towns<sup>263</sup>. The employees are generally governed<sup>264</sup> by the Labour Code<sup>265</sup> and their employment relationships are also covered by the provisions of the Anti-discrimination legislature. In contrast to the Law on civil service, the Law on work performance in the public interest does not limit the employees to the citizens of Slovakia or EU and EEA Member States and therefore allows for recruitment of <b>third country nationals</b>.</p> <p>However, no quotas for third country nationals exist, as those would be seen as affirmative action, for which</p>
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<sup>254</sup> Slovakia, Act No. 400/2009 Coll. on civil service, as amended (*Zákon o štátnej službe a o zmene a doplnení niektorých zákonov*), Art. 5/1.

<sup>255</sup> Slovakia, Act No. 400/2009 Coll. on civil service, as amended (*Zákon o štátnej službe a o zmene a doplnení niektorých zákonov*), Art.2/2.

<sup>256</sup> Slovakia, Act No. 400/2009 Coll. on civil service, as amended (*Zákon o štátnej službe a o zmene a doplnení niektorých zákonov*), Art.2/1.

<sup>257</sup> Slovakia, Act No. 400/2009 Coll. on civil service, as amended (*Zákon o štátnej službe a o zmene a doplnení niektorých zákonov*), Art.1/4.

<sup>258</sup> Slovakia, Act No. 433/2003 Coll. (Labour Code) as amended (*Zákon č. 433/2003 Z. z. - zákonník práce v znení neskorších predpisov*), available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/2003/433/20031108](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2003/433/20031108).

<sup>259</sup> Slovakia, Act No. 400/2009 Coll. on civil service, as amended (*Zákon o štátnej službe a o zmene a doplnení niektorých zákonov*), Art.1/4.

<sup>260</sup> Slovakia, Act No. 400/2009 Coll. on civil service, as amended (*Zákon o štátnej službe a o zmene a doplnení niektorých zákonov*), Art. 3.

<sup>261</sup> Slovakia, Act No. 400/2009 Coll. on civil service, as amended (*Zákon o štátnej službe a o zmene a doplnení niektorých zákonov*), Art. 3.

<sup>262</sup> Slovakia, Act No. 552/2003 Coll. on work performance in the public interest, as amended (*Zákon o výkone prác vo verejnom záujme*); available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/2003/552/20150101](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2003/552/20150101).

<sup>263</sup> Slovakia, Act No. 552/2003 Coll. on work performance in the public interest, as amended (*Zákon o výkone prác vo verejnom záujme*), Art. 2.

<sup>264</sup> Slovakia, Act No. 552/2003 Coll. on work performance in the public interest, as amended (*Zákon o výkone prác vo verejnom záujme*), Art. 4.

<sup>265</sup> Slovakia, Act No. 433/2003 Coll. (Labour Code) as amended (*Zákon č. 433/2003 Z. z. - zákonník práce v znení neskorších predpisov*); available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/2003/433/20031108](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2003/433/20031108).

		the status of a third country national is not a legal basis <sup>266</sup> .
	Please indicate if citizens of migrant descent can also be affected by limitation – e.g on the basis of their ethnic origin or migrant background or naturalisation - in public sector recruitment, for example in education, law enforcement, judiciary, etc.	Slovak citizens of migrant background are covered by the Anti-discrimination legislature and can be employees in all the areas of public sector. However, some formal limitations exist, mainly in the area of language.  The Law on civil service does not allow for discrimination of citizens on the basis of national origin or migrant background <sup>267</sup> . However, one of the conditional requirement for the admission to the civil service is command of the state language <sup>268</sup> , which might prevent employment for some citizens with migrant background, or nationals of other EU or EEA Member States.
	Please indicate proportion of recruitment (% on the total of posts for this category or service) for the interested categories of third country nationals, if any.	There are no statistics as regards the proportion of recruitment for the third country nationals in the public sector and such data are not collected. The only way to identify proportion of third country nationals (if any) in the public sector would be to acquire such data individually from every public sector office (national and regional) in the country.
	Please indicate any affirmative action and positive action <b>either</b> for third country nationals <b>or</b> citizens with a migrant background, if any, e.g. quotas, reserved posts for people of migrant background etc. as well as promising practices in this area. Please provide information specifically for law enforcement, judiciary, and education.	Under the provisions of the Anti-Discrimination legislature, the grounds for the affirmative action – so called "temporary equalizing measures" cannot be that of a national origin or migrant background. The affirmative action undertaken by the state agencies or other natural persons may seek to „ <i>eliminate disadvantages on the grounds of racial or ethnic origin, membership of a national minority or ethnic group, gender or sex, age or disability, which aim to ensure equal opportunities in practice.</i> ” <sup>269</sup>  Temporary special measures directed at the elimination of social or economic disadvantages of the migrants or their descendants could thus be theoretically undertaken on the grounds of their ethnic origin, but not on the grounds of their migrant background or on grounds of them being third country nationals.

### 3.6. Political activity – active citizenship

Membership and participation of migrants in migrant and/or diaspora organisations and associations:

<sup>266</sup> Slovakia, Act No. 365/2004 Coll. on equal treatment in certain areas and protection against discrimination -Anti-Discrimination Act) (*Zákon o rovnakom zaobchádzaní v niektorých oblastiach a o ochrane pred diskrimináciou - antidiskriminačný zákon*)), Art. 8a/1; available at: [www.slov-lex.sk/vyhľadavanie-pravných-predpisov?text=365%2F2004](http://www.slov-lex.sk/vyhľadavanie-pravných-predpisov?text=365%2F2004) .

<sup>267</sup> Slovakia, Act No. 400/2009 Coll. on civil service, as amended (*Zákon o štátnej službe a o zmene a doplnení niektorých zákonov*), Art.4/3; available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/2009/400/20150101](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2009/400/20150101).

<sup>268</sup> Slovakia, Act No. 400/2009 Coll. on civil service, as amended (*Zákon o štátnej službe a o zmene a doplnení niektorých zákonov*), Art. 19/1/e.

<sup>269</sup> Slovakia, Act No. 365/2004 Coll. on equal treatment in certain areas and protection against discrimination -Anti-Discrimination Act) (*Zákon o rovnakom zaobchádzaní v niektorých oblastiach a o ochrane pred diskrimináciou - antidiskriminačný zákon*)), Art. 8a/1; available at: [www.slov-lex.sk/vyhľadavanie-pravných-predpisov?text=365%2F2004](http://www.slov-lex.sk/vyhľadavanie-pravných-predpisov?text=365%2F2004).

	<p>Are there any legal or practical limitations or barriers for the self-organisation membership of migrants in migrant and or diaspora associations and organisations?</p>	<p>In general, self-organisation and association of migrants is regulated by Article 29 Paragraph 1 of the Constitution of the Slovak Republic.<sup>270</sup> The right to associate freely in unions, societies or other associations is guaranteed to anyone in Slovakia, including foreigners. The exercise of this right may be restricted in cases provided by law on grounds of national security, protection of public order, prevention of a crime and protection of rights and freedoms of others.</p> <p>According to the Slovak Constitution, foreigners are not allowed to become members of <b>political parties</b>; on the other hand, they are allowed to vote or stand for as candidates in municipal elections. In practice, though, the right to be elected remains more formal than actual.</p> <p>Pursuant to Act No. 83/1990 Coll. on Association of Citizens as amended, third country nationals in Slovakia are allowed to establish various <b>associations</b> such as clubs, societies, chambers, civic associations, groups, trade unions, etc. A civic association is established on the day of its registration with the Ministry of Interior. The ministry is obliged to register every civic association that complies with legal requirements. The Register of Associations kept by the Ministry of Interior<sup>271</sup> contains more than 200 unions, information centres, chambers of commerce and cultural associations of immigrants. The <b>foundations</b> can be established according to Act No. 34/2002 Coll. on Foundations that amended the Civil Code. This law regulates the legal status of foundations and the process of creating endowment funds.</p> <p>Theoretically, foreigners are allowed to become members of <b>trade unions</b>; however, we have been unable to retrieve any detailed information on any existing cooperation between migrant communities and trade unions.</p> <p><u>Most problems in the field of migrants' self-organization seem to be related to religion.</u> Formal requirements pertaining to registration of churches and religious associations were amended several years ago, making it too difficult (and practically impossible) to found a new church or a religious association. Establishing <b>churches and religious associations</b> is regulated by Act No. 308/1991 Coll. on the Status of Churches and Religious Associations as amended. According to this law, the Ministry of Interior will only register a church if the motion for registration includes signed declarations of honour by at least 20,000 of its</p>
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<sup>270</sup> Slovakia, Act No. 460/1992 Coll.- the Constitution of the Slovak Republic (*Zákon č. 460/1992 Z. z. Ústava Slovenskej republiky*); available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/1992/460/20141201](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/1992/460/20141201).

<sup>271</sup> The Register of Associations is available at: [www.ives.sk/registre/hladatoz.do](http://www.ives.sk/registre/hladatoz.do)

		<p>followers or members. In practice, this means that a new church must have at least 20,000 adult members who are not only Slovak citizens but have also permanent residence in Slovakia. Given the small total number of foreigners living in Slovakia, it is hard to imagine any new religious community would be able to meet the existing requirements.</p>
	<p>Are there notable cases of active migrant and/or diaspora associations and organisations? Please indicate the most known, active or representative ones on the basis of existing data about membership – please include size/numbers of members - and through contacts with competent actors and stakeholders. Please specify their character and eventual differences, including aspects concerning their religious, culture or geographic scope.</p>	<p>There are more than 200 formally registered associations of migrants; however, only about ten of them are active and generally known. In the following, we briefly describe the five most notable diaspora organisations operating in Slovakia.</p> <p><b>1. Ukrainian community</b></p> <p>The largest of all migrant communities in Slovakia,<sup>272</sup> ethnic Ukrainians are formally organized in various formal and informal organizations. Perhaps the largest is the Association of Ruthenians and Ukrainians of the Slovak Republic (<i>Zväz Rusínov a Ukrajincov v SR</i>), which has about 4,000 members.<sup>273</sup> Older, settled immigrants and naturalised Ukrainians are associated in the Slovak-Ukrainian Society of Friendship (<i>Slovensko-ukrajinská spoločnosť priateľstva</i>),<sup>274</sup> while communities of new-coming Ukrainians have not yet been formally institutionalised. The Interior Ministry's Register of Associations includes various cultural, commercial and educational associations, for instance the Society of Ukrainian Writers (<i>Spolok ukrajinských spisovateľov</i>), the Theatrical Ensemble of Taras Shevchenko (<i>Divadelný súbor Tarasa Ševčenka</i>), the Ukrainian Diaspora, the Slovak Ukrainian Chamber of Commerce or the Slovak-Ukrainian Development Association. Young people are organised in the Union of Ukrainian and Ruthenian Youth in Slovakia. While information on their activities is not publicly available, interviews with their representatives suggest that some diaspora associations (e.g. <i>Ukraine Slovakia SOS, Good Heart Foundation</i>) currently focus on providing humanitarian aid to their fellow compatriots who are suffering in the ongoing military conflict with Russia.<sup>275</sup> In the past, the Coordination Committee for Reoptants (<i>Koordináčny výbor pre reoptantov</i>) or the Slovak-Ukrainian Society (<i>Slovensko-ukrajinská spoločnosť</i>) actively fought for economic and social rights of Ukrainians resettled to Slovakia between 1991 and 1999.<sup>276</sup></p> <p><b>2. Vietnamese community</b></p>

<sup>272</sup> The total number of Ukrainians with legal residence was 8,033 as of the end of 2014; however, approximately 7,000 Ukrainians (who have in the meantime become Slovak citizens) arrived in Slovakia between 1991 and 1999, either as reoptants or as repatriates from the Chernobyl area.

<sup>273</sup> For further details, please see the official website of the Ukrainian Embassy in Slovakia at:

<http://slovakia.mfa.gov.ua/sk/ukraine-sk/ukrainians-in-sk>

<sup>274</sup> No data on membership are available.

<sup>275</sup> The information was retrieved during an interview with Mrs. Galina Korolevych, IOM cultural mediator.

<sup>276</sup> Please visit [www.rusyn.sk/reoptantom-a-chernobylcanom-prehodnotia-dochodky](http://www.rusyn.sk/reoptantom-a-chernobylcanom-prehodnotia-dochodky)



		<p>The Vietnamese community is one of the most traditional migrant communities in Slovakia. Going back a long way, the Vietnamese began to settle in Slovakia in the 1950s and their total number has grown until the present day. Formally, they are organized in four main institutions that are established on an ethnic basis:</p> <ol style="list-style-type: none"> <li>1) Vietnamese Community in Slovakia (<i>Komunita Vietnamcov na Slovensku</i>);<sup>277</sup></li> <li>2) Vietnamese Women's Union (<i>Únia vietnamských žien na Slovensku</i>);</li> <li>3) Association of Vietnamese Entrepreneurs in Slovakia (<i>Združenie vietnamských podnikateľov na Slovensku</i>);</li> <li>4) Slovak-Vietnamese Chamber of Commerce (<i>Slovensko-vietnamská obchodná komora</i>).<sup>278</sup></li> </ol> <p>In the past, former two associations participated in NGO projects related to integration of foreigners such as language training or research projects. The Slovak-Vietnamese Chamber of Commerce is active primarily in commercial, economic and political areas, developing strategies for business development of their members.</p> <p><b>3. Islamic community</b> According to the <i>Atlas of Communities</i> published by the International Organisation for Migration (IOM), the community of Muslim migrants in Slovakia comprises about 2,000 people; however, the exact size of this community is difficult to determine as it includes individuals, groups and families from Eastern Europe (e.g. Albania or Bosnia and Herzegovina), Asia (e.g. Afghanistan, Indonesia, Iran, Iraq, Jordan, Syria and Turkey) and Africa (e.g. Egypt, Libya, Somalia and Tunisia). The most represented are Muslims from Libya, Afghanistan and Egypt. While cultural, social and economic differences between individual members of the community can be significant, the religion has become the unifying element in Slovakia.<sup>279</sup> The feminine members of the Islamic community are very active in the integration and inclusion of foreign women.<sup>280</sup></p> <p><b>4. African community</b> Some of the "African" communities are rather sizeable and have their associations registered with the Ministry of Interior,<sup>281</sup> especially various associations (e.g. <i>Association of Angolan Community, Association of Libyan Community, and Association of Slovak-Angolan</i></p>
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<sup>277</sup> The information was retrieved during an interview with Mr. Viet Nguyen, spokesman of the Vietnamese Community in Slovakia.

<sup>278</sup> Please visit the official website at [www.svcc.sk/en](http://www.svcc.sk/en).

<sup>279</sup> Please visit <http://mic.iom.sk/atlas/>.

<sup>280</sup> The information was retrieved during an interview with Mrs. Zuzana Hasna with the Islamic Foundation.

<sup>281</sup> Please visit [www.ives.sk/registre/hladatoz.do](http://www.ives.sk/registre/hladatoz.do).

		<p><i>Friendship</i>), information centres (e.g. <i>African Cultural, Information and Integration Centre, Centre Africa, African Centre in Slovakia, Slovakia-African and Arab Information Centre</i>, or <i>Slovak-Algerian Information Centre</i>), societies (e.g. <i>Association of Africans and Friends of Africa in Slovakia, African-Slovak Arabic Society, Slovak-South African Society, Friends of Africa in Slovakia, Society for Slovak-Egyptian Cooperation, Libyan Society in Slovakia</i>, etc.) and chambers of commerce (e.g. <i>African-Slovak-Arabic Chamber of Commerce, Slovak-Beninese, Slovak-Congolese, Slovak-Nigerian, Slovak-Liberian</i> or <i>Slovak-Libyan</i> chambers of commerce).</p> <p>In the past, the most active organisations of the African community were the Civic Association of Africans in Slovakia (<i>Občianske združenie Afričanov na Slovensku</i>) and the Association of Portuguese-Speaking Countries (<i>Países de Língua Oficial Portuguesa</i>). Neither of the two associations is active anymore; their activities have been substituted by the African Cultural, Information and Integration Centre (<i>Africké kultúrne, informačné a integračné centrum</i>).<sup>282</sup></p> <p><b>5.Afghani community</b></p> <p>The total number of Afghans residing legally in Slovakia was 222 as of the end of 2014. The entire Afghani community is built on the Afghans who have acquired Slovak citizenship and have become well integrated. As a result, the community is rather small compared to other diaspora organisations whose representatives have been interviewed; on the other hand, it is just as active and one of the most visible ones thanks to individuals and politicians of Afghani background. At the moment, the community specialises in organising cultural events and providing humanitarian aid. The Afghans are formally organised in several associations that are established on an ethnic basis:</p> <ul style="list-style-type: none"> <li>• Afghani Union in Slovakia (<i>Zväz Afgancov na Slovensku</i>)<sup>283</sup> is the most active of all;</li> <li>• Afghani Community (<i>Afganská komunita</i>) is an organization that competes with the Afghani Union in Slovakia.</li> </ul> <p>There are also smaller associations such as HINDUKOSH – Association for Development of Afghanistan (<i>Združenie pre rozvoj Afganistanu</i>)<sup>284</sup> and the Association of Friends of Afghanistan (<i>Združenie priateľov Afganistanu</i>).<sup>285</sup></p>
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<sup>282</sup> Please visit [www.akiic.sk/news.html](http://www.akiic.sk/news.html) .

<sup>283</sup> Please visit [www.zans.sk/index.html](http://www.zans.sk/index.html) .

<sup>284</sup> Please visit <http://firmy.maxivyber.sk/42181241-hindukosh-zdruzenie-pre-rozvoj-afganistanu> .

<sup>285</sup> Please visit [www.afan.sk](http://www.afan.sk) .

	<p>Please provide any data on the participation of migrants and their descendants in the most representative migrant and/or diaspora organisations and associations? (figures and % of migrants and/or persons with the specific ethnic or other background as members, or descriptive data if statistical data is not available).</p>	<p><b>1. Ukrainian community</b> According to data provided by the Ukrainian embassy, the Association of Ruthenians and Ukrainians of the Slovak Republic<sup>286</sup> has 4,000 members. Other statistics are not available.<sup>287</sup></p> <p><b>2. Vietnamese community</b> The total number of Vietnamese nationals legally residing in Slovakia was 2,180 at the end of 2014; however, the total number of naturalised Vietnamese is believed to be much higher (from 1993 to 2014), although it remains unknown.<sup>288</sup> According to IOM's <i>Atlas of Communities</i>, the Vietnamese community has approximately 500 members.<sup>289</sup> The Vietnamese associations cooperate with one another on various issues but exact data on their total membership are not available. The Vietnam Women's Union has approximately 300 members.<sup>290</sup> The Slovak-Vietnamese Chamber of Commerce has approximately 100 active members.<sup>291</sup></p> <p><b>3. Islamic community</b> As stated in IOM's <i>Atlas of Communities</i>, the community of Muslim migrants in Slovakia comprises about 2,000 people; however, the exact size of this community is difficult to determine as it includes individuals, groups and families from Eastern Europe (e.g. Albania or Bosnia and Herzegovina), Asia (e.g. Afghanistan, Indonesia, Iran, Iraq, Jordan, Syria and Turkey) and Africa (e.g. Egypt, Libya, Somalia and Tunisia). The most represented are Muslims from Libya, Afghanistan and Egypt. While cultural, social and economic differences between individual members of the community can be significant, the religion has become the unifying element in Slovakia.<sup>292</sup> The number of members of the Islamic Foundation is not available since the community is not build on a membership basis.<sup>293</sup></p> <p><b>4. African community</b> The "African community" in Slovakia consists of individuals hailing from more than 40 African countries. The total number of Africans who have been granted permanent residence in Slovakia for various purposes exceeded 1,040 as of the end of 2014; however, the total number of naturalised individuals with an "African background" is unknown. As of the end of 2014, the largest communities of African migrants included Egyptian (220), Libyan (170), Tunisian (119), Nigerian (111) and South African (65) ones. All these communities comprise settled and</p>
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<sup>286</sup> Please visit [www.rusini-ukrajinci.sk/index.php?r=sk/site/section/id/15](http://www.rusini-ukrajinci.sk/index.php?r=sk/site/section/id/15) .

<sup>287</sup> E-mail requests have been sent to all major associations.

<sup>288</sup> We have requested the information from the Ministry of Interior but are still awaiting the answer.

<sup>289</sup> Please visit <http://mic.iom.sk/atlas/vietnamska-komunita/> .

<sup>290</sup> The information was retrieved during an interview with Mrs. Huong Gašparovská with the Vietnam Women's Union.

<sup>291</sup> The information was retrieved during an interview with Mr. Samo Cuong with the Slovak-Vietnamese Chamber of Commerce.

<sup>292</sup> IOM International Organization for Migration: <http://mic.iom.sk/atlas/> .

<sup>293</sup> The information was retrieved during an interview with Mrs. Zuzana Hasna with the Islamic Foundation.

	<p>naturalised individuals as well as newcomers. Also, the diversity of the country's African community owes a lot to the fact that many Africans have been granted international protection or governmental scholarships in Slovakia.</p> <p>The African Cultural, Information and Integration Centre has approximately 100 active members.<sup>294</sup></p> <p><b>5. Afghani community</b></p> <p>There are no exact data available on the number of members of the Afghani Union in Slovakia (<i>Zväz Afgancov na Slovensku</i>)<sup>295</sup> or its competitive organization, the Afghani Community (<i>Afganská komunita</i>).</p>
<p>Are such associations and organisations encouraged and/or supported financially or in other means (e.g. offices) by the national, regional or local authorities? Is there in place a mechanism linking such associations at national level? (e.g. network of migrant associations).</p>	<p>According to the MIPEX comparative research,<sup>296</sup> although immigrant associations have helped draft the previous <i>Strategy of the Foreigners' Integration in the Slovak Republic</i> adopted in 2009,<sup>297</sup> currently they are neither structurally funded nor regularly consulted to share immigrants' experiences.</p> <p>There is no official financial support available or mechanism that would link these associations on the national level (for instance in the form of an umbrella organisation).</p>
<p>Membership and participation of migrants in civil society organisations and voluntary work:</p>	
<p>Are there any legal or practical limitations or barriers for the membership of migrants in civil society organisations?</p>	<p>No limitations were reported by the interviewed representatives of five communities. Besides, it is not legally difficult to found a civic association.</p>
<p>Do civil society organisations encourage and support membership and participation of migrants and/or their descendants? E.g. through information and raising awareness initiatives in more languages, translation and language support services etc.</p>	<p>Such initiatives are not known; the information on potential initiatives of this type is not publicly available.</p>
<p>Please provide any data on the participation and membership of migrants and their descendants in the most representative civil society organisations? (figures or % of organisation members, % of migrants and/or with migrant background as members, or descriptive data if statistical data is not available).</p>	<p>Participation of migrants and their descendants in civil society organisations working with migrants is very low, almost non-existent:</p> <p><u>Centre for the Research of Ethnicity and Culture, CVEK</u>: 0%  <u>Milan Šimečka Foundation</u>: 0% (on an external basis, the foundation cooperates with approximately 10 foreigners)<sup>298</sup>  <u>Slovak Humanitarian Council, SHR</u>: 0% (SHR externally cooperates with foreigners as translators)</p>

<sup>294</sup> The information was retrieved during an interview with Mr. Moses Njambi Sancho, AKIIC Director.

<sup>295</sup> Please see [www.zans.sk/index.html](http://www.zans.sk/index.html).

<sup>296</sup> Please see [www.mipex.eu](http://www.mipex.eu).

<sup>297</sup> Please see [http://ec.europa.eu/ewsi/UDRW/images/items/docl\\_12636\\_716907546.pdf](http://ec.europa.eu/ewsi/UDRW/images/items/docl_12636_716907546.pdf).

<sup>298</sup> The information was retrieved during an interview with Mr. Laco Oravec, Program Director of the Milan Šimečka Foundation.

		<p><u>Human Rights League</u>, HRL: 0% (HRL externally cooperates with about five foreigners as translators or consultants)</p> <p><u>Catholic Charity</u>: 0%</p> <p><u>Institute for Public Affairs</u>, IVO: 0% (IVO director has a migrant background; currently, IVO cooperates with about eight foreigners on a project related to integration of refugees)</p> <p><u>Slovak Governance Institute</u>, SGI: 0%</p> <p><u>Marginál</u>: 0% (Marginál externally cooperates with foreigners as translators)</p> <p>Institute for Migration and Communication (<i>Inštitút pre migráciu a komunikáciu</i>): five of its nine members are third country nationals, three are Slovak nationals and one is a Hungarian national; the third country nationals hail from Kenya, Colombia, Afghanistan and China.</p>
Membership and participation of migrants in political parties:		
	<p>Are there any legal or practical limitations or barriers for the membership of migrants in political parties, initiatives (e.g. petitions, signature collections) and movements?</p>	<p>According to the Slovak Constitution, foreigners are not allowed to become members of <b>political parties or movements</b>; on the other hand, they are allowed to vote or run as candidates in municipal elections. In practice, though, the right to be elected remains more formal than actual.</p>
	<p>Do political parties encourage and support membership and participation of migrants and/or their descendants in their activities? E.g. through information and raising awareness initiatives in more languages, translation and language support services etc.</p>	<p>The authors of the report have addressed all political parties represented in parliament in 2014 twice without receiving any feedback. Political parties do not officially or publicly encourage participation of migrants and their descendants in their political activities.</p>
	<p>Please provide any data on the participation and membership of migrants and their descendants in the political parties, initiatives and movements? (figures or % of party members, % of migrants and/or with migrant background as members, or descriptive data if statistical data is not available).</p>	<p>Not applicable.</p>
	<p>Are migrants elected as representatives of political parties, initiatives and movements? Please provide figures if available, and report the related legal or practical limitations or barriers, eventually faced.</p>	<p>Not applicable.</p>

### 3.7.Civic and citizenship education

	<p>The participation of migrants and their descendants (with a distinct linguistic, cultural background) in education:</p> <p>Have teachers of migrant background equal access to <b>employment</b> in education, as teachers? If yes, what is the rate of participation (% of teachers with migrant background at national level)? Are they represented in professional teacher associations? Please identify limitations, challenges and promising practice.</p>	<p>In Slovakia, the rights and obligations of teachers are regulated by Pedagogical Employees Act.<sup>299</sup> This law stipulates the conditions under which teachers are allowed to perform their jobs. Neither Slovak nationality nor non-migrant origin is among the requirements that would qualify or disqualify a person from teaching. Principal criteria include integrity, health condition, qualifications and command of the state language. It is the latter two requirements that may affect migrants' access to the teacher's profession. The law fails to stipulate explicitly whether qualification requirements must be fulfilled by majoring in pedagogy from a Slovak university. Slovakia has in place a law on recognition of qualifications, which stipulates the mechanism of assessing whether education acquired in a foreign country is sufficient to comply with qualification requirements in Slovakia.<sup>300</sup> The teachers who wish to demonstrate their university education acquired in a foreign country must submit an application to the Ministry of Education and produce various documents including relevant diplomas. The ministry subsequently assesses whether this level of education is sufficient and, if it finds it is not, may impose compensation mechanisms (e.g. completing education and passing a differential examination).<sup>301</sup> Sufficient command of the state language forms another important criterion which, however, does not apply to foreign language teachers and in bilingual education. The teachers who have acquired education in other than the state language must submit a certificate on passing a state language examination, which can be taken either at universities that are certified to perform Slovak language examinations or at secondary schools that teach the language.<sup>302</sup></p> <p>Unfortunately, no relevant statistical or qualitative data on teachers with migration background exist in Slovakia. Ministry of education does not collect such data and no survey or research has been conducted with this topic in focus.</p>
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<sup>299</sup> Slovakia, Act No. 317/2009 Coll. on pedagogical employees and technical employees that seeks to alter certain laws (*Zákon č. 317/2009 Z. z. o pedagogických zamestnancoch a odborných zamestnancoch a o zmene niektorých zákonov*), available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/2009/317/20150301](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2009/317/20150301).

<sup>300</sup> Slovakia, Act No. 293/2007 Coll. on recognition of professional qualifications as amended (*Zákon č. 293/2007 Z. z. o uznávaní odborných kvalifikácií*); available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/2007/293/20131201](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2007/293/20131201).

<sup>301</sup> Slovakia, Act No. 293/2007 Coll. on recognition of professional qualifications as amended (*Zákon č. 293/2007 Z. z. o uznávaní odborných kvalifikácií*), 29 June 2007, Article 19.

<sup>302</sup> Slovakia, Act No. 317/2009 Coll. on pedagogical employees and technical employees that seeks to alter certain laws (*Zákon č. 317/2009 o pedagogických zamestnancoch a odborných zamestnancoch a o zmene niektorých zákonov*), Article 11.

<p>Are there any particular gender issues?</p>	<p>For the time being, there is no study or official document issued by a relevant government institution that would point out the specific situation of girls or women within education process. Relatively little attention is paid to education of migrants' children in general; other particular issues have not yet become part of the public debate in Slovakia.</p>
<p>Are parents of migrant background actively participating in the school life? Please provide evidence concerning their participation in parents associations, school and community events and extracurricular activities, consultations etc.<sup>303</sup></p>	<p>In Slovakia, there are no relevant statistics or exhaustive studies that would illustrate the degree of migrant parents' participation in the school life. The overall number of migrant children who attend Slovak primary (approximately 1,100)<sup>304</sup> or secondary schools (approximately 500)<sup>305</sup> continues to be rather low; most of them (about two thirds) are migrants from other EU member states. That is why education of these children has not come to the centre of government's attention as yet. Research projects carried out and qualitative surveys published by non-governmental organisations that examine these issues every now and then<sup>306</sup> indicate that the rate of migrant parents' participation in the school life is relatively low. While teachers at schools would certainly like to see greater participation, it is currently being impeded by several obstacles. Perhaps the most important is the language barrier as migrant parents' command of Slovak is often worse than that of their children. As a result, they have to use interpreters to communicate with the school, which complicates their participation. Another obstacle is the general absence of the open school concept where parents actively participate in the school life. There are school boards and parent-teacher associations; however, they are very rarely attended by parents of migrant background.<sup>307</sup> Another study carried out by the Centre for the Research of Ethnicity and Culture revealed that in order to maintain legal residence in Slovakia and comply with formal requirements, the parents of migrant children must put in a lot more effort than their Slovak counterparts; many of them keep several jobs or work shifts, so they rarely have time to take part in school events, let alone extracurricular activities.<sup>308</sup></p>
<p>Are there extracurricular activities involving and</p>	<p>In compliance with Article 113 of Schooling Act and Education Minister Decree No. 306 of July 15, 2009,<sup>309</sup></p>

<sup>303</sup> For more information about involving the community in the school life and vice versa please refer also to the findings of the SIRIUS Network [www.sirius-migrationeducation.org/](http://www.sirius-migrationeducation.org/)

<sup>304</sup> Slovakia, Institute of Information and Prognoses of Education (*Ústav informácií a prognóz školstva*) (2014) 'Štatistická ročenka školstva'; available at: [www.uips.sk/prehlady-skol/statisticka-rocenka---zakladne-skoly](http://www.uips.sk/prehlady-skol/statisticka-rocenka---zakladne-skoly)

<sup>305</sup> Slovakia, Institute of Information and Prognoses of Education (*Ústav informácií a prognóz školstva*) (2014) 'Štatistická ročenka školstva'; available at: [www.uips.sk/prehlady-skol/statisticka-rocenka---zakladne-skoly](http://www.uips.sk/prehlady-skol/statisticka-rocenka---zakladne-skoly)

<sup>306</sup> Here we refer particularly to the Centre for the Research of Ethnicity and Culture and the Milan Šimečka Foundation.

<sup>307</sup> Gažovičová, T. (2011), *Vzdelávanie detí cudzincov na Slovensku. Potreby a riešenia*, Bratislava, Centrum pre výskum etnicity a kultúry – Nadácia Milana Šimečku, p. 53.

<sup>308</sup> Kriglerová Gallová, E. – Chůdžiková, A. (2013), 'Na polceste k inklúzii. Prípadové štúdie troch škôl', in Kriglerová Gallová, E. – Hapalová, M. (eds) (2013), *O krok bližšie k inklúzii*, Bratislava, Človek v tísni – Centrum pre výskum etnicity a kultúry, pp. 204 – 223.

<sup>309</sup> Slovakia, Act No. 245/2008 Coll. on upbringing and education (Schooling Act) as amended (*Zákon č. 245/2008 Z. z. o výchove a vzdelávaní v znení neskorších predpisov*); available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/2008/245/20150401](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2008/245/20150401)

	<p>engaging with children and parents of migrant background and/or focussing on civic and citizenship education? Please identify limitations, challenges and promising practice.</p>	<p>extracurricular activities take place primarily in school clubs and leisure centres. Unfortunately, these organisations' activities do not specifically target children of migrant origin or their parents in any way whatsoever. One of plausible reasons may be the relatively low overall number of pupils and students of migrant origin in Slovak primary and secondary schools. As a result, this category of children remains on the margin of education system's attention. As we have observed earlier, participation of parents in their children's extracurricular activities is an area that is merely beginning to develop. Besides, parents of migrant origin may face numerous obstacles that prevent them from more active participation in the school life, for instance a language barrier, distinct cultural dissimilarity (which they may perceive as a "handicap") or heavy occupation at work due to their effort to maintain their residence permit.</p> <p>IUVENTA – the Slovak Youth Institute is a governmental agency directly managed by the Ministry of Education, Science, Research and Sports. It pursues a number of projects aimed at working with primary school pupils and secondary school students, focusing primarily on human rights and social inclusion; however, most of these projects are specifically designed for Romani children. In 2013, IUVENTA carried out a project called Živé knižnice [Living Libraries], which made human rights issues more comprehensible to 343 children from primary and secondary schools.<sup>310</sup> In pedagogical instructions for the ongoing academic year, the Education Ministry recommended children's continuous participation in this project.<sup>311</sup> Besides, the agency established seven thematic youth centres (one in each regional capital except Bratislava) that are charged with conceiving and coordinating innovative educational programmes, organising educational activities within their respective regions and furthering the inclusive approach to working with children. In 2012, IUVENTA organised a Living Library event on the occasion of Human Rights Day, dedicating it to issues of tolerance and multiculturalism; overall, some 400 students took part. Last but not least, the agency organises an annual Human Rights Olympiad for secondary school students; every year, some 150-180 students</p>
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; Slovakia, Decree No. 306 of the Minister of Education of 15 July 2009 on school clubs, school hobby centres, centres of leisure activities, school management and centres of practical training (*Vyhlaska ministra skolstva Slovenskej republiky č. 306 z 15. júla 2009 o školských kluboch, školských strediskách záujmovej činnosti, centre voľného času, školskom hospodárstve a stredisku odbornej praxe*); available at: [www.uips.sk/sub/uips.sk/images/OddMladezASport/Mladez/legislativa/306-2009.pdf](http://www.uips.sk/sub/uips.sk/images/OddMladezASport/Mladez/legislativa/306-2009.pdf).

<sup>310</sup> IUVENTA – the Slovak Youth Institute (*IUVENTA – Slovenský inštitút mládeže*) (2014), 'Výročná správa za rok 2013', available at: [www.iuventa.sk/files/documents/publik%C3%A1cie/vyroczne\\_spravy-dlhe\\_verzie/67-vyrocn\\_a\\_sprava\\_2013.pdf](http://www.iuventa.sk/files/documents/publik%C3%A1cie/vyroczne_spravy-dlhe_verzie/67-vyrocn_a_sprava_2013.pdf)

<sup>311</sup> Slovakia, Ministry of Education, Science, Research and Sports of the Slovak Republic (*Ministerstvo školstva, vedy, výskumu a športu SR*) (2014), 'Pedagogicko-organizačné pokyny na školský rok 2014/2015', available at: [www.minedu.sk/data/att/6148.pdf](http://www.minedu.sk/data/att/6148.pdf)



		<p>participate.<sup>312</sup> Unfortunately, none of these initiatives specifically focuses on migration issues and/or targets migrants and their children.</p>
	<p>Are there provisions for bilingual education? If yes, is it supported by trained teachers and training programmes, curriculum provisions and dedicated school manuals and books?</p>	<p>Schooling Act<sup>313</sup> stipulates the circumstances of providing bilingual education in foreign languages. For the purposes of this law, foreign language is the official language of another country with which the Slovak Republic has entered into an agreement to establish a school or class with that country's official language as a second language of instruction. In a bilingual school or class, the foreign language is the second language of instruction. A bilingual school or class may also be established without a formal agreement with another country, provided that education in the foreign language is provided in at least three mandatory subjects. In all bilingual schools or classes, Slovak language and literature is mandatory part of the curriculum.</p> <p>Here, one should note that there are 56 bilingual schools operating in Slovakia at the moment; all of them provide education in the state language plus that of some other EU member state (e.g. English, German, Spanish or French). Consequently, children of third country nationals currently do not have access to bilingual education in Slovakia.<sup>314</sup></p> <p>Most foreign language teachers currently employed at bilingual schools are not "native speakers" but Slovaks with sufficient command of the second language of instruction. According to Silvia Pokrivčáková, an expert on bilingual education, they lack adequate methodological support or teaching materials that would allow them to be more effective. Their pupils usually learn from foreign textbooks and try to read foreign language texts as much as possible; however, there is neither complex nor specific support in the field of publishing textbooks for bilingual education. Slovak universities, for their part, fail to prepare teachers for bilingual education in a satisfactory manner.<sup>315</sup></p>
	<p>Is there evidence of school segregation and/or policies of separate/distinct schooling of migrants?</p>	<p>For the time being, Slovakia's education system does not segregate migrants' children in separate classes or schools as it is often the case with Romani children, mostly because the overall number of these children at Slovak primary and secondary schools continues to be very low. Geographically, the children of migrants are relatively evenly mingled among the majority</p>

<sup>312</sup> IUVENTA – the Slovak Youth Institute (*IUVENTA – Slovenský inštitút mládeže*) (2014), *Výročná správa za rok 2013* ; IUVENTA – the Slovak Youth Institute (*IUVENTA – Slovenský inštitút mládeže*) (2013), *Výročná správa za rok 2012* ; IUVENTA– the Slovak Youth Institute (*IUVENTA – Slovenský inštitút mládeže*) (2012), *Výročná správa za rok 2011*. All annual reports are available at: [www.iuventa.sk/sk/IUVENTA/Vyrocnne-spravy/alej](http://www.iuventa.sk/sk/IUVENTA/Vyrocnne-spravy/alej) .

<sup>313</sup> Slovakia, Act No. 245/2008 Coll. on upbringing and education, as amended (*Zákon č. 245/2008 Z. z. o výchove a vzdelávaní v znení neskorších predpisov*), Article 12; available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/2008/245/20150401](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2008/245/20150401).

<sup>314</sup> Pokrivčáková, S. (2013), *Príprava učiteľov na bilingválne vzdelávanie*, Banská Bystrica, Univerzita Mateja Bela.

<sup>315</sup> Pokrivčáková, S. (2013), *Príprava učiteľov na bilingválne vzdelávanie*, Banská Bystrica, Univerzita Mateja Bela.

		<p>population, which is why the average number of these children per school is minuscule. A survey that examined this issue in 2011 did not establish any segregation with respect to migrants' children within education system; however, in-depth interviews with teachers have indicated that as the overall number of migrants' children attending Slovak schools increases there will be growing pressure to place them into separate classes and schools, which most teachers in Slovakia currently seem to view as the most effective way of educating these children.<sup>316</sup> As for now, government's official education policy fails to take this phenomenon into account in any way, despite the fact that non-governmental organisations such as the Centre for the Research of Education and Culture and the Milan Šimečka Foundation have repeatedly pointed out this trend and warned about increased segregation of migrants' children in the future.</p>
	<p>Is there evidence of modifying school curricula and teaching materials can be modified to reflect the diversity of the school population? Is the teacher regular curricula/training dealing with specific reference to immigrants or ethnic minorities and respect/promotion of diversity?</p>	<p>The only training programme for teachers that would specifically focus on issues of migration and integration of migrants was a programme jointly implemented by the Milan Šimečka Foundation and the Centre for the Research of Ethnicity and Culture between 2010 and 2013. The programme consisted of two training cycles, each cycle comprising three daily training courses spanning three to four days; in total, approximately 40 primary school teachers graduated from the programme. The follow-up training cycle was officially certified by the Ministry of Education, Science, Research and Sports. The training was aimed at increasing teachers' skills and capacities to work with children of migrant origin during the education process. The training programme's curriculum was based on the respect for diversity and human dignity; on the general level, the training's principal ambition was to increase teachers' sensitivity to issues of cultural diversity, ethnic minorities and migration. One of the programme's outputs is a manual on education of migrant children, which is available for free download on the Internet.<sup>317</sup> Both training cycles were financed from the European Fund for the Integration of Third-Country Nationals.<sup>318</sup> In 2014, the training programme was temporarily suspended due to problems with ensuring a continuous and sustainable source of funding.</p> <p>In pedagogical instructions for the ongoing academic year, the Ministry of Education, Science, Research and Sports recommends schools to further teachers' training in the field of intercultural education, emphasising a project implemented by the State</p>

<sup>316</sup> Gažovičová, Tina (ed.) (2011), *Vzdelávanie detí cudzincov na Slovensku. Potreby a riešenia*, Bratislava, Centrum pre výskum etnicity a kultúry – Nadácia Milana Šimečku, p. 58.

<sup>317</sup> Drál, P. (ed.) (2011), *Vzdelávanie detí cudzincov na Slovensku: Príklady dobrej praxe*, Bratislava, Centrum pre výskum etnicity a kultúry – Nadácia Milana Šimečku; available at: <http://cvek.sk/uploaded/files/Vzdelavanie%20deti%20cudzincov-%20pr%C3%ADklady%20dobrej%20praxe.pdf> .

<sup>318</sup> For further details, please visit [www.nadaciamilanashimecku.sk/index.php?id=154](http://www.nadaciamilanashimecku.sk/index.php?id=154) .

		<p>Pedagogical Institute entitled "Innovative Education for Pedagogical Employees of Primary Schools Aimed at Supporting Their Intercultural Skills in the Process of Educating Romani Pupils".<sup>319</sup> Besides, methodological-pedagogical centres provide the following accredited programmes of continuous education for teachers: Multicultural Education on the First Stage of Primary Schools, Global Development Education, Multicultural Society in Germany, Global Education and Its Application in the Education Process, and Implementation of the State Language for Migrants' Children into the Education Process at Primary and Secondary Schools.<sup>320</sup></p>
	<p>Are all students – not only of migrant background – targeted and/involved by civic education and activities related to migrant integration at schools?</p>	<p>In 2008, a cross-sectional theme of multicultural education that should be pursued within all subjects was made an integral part of government's official educational programme. In other words, it targets all pupils and students.<sup>321</sup> Thematically, multicultural education should focus primarily on promoting respect for cultural diversity; however, the practical method of introducing multicultural education into schools' educational programmes has been left up to individual schools. The same goes for global development education, which should also target all pupils and students; so far, though, this theme has not become a stable part of schools' educational programmes.<sup>322</sup></p>
<p>The implementation of specific measures and initiatives aiming at (the following possible practices on the left is an indicative and non-exhaustive list):</p>		
	<p><b>Please use the following as indicative list of possible practices to report on:</b></p> <p>Improving the way civic and citizenship education reflect diversity in society through curricular and extracurricular activities. Are there specific programmes helping young people to learn how to live in a society with people from different cultures and religions?</p>	<p><b>Equal treatment</b> of migrants' children within education system is guaranteed by Schooling Act. Compulsory school attendance applies to all children between six and sixteen who live in Slovakia. Article 146 of Schooling Act that deals with education of foreigners' children stipulates that "According to this law, children of foreigners with legal residence status on the territory of the Slovak Republic and children of asylum seekers shall have equal rights to upbringing and education, accommodation and boarding at schools under identical conditions as citizens of the Slovak Republic".<sup>323</sup></p>
	<p>Improving the way formal curriculum subjects, e.g. literature, history, etc. promote mutual understanding, respect for</p>	<p>The surveys cited earlier suggest that this principle is being practically implemented; in fact, it seems that applicable government authorities tend to interpret this provision perhaps too literally, which shows in a fact that apart from language courses (please see below) they fail to provide any support programmes or</p>

<sup>319</sup> For further information on the project, please visit [www.statpedu.sk/sk/Projekty/EEA-GRANTS/O-projekte.alej](http://www.statpedu.sk/sk/Projekty/EEA-GRANTS/O-projekte.alej).

<sup>320</sup> The complete list of accredited programmes provided by methodological-pedagogical centres is available at [www.mpc-edu.sk/vzdelavacia-cinnost/ponuka-akreditovanych-vzdelavacich-programov](http://www.mpc-edu.sk/vzdelavacia-cinnost/ponuka-akreditovanych-vzdelavacich-programov).

<sup>321</sup> Slovakia, State Pedagogical Institute (Štátny pedagogický ústav) (2010), 'Multikultúrna výchova (prierezová téma) ISCED 3'; available at: [www.statpedu.sk/files/documents/svp/prierezove\\_temy/multikulturna\\_vychova\\_isced3.pdf](http://www.statpedu.sk/files/documents/svp/prierezove_temy/multikulturna_vychova_isced3.pdf).

<sup>322</sup> Návojský, A. – Zajac, L. et al. (2013), *Modelové školy globálneho vzdelávania*, Bratislava, Človek v ohrození, o.z.; available at: [http://www.globalnevezdelavanie.sk/sites/default/files/cvo\\_modelove\\_skoly\\_prirucka\\_web.pdf](http://www.globalnevezdelavanie.sk/sites/default/files/cvo_modelove_skoly_prirucka_web.pdf).

<sup>323</sup> Slovakia, Act No. 245/2008 Coll. on upbringing and education, as amended (Zákon č. 245/2008 Z. z. o výchove a vzdelávaní v znení neskorších predpisov) Article 146; available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/2008/245/20150401](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2008/245/20150401)

ethnic and religious diversity and the common democratic and pluralist values?	specific teaching methods that would make it easier for migrants' children to overcome various obstacles they encounter upon arriving in Slovakia (or many other children who were born in Slovakia, for that matter). As a result, the very "equality" of conditions thus potentially creates actual inequality in these children's access to quality education. <sup>324</sup>
Facilitating equal opportunities in education for children with migrant background?	
Facilitating the involvement, participation and support of parents with migrant background in the educational system and in the school activities?	
Providing language learning support to students of migrant background?	
Improving attendance and reducing drop-out of students with migrant background?	
Improving school and teachers' capacity to embrace, build on and/or manage diversity?	
<p>In particular, please specify if there are promising practices, including affirmative action / positive action practices designed to tackle structural inequalities</p> <p>Other...</p>	<p><b>Language learning support:</b> Article 146 of Schooling Act also reads as follows: "Basic and advanced courses of the state language shall be organised for children of foreigners in order to help them overcome the language barrier".<sup>325</sup> This provision is further elaborated upon by the law on state administration within education system, which states: "The state administration authority in the regional capital, in cooperation with local self-governance organs, shall provide organisational and financial support to language courses for children of foreigners with legal residence status on the territory of the Slovak Republic".<sup>326</sup> These language courses are provided in the total volume of 60 lessons. The interested schools may apply for the financial aid for these courses, provided they demonstrate the actual need; however, the hitherto practical experience of language teachers suggests that many schools are not even aware of this possibility as they do not receive necessary information. On the other hand, the teachers who have taught these language courses describe them as unsuitable for educating migrants' children, mostly because they are largely based on the methodology of teaching adult foreigners.<sup>327</sup> As a result, schools search for and test various self-reliance methods in practice. Some of them provide Slovak language courses either after school or during classes that are not viewed to be 'as important as others'. But other schools merely stand idly by and assume that migrants' children will gradually get a grasp of Slovak themselves by merely attending the school and choose to connive at their poorer grades temporarily.<sup>328</sup> Be it as it may, a general conclusion may be drawn that government fails to design and implement sufficiently effective measures to support language skills of migrants' children and leaves it up to schools to cope with their pupils' inadequate command of the language of instruction.</p>

<sup>324</sup> Gažovičová, T. (2011), *Vzdelávanie detí cudzincov na Slovensku. Potreby a riešenia*, Bratislava, Centrum pre výskum etnicity a kultúry – Nadácia Milana Šimečku p. 41.

<sup>325</sup> Slovakia, Act No. 245/2008 Coll. on upbringing and education, as amended (*Zákon č. 245/2008 Z. z. o výchove a vzdelávaní v znení neskorších predpisov*), Article 146; available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/2008/245/20150401](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2008/245/20150401).

<sup>326</sup> Slovakia, Act No. 596/2003 Coll. on state administration in education system and on school self-governance (*Zákon č. 596/2003 Z. z. o štátnej správe v školstve a školskej samospráve*, Article 10 (13); available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/2003/596/20150401](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2003/596/20150401).

<sup>327</sup> Gažovičová, T. (2011), *Vzdelávanie detí cudzincov na Slovensku. Potreby a riešenia*, Bratislava, Centrum pre výskum etnicity a kultúry – Nadácia Milana Šimečku, p. 44.

<sup>328</sup> Gažovičová, T. (2011), *Vzdelávanie detí cudzincov na Slovensku. Potreby a riešenia*, Bratislava, Centrum pre výskum etnicity a kultúry – Nadácia Milana Šimečku, p. 45

		<p><b>Multicultural education</b></p> <p>Multicultural education as a cross-sectional theme on ISCED levels one through three has been an integral part of school curricula since 2008. The principal objective of multicultural education is to lead pupils and students toward reflecting and respecting cultural diversity. The chief method of multicultural education is the one of experience; in other words, the schools are supposed to let their pupils and students have a practical experience with cultural diversity.<sup>329</sup> The model of introducing multicultural education into schools' curricula as well as the choice of practical methods has been left up to individual schools. A survey conducted by the Slovak Governance Institute in 2010<sup>330</sup> indicated that many schools encountered problems when trying to introduce multicultural education. Most of these problems have to do with teachers' unpreparedness to introduce methods of multicultural education in practice. The survey's respondents agreed that the main reasons for their unpreparedness included the failing continuous education of teachers in this area and the shortage of methodological materials.<sup>331</sup> Besides the Methodological-Pedagogical Centre,<sup>332</sup> a handbook on multicultural education has been published by Milan Šimečka Foundation; the issue of migrants forms a separate chapter in the latter.<sup>333</sup> Older methodological handbooks are also available.<sup>334</sup> The handbooks are available to download for free on the Internet.</p> <p>In 2012, the cabinet adopted the <i>National Strategy of Global Education for 2012 – 2016</i>,<sup>335</sup> which brings to the fore the issues of migration and migrant integration. The document envisages the participation of youth organisations and associations in the process of creating informal education programmes in the field of global education. According to the website <a href="http://www.globalnevzdelavanie.sk">www.globalnevzdelavanie.sk</a> operated by the People in Peril civic association, teachers in Slovakia fail to see the purpose of multicultural education and global education because of the relatively low overall number of foreigners living in Slovakia. Also, People in Peril</p>
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<sup>329</sup> Slovakia, State Pedagogical Institute (Štátny pedagogický ústav) (2010), 'Multikultúrna výchova (prierezová téma) ISCED 3'; available at: [www.statpedu.sk/files/documents/svp/prierezove\\_temy/multikulturna\\_vychova\\_isced3.pdf](http://www.statpedu.sk/files/documents/svp/prierezove_temy/multikulturna_vychova_isced3.pdf).

<sup>330</sup> Petrasová, A. (n.d.), 'Realizácia multikultúrnej výchovy v základných a stredných školách'; available at: [www.multikulti.sk/studie/realizacia\\_multikultúrnej\\_vychovy\\_v\\_zakladnych\\_a\\_strednych\\_skolach.html](http://www.multikulti.sk/studie/realizacia_multikultúrnej_vychovy_v_zakladnych_a_strednych_skolach.html)

<sup>331</sup> Petrasová, Alica (n.d.), 'Realizácia multikultúrnej výchovy v základných a stredných školách'; available at: [www.multikulti.sk/studie/realizacia\\_multikultúrnej\\_vychovy\\_v\\_zakladnych\\_a\\_strednych\\_skolach.htm](http://www.multikulti.sk/studie/realizacia_multikultúrnej_vychovy_v_zakladnych_a_strednych_skolach.htm)

<sup>332</sup> Šándorová, V. (2011), *Multikultúrna výchova na I. stupni ZŠ*, Bratislava, Metodicko-pedagogické centrum; available at: [www.mpc-edu.sk/library/files/multikulturna\\_vychova\\_web.pdf](http://www.mpc-edu.sk/library/files/multikulturna_vychova_web.pdf).

<sup>333</sup> Dráľ, P. (2007), *Multi-kulti na školách: Metodická príručka pre multikultúrnu výchovu*, Bratislava, Nadácia Milana Šimečku; available at: [www.multikulti.sk/dok/kapitola-5.pdf](http://www.multikulti.sk/dok/kapitola-5.pdf).

<sup>334</sup> See, for instance: Mistrík, E. (2000), *Multikultúrna výchova v príprave učiteľov*, Bratislava, Iris; available at: [www.erichmistrík.sk/knihy/osnovy/osnovy.html](http://www.erichmistrík.sk/knihy/osnovy/osnovy.html)

<sup>335</sup> Slovakia, Government of the Slovak Republic (Vláda Slovenskej republiky) (2012), 'Národná stratégia globálneho vzdelávania na roky 2012-2016,' adopted by the resolution of the Government of the Slovak Republic No. 20/2012 of 18 January 2012; available at: [www.statpedu.sk/files/documents/odborne\\_info/narodna\\_strategia\\_globalne%20vzdelavanie\\_2012\\_2016.pdf](http://www.statpedu.sk/files/documents/odborne_info/narodna_strategia_globalne%20vzdelavanie_2012_2016.pdf).

		<p>pointed out the problematic practical application of global education, partly due to the shortage of experts in this area and the absence of global education at pedagogical universities. So far, global education has not become a stable part of schools' educational programmes.<sup>336</sup></p> <p><b>Cultural diversity in school curricula</b></p> <p>As far as cultural diversity is concerned, Slovakia's education system focuses primarily on the culture of autochthonous minorities in Slovakia, particularly the Romani one. In pedagogical instructions for the ongoing academic year,<sup>337</sup> the Ministry of Education, Science, Research and Sports recommended schools to proceed in compliance with materials released on the official website of the State Pedagogical Institute when incorporating Romani life and customs, language and literature into schools' educational programmes; however, it failed to specify what concrete materials might help teachers incorporate cultural diversity issues into the curricula of standard subjects. The ministry recommended the same with respect to education of migrant children. The official website of the State Pedagogical Institute indicated the following documents as aids in the field of intercultural education: two storybooks in Slovak and Romani, a Romani-Slovak dictionary and a teacher's manual to work with textbooks in Romani and Slovak.<sup>338</sup> The State Pedagogical Institute recommended using these texts as the means to make the process of intercultural education more effective; however, the use of these materials has not been proclaimed mandatory.</p> <p>The already mentioned survey carried out by the Slovak Governance Institute in 2010 suggested that very few pedagogical employees actually participated in the process of shaping schools' educational programmes; only 18.2% of respondents said they fully participated in creating their schools' educational programmes.<sup>339</sup></p> <p>Since 2008, government's official educational programme includes multicultural education as a cross-sectional theme whose methods may be applied in various subjects in order to lead pupils and students toward reflecting and respecting cultural diversity. The practical method of introducing multicultural education</p>
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<sup>336</sup> Návojský, A.–Zajac, L. et al. (2013), *Modelové školy globálneho vzdelávania*, Bratislava, Človek v ohrození, o.z.; available at: [www.globalnevzdelavanie.sk/sites/default/files/cvo\\_modelove\\_skoly\\_prirucka\\_web.pdf](http://www.globalnevzdelavanie.sk/sites/default/files/cvo_modelove_skoly_prirucka_web.pdf).

<sup>337</sup> Slovakia, Ministry of Education, Science, Research and Sports (*Ministerstvo školstva, vedy, výskumu a športu SR*) (2014), 'Pedagogicko-organizačné pokyny na školský rok 2014/2015', Bratislava; available at: [www.minedu.sk/data/att/6148.pdf](http://www.minedu.sk/data/att/6148.pdf)

<sup>338</sup> For further details, please visit [www.statpedu.sk/sk/Ucebnice-metodiky-publikacie-odborne-informacie/Ucebne-texty.alej](http://www.statpedu.sk/sk/Ucebnice-metodiky-publikacie-odborne-informacie/Ucebne-texty.alej).

<sup>339</sup> Petrasová, A. (n.d.), 'Realizácia multikultúrnej výchovy v základných a stredných školách'; available at: [www.multikulti.sk/studie/realizacia\\_multikultúrnej\\_výchovy\\_v\\_základných\\_a\\_stredných\\_školách.html](http://www.multikulti.sk/studie/realizacia_multikultúrnej_výchovy_v_základných_a_stredných_školách.html)

		<p>has been left up to individual schools. The 2010 survey carried out by the Slovak Governance Institute<sup>340</sup> indicated that many schools encountered problems when trying to introduce multicultural education. As many as 89% of respondents among teachers stated they encountered difficulties while planning multicultural education while 64% of them reported problems with its practical implementation. The survey's authors conclude that teachers are not prepared to educate children about multicultural issues. The main reasons for their unpreparedness include the failing continuous education of teachers in this area and the shortage of methodological materials.</p> <p><b>Management of school diversity</b></p> <p>The only training programme for teachers that would specifically focus on issues of migration and integration of migrants was a programme jointly implemented by the Milan Šimečka Foundation and the Centre for the Research of Ethnicity and Culture between 2010 and 2013. The programme consisted of two training cycles, each cycle comprising three daily training courses spanning three to four days; in total, approximately 40 primary school teachers graduated from the programme. The follow-up training cycle was officially certified by the Ministry of Education, Science, Research and Sports. The training was aimed at increasing teachers' skills and capacities to work with children of migrant origin during the education process. The training programme's curriculum was based on the respect for diversity and human dignity; on the general level, the training's principal ambition was to increase teachers' sensitivity to issues of cultural diversity, ethnic minorities and migration. One of the programme's outputs is a manual on education of migrant children, which is available for free download on the Internet.<sup>341</sup> Both training cycles were financed from the European Fund for the Integration of Third-Country Nationals.<sup>342</sup> In 2014, the training programme was temporarily suspended due to problems with ensuring a continuous and sustainable source of funding.</p> <p>Besides, methodological-pedagogical centres provide the following accredited programmes of continuous education for teachers: Multicultural Education at the First Stage of Primary Schools, Global Development Education, Multicultural Society in Germany, Romani Language in Education, Global Education and Its Application in the Education Process, and</p>
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<sup>340</sup> Petrasová, A. (n.d.), 'Realizácia multikultúrnej výchovy v základných a stredných školách'; available at: [www.multikulti.sk/studie/realizacia\\_multikulturnej\\_vychovy\\_v\\_zakladnych\\_a\\_strednych\\_skolach.html](http://www.multikulti.sk/studie/realizacia_multikulturnej_vychovy_v_zakladnych_a_strednych_skolach.html)

<sup>341</sup> Drál, P. (ed.) (2011), *Vzdelávanie detí cudzincov na Slovensku: Príklady dobrej praxe*, Bratislava, Centrum pre výskum etnicity a kultúry – Nadácia Milana Šimečku; available at: <http://cvek.sk/uploaded/files/Vzdelavanie%20deti%20cudzincov-%20pr%C3%ADklady%20dobrej%20praxe.pdf> .

<sup>342</sup> For further details, please visit [www.nadaciamilanashimecku.sk/index.php?id=154](http://www.nadaciamilanashimecku.sk/index.php?id=154) .

		Implementation of the State Language for Migrants' Children into the Education Process at Primary and Secondary Schools. <sup>343</sup>
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### 3.8. Drivers, barriers for the implementation, monitoring and assessment of legislation & policy measures

	<p>Previous paragraphs indicated in detail aspects about the actual implementation of participation policies, normative framework and measures. In this section briefly summarize the most important drivers, positive factors and the barriers, resistance or negative factors that have been identified regarding the design, implementation, monitoring and assessment of policy measures and normative framework for the political and social participation of migrants and their descendants. Please base the analysis on governmental and non-governmental reports, as well as research and studies.</p>	<p>The greatest barrier to exercising migrants' political rights is posed by the state's overall unsystematic approach to integration without allocating any funds to specific measures. Moreover, we see understanding of integration as discharging one's duties towards the state (i.e. paying taxes, social insurance etc.) as problematic and affecting all integration related policies.</p> <p>Lack of state's interest in migrants' rights and integration issues was confirmed during the process of drafting the National Strategy of Human Rights' Protection and Implementation. Migrants' rights were not even considered to be part of the document until representatives of NGOs (Human Rights League) advocated for including a separate chapter on migrants.<sup>344</sup> In most areas, migrants are still on the margins of public interest. For instance, there are no legal obstacles to migrants' becoming members of trade unions which is interpreted as non-discriminatory approach. However, neither are there any targeted initiatives encouraging them to do so. Same tendencies can be observed in the area of civic education. Since 2008 multicultural and global education are to be taught as cross-sectional topics on ISCED levels from 1 through 3. If they are taught, migration and integration are rarely incorporated in the curricula. Teachers do not know how to approach the topic and the Ministry of Education does not offer much support.<sup>345</sup></p> <p>There still lingers on a great disproportion between state's security and individual human rights. That means that, for instance, in the area of citizenship acquisition assessment of citizenship applications is guided by the interests of state security. Applicants often are not even notified about information gathered on them by state authorities vested with assessing their citizenship applications. In this regard, integration is also understood as "function of time",</p>
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<sup>343</sup> The complete list of accredited programmes provided by methodological-pedagogical centres is available at <http://www.mpc-edu.sk/vzdelavacia-cinnost/ponuka-akreditovanych-vzdelavacich-programov>.

<sup>344</sup> Ministry of Foreign and European Affairs (*Ministerstvo zahraničných vecí a európskych záležitostí*) (2013), 'Závery zo štvrtého zasadnutia Koordinačnej skupiny pre prípravu Celostátnej stratégie ochrany a podpory ľudských práv v Slovenskej republike,' 15 October 2013, Bratislava; available at [http://www.radavladylp.gov.sk/data/files/4193\\_zavery-zo-stvrteho-zasadnutia-koordinacnej-skupiny.pdf](http://www.radavladylp.gov.sk/data/files/4193_zavery-zo-stvrteho-zasadnutia-koordinacnej-skupiny.pdf).

<sup>345</sup> Petrasová, A. (n.d.), 'Realizácia multikultúrnej výchovy v základných a stredných školách'; available at: [www.multikulti.sk/studie/realizacia\\_multikulturnej\\_vychovy\\_v\\_zakladnych\\_a\\_strednych\\_skolach.html](http://www.multikulti.sk/studie/realizacia_multikulturnej_vychovy_v_zakladnych_a_strednych_skolach.html)



		<p>i.e. the longer one resides in the host country the more integrated he/she is. This was why a major change to citizenship legislation was introduced in 2007 which extended permanent residence for lodging citizenship application from five to eight years.</p> <p>Security issues are mirrored also in voting rights of migrants – third country nationals can only vote and be voted in local and regional elections; however, only as independent candidates since membership in political parties is limited to citizens.</p> <p>Migrants have very limited chances to actively participate in policy making since there is no consultative body that would represent them. In 2014 debates about establishing such body begun but were discontinued no state organ expressed its interest to oversee. Migrants therefore tend to establish their own national associations, which often work as networks of support for the newcomers. However, their work is largely based on volunteering since the state offers no continuous financial or institutional support. Religious associations (e.g. Islamic communities) cannot even be established as such due to legislation on churches and religious communities stipulating very strict criteria on which community would be officially recognised by the state.</p> <p>We identified NGOs to be the only and major driver that pushes migrants’ participatory rights forward. However, due to lack of systematic state support NGOs are often forced to work only through one-off projects without a prospect of sustainable funding.</p>
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**3.9. Use of funding instruments (EIF, ERF, EMIF)**

	<p>Please provide briefly information and documented insights about the allocation and distribution of funds aimed at supporting political and social participation, and active citizenship measures for migrants and/or their descendants.</p>	<p>Unfortunately, there are no available information on what proportion of financial sources from the EIF and AMIF schemes has been allocated for the projects aimed at supporting political and social participation and active citizenship measures for migrants and/or their descendants (for more information, see part 1.2.5)</p>
<p>In particular provide a breakdown of funding for the relevant actions and measures by area (political participation, social participation and membership, indicating the source of funding (EIF, ERF, national, regional, other funding source) by <b>using the Annex 5</b></p>		

**3.10. Key legal and policy developments, and relevant case law**

	<p>In this section, please provide information about developments regarding the</p>	<p>The most important amendment to citizenship law, that passed in 2007, prolonged the required length of residence to eight years, justified by the need to</p>
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	<p>above legal and policy instruments concerning participation (political, consultation, membership and association, active citizenship and civic education), including any new legislative or policy initiatives in the framework of migrant integration in the country. Key developments may be new legislation or policies, abolition, update, improvement or reform of existing ones, as well as important case law, court, equality body or administrative cases, that have had or may have an impact on the implementation of legal and policy instruments and on the actual situation on the ground, including public debates and perceptions among the native population and migrants. (Use template in Annex 9).</p>	<p>tighten the screening process of migrants applying for citizenship.<sup>346</sup> (please see part 3.1.1 for more information).</p> <p>Even after passing all requirements for citizenship, migrants do not have a legal right to gain the citizenship<sup>347</sup>. Recently, two cases concerning denial of citizenship after passing formal requirements justified by the security interests of the state were ruled upon at higher courts<sup>348</sup>. Cases involving denial of secret information about migrant applicants in the proceedings for gaining citizenship or different types of residence (including temporary stay) and in asylum proceedings are also topics of inquiry to the state Ombudsperson, with several motions having been lodged to the Constitutional Court regarding legality of such regulations and discrimination in legal proceedings (dismissed two times so far since 2014<sup>349</sup>).</p> <p>Changes in legislation, put into law by legislative amendment in 2007<sup>350</sup> relating to establishment of religious associations and churches have also led to increased difficulties concerning migrant's associations in the religious sphere and benefits associated with official status of a church or religious organization (please see part 3.6 for more information).</p> <p>There have not been any other relevant case law concerning migrants or their descendants and the Slovak Equality Body does not gather statistical data on cases concerning migrants (for more information on this barrier please see part 2.1)</p>
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## 4. Social cohesion and community relations

### 4.1. Social cohesion policies

	Does the national integration legal and policy framework	Attaining social cohesion was identified as one of principal objectives in the incumbent administration's
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<sup>346</sup> Lajčáková, Jarmila (ed.) (2012), *Minority Policy in Slovakia in 2011: An Annual Report*, Bratislava, Centre for the Research of Ethnicity and Culture; available at:

[http://cvek.sk/uploaded/files/Minority%20policy%20in%20Slovakia%20in%202011\\_Annual%20Report.pdf](http://cvek.sk/uploaded/files/Minority%20policy%20in%20Slovakia%20in%202011_Annual%20Report.pdf) .

<sup>347</sup> Slovakia, Act No. 40/1993 Coll. on state citizenship of the Slovak Republic, as amended (*Zákon č. 40/1993 Z. z. o štátnom občianstve v znení neskorších predpisov*), Article 8a/3; available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/1993/40/20100717](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/1993/40/20100717)

<sup>348</sup> see Annex 9, case law 2S 54/2013 and PL. ÚS 5/2014-27

<sup>349</sup> see Annex 9, case law PL. ÚS 5/2014-27

<sup>350</sup> Slovakia, Act. No. 308/1991 Coll. on freedom of religious belief and status of churches and religious associations, as amended (*Zákon č. 308/1991 Zb. o slobode náboženskej viery a postavení cirkví a náboženských spoločností, v znení neskorších predpisov*); available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/1991/308/20070501](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/1991/308/20070501).

<p>refer to social/community cohesion? Is there a clear definition of social/community cohesion? Please report it here – in original language and in full English translation.</p>	<p>program manifesto from 2012. The document defines social cohesion as follows:</p> <p>“Social cohesion depends on the cohesion of all layers of society and on combining balanced economic policy with social policy. That also affects sustainable growth in the quality of citizens’ lives, which can be attained by supporting education, researching and developing innovations and creating modern infrastructure that is indispensable to economic and social development. When assessing the quality of life of individuals and of society, it is inevitable to take into account not only material standard of living. We must also assess health, education, the contents of personal activities including labour, space for political and civic involvement, effects of government measures, human relations and social contacts, certainty or uncertainty of economic and physical nature, and the quality of environment.”<sup>351</sup></p> <p>“Sociálna súdržnosť je závislá od súdržnosti všetkých vrstiev spoločnosti a od spájania vyváženej hospodárskej politiky s politikou sociálnou. Od toho závisí aj trvalo udržateľný rast kvality života občanov, ktorú možno dosiahnuť podporou vzdelávania, výskumu a vývoja inovácií a vytváraním modernej infraštruktúry nevyhnutnej na hospodársky a sociálny rozvoj. Pri posudzovaní kvality života jednotlivcov a spoločnosti je nutné zohľadňovať nielen materiálnu životnú úroveň. Musíme posudzovať zdravie, vzdelávanie, náplň osobnej činnosti vrátane práce, priestor na politickú a občiansku angažovanosť, vplyv vládnych opatrení, medziľudské vzťahy a sociálne kontakty, istotu alebo naopak neistotu hospodárskej a fyzickej povahy, kvalitu životného prostredia”.</p> <p>Other government documents on the general level work with the issue of social cohesion primarily in socio-economic terms. Social cohesion is thus defined as furthering elimination of poverty and social disparities within society. In response to the European Commission’s jobs and growth strategy entitled Europe 2020, the cabinet in 2011 adopted the National Reform Programme,<sup>352</sup> which uses the term of social cohesion; however, the measures envisaged to attain it are of primarily economic nature (e.g. eliminating poverty and supporting knowledge economy). The document fails to address social cohesion between different population groups.</p> <p>Another important policy document dealing with social inclusion of migrants is <i>Integration Policy of the Slovak</i></p>
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<sup>351</sup> Slovakia, Government of the Slovak Republic (Vláda Slovenskej republiky) (2012), 'Programové vyhlásenie vlády', May 2012.

<sup>352</sup> Slovakia, Government of the Slovak Republic (Vláda Slovenskej republiky) (2011), 'Národný program reforiem na roky 2011 – 2014' April 2011; available at: [www.rokovania.sk/File.aspx/ViewDocumentHtml/Mater-Dokum-132288?prefixFile=m\\_](http://www.rokovania.sk/File.aspx/ViewDocumentHtml/Mater-Dokum-132288?prefixFile=m_) .

		<p><i>Republic</i> adopted in 2014. While the document does not explicitly define social cohesion, it indirectly refers to it while defining its fundamental principles. For instance, it spells out the necessity to support local policies “since self-governments further integration of foreigners and help forge social cohesion between different communities and the majority society”.<sup>353</sup> At the same time, the document emphasises active participation of migrants in various areas of society’s life, defining integration as “creating a systemic framework for applicable policies that are aimed at ensuring implementation of measures designed to further the process of foreigners’ integration and of preventive tools to avoid the risks of building an economically, socially and culturally divided society and forming close and excluded communities of migrants”.<sup>354</sup></p> <p>“... vytvorenie systematického rámca pre príslušné politiky, ktorých cieľom je zabezpečiť realizáciu opatrení, ktoré budú napomáhať v procese integrácie cudzincov a budú slúžiť ako preventívne nástroje pri predchádzaní rizík vzniku ekonomicky, sociálne a kultúrne rozdelenej spoločnosti a vzniku uzatvorených a exkludovaných komúní migrantov”.</p>
	<p>Are there any specific measures in place to strengthen social cohesion? Please refer to promising practices and examples of challenges. Use the template for promising practices in Annex 7 highlighting the most important and/or successful.</p>	<p>Since government in its official integration policy fails to define specific goals in the field of attaining social cohesion, it also fails to pursue any specific measures designed to further it. On the self-governance level, though, the Association of Slovak Towns and Villages is currently implementing a project entitled “Building Capacities In the Field of Integration Policy On the Level of Local Self-Governments” (<a href="http://www.projektbuk.sk">www.projektbuk.sk</a> – for further details on the project, please see the section on promising practices).</p>
	<p>Are there indicators used by authorities to assess, monitor and support social cohesion policies? E.g. social distance, social interaction, intergroup relations, etc. Please provide available relevant data, figures and findings, if any, and present them briefly in the relevant table of the Annex (4).</p>	
	<p>Please outline available research, studies, and surveys about the sense of belonging and identification of migrants and/or their descendants with diverse types of local, regional and national identities. Please summarise briefly key findings and any differentiations by nationality or ethnic origin, gender, age and geographic area.</p>	<p>In recent years there have been several surveys that set out to examine mutual relations between the majority and migrants and the “sense of belonging” on the part of migrants. According to the survey conducted by Cenetr for the research of ethnicity and culture in 2012, 22% of population would mind if the migrants lived in their neighbourhood, and 29% does not want them to become a part of their family. More than 57% of population would mind if the migrants held some political positions at national level<sup>355</sup></p>

<sup>353</sup> Slovakia, Government of the Slovak Republic (*Vláda Slovenskej republiky*) (2014), 'Integračná politika Slovenskej republiky', January 2014, p. 3.

<sup>354</sup> Slovakia, Government of the Slovak Republic (*Vláda Slovenskej republiky*) (2014), 'Integračná politika Slovenskej republiky', January 2014, p. 6.

<sup>355</sup> Elena G.Kriglerová, Kadlečíková, J (2012): *Verejná mienka v oblasti pravidového extrémizmu*. Bratislava, Cenrum pre výskum etnicity a kultúry, Nadácia otvorenej spoločnosti, p. 22.

	<p>All of them were qualitative surveys since quantitative data on migrants are virtually unavailable in Slovakia; nevertheless, qualitative surveys do allow for describing the processes that affect mutual relations between migrants and majority society. A survey that focused on migrants' cultural integration was released in 2009. Although the publication does not fall within this study's timeframe, it does provide some very valuable findings on how migrants fit in Slovakia and to what degree they feel accepted by majority society. Many respondents in this survey observed that they often felt strongly unaccepted by the majority population and that they constantly had to explain and justify the legitimacy of their residence in Slovakia. The negative attitudes on the part of the majority often make migrants hide their typical features that would distinguish them from the majority population and might provide grounds for their stigmatisation. The lack of knowledge and interaction between the majority and migrants undermines social cohesion and leads to the creation of parallel worlds.<sup>356</sup> The sense of belonging differs significantly from one migrant to another. The strongest sense of belonging is typically shared by those migrants who have lived in Slovakia for decades and perhaps have obtained Slovak citizenship. As far as others are concerned, there are substantial differences between migrants, depending on whether they wish to maintain their identity and operate within their own community or whether they wish to develop broader social ties and interact with the majority.<sup>357</sup> A detailed description would have to be based on a quantitative survey that specifically explores this issue; unfortunately, such a survey is yet to be carried out in Slovakia.</p> <p>Practically the sole quantitative survey on this issue was conducted by the International Organisation for Migration in 2013.<sup>358</sup> Examining violence against migrants, it surveyed a sample of 730 migrants and featured 89 individual interviews. The survey concluded that two in three migrants feel safe in Slovakia; on the other hand, it also indicated that migrants (particularly those from China and Vietnam) maintained poor interaction with the majority population. According to the survey, most migrants (without exact quantification) feel Slovakia is merely a temporary stop for them as they either plan to return to their home country or continue to migrate to another country. At the same time, migrants' feeling of safety and stability depends on their formal status in the country. The migrants with uncertain prospects (i.e. those with a temporary or tolerated residence status) reported a</p>
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<sup>356</sup> Gallová Kriglerová, E. – Kadlečiková, J. – Lajčáková, J. (2009), *Migranti. Nový pohľad na staré problémy. Multikulturalizmus a kultúrna integrácia migrantov na Slovensku*, Bratislava, Centrum pre výskum etnicity a kultúry, p. 63.

<sup>357</sup> Gallová Kriglerová, E. – Kadlečiková, J. – Lajčáková, J. (2009), *Migranti. Nový pohľad na staré problémy. Multikulturalizmus a kultúrna integrácia migrantov na Slovensku*, Bratislava, Centrum pre výskum etnicity a kultúry.

<sup>358</sup> Blažek, M. – Andrášová, S. – Paulenová, N. (2013), *Skúsenosti migrantov a migrantiek na Slovensku s násilím*, Bratislava, IOM.

		<p>lesser degree of stability and footing in Slovakia compared to the migrants who have obtained permanent residence.<sup>359</sup> Despite their rather scarce experience with actual violence, many respondents stated they had to adopt various preventive measures in order to avoid conflicts; for instance, they keep away from potentially dangerous places, do not move around by themselves or do not stay out after dark. Last but not least, social cohesion is affected by the feeling of acceptance. The survey revealed a vast difference in the perceived degree of acceptance between third country nationals from other European countries and non-European (particularly Asian) countries; while 65% of respondents from the former category said they felt accepted, in the latter category their share was only 31%.<sup>360</sup> In case of problems, migrants rarely turn to formal institutions; they usually rely on informal networks that often comprise members of their own community.</p> <p>Mutual relations between migrants and the majority, social cohesion and migrants' involvement in the operation of local institutions formed the focus of a survey entitled <i>Present and (In)visible</i> carried out in 2014. Based on case studies of three Slovak towns, the researchers examined local policies vis-à-vis migrants and mutual interaction between migrants and the majority. The survey indicated that despite their growing overall number, migrants remain virtually unrecognised by local policies and local communities. The migrants who provide various services in the public domain are "visible" and largely respected by local inhabitants; however, this respect does not seem strong enough to forge closer mutual ties. As a result, migrants and members of the majority inhabit parallel worlds that intersect only occasionally (e.g. in schools, in public playgrounds, in the course of providing services). Self-governments seem to be largely unaware of migrants within their constituencies; they do not pay any specific attention to them and do not create adequate measures to further social cohesion.<sup>361</sup> In order to make up for this shortcoming, the Association of Slovak Towns and Villages recently launched a project entitled "Building Capacities In the Field of Integration Policy On the Level of Local Self-Governments" (for further details on the project, please see the section on promising practices).</p>
	Please indicate legal measures and case law affecting social cohesion and community relations, for example the	In Slovakia there are no formal measures that would undermine social cohesion. The only issue that has been publicly discussed and may potentially affect mutual relations between migrants and the majority has to do

<sup>359</sup> Blažek, M. – Andrášová, S. – Paulenová, N. (2013), *Skúsenosti migrantov a migrantiek na Slovensku s násilím*, Bratislava, IOM, p. 55.

<sup>360</sup> Blažek, M. – Andrášová, S. – Paulenová, N. (2013), *Skúsenosti migrantov a migrantiek na Slovensku s násilím*, Bratislava, IOM, p. 58.

<sup>361</sup> Hlinčíková, M. – Chudžíková, A. – Gallová Kriglerová, E. – Sekulová, M. (2014), *Migranti v meste. prítomní a (ne)viditeľní*, Bratislava, Centrum pre výskum etnicity a kultúry – Inštitút pre verejné otázky.

<p>banning of specific religious or ethnic dress, such as the 'burqa'<sup>362</sup>.</p>	<p>with religion. While valid Slovak laws emphasise the freedom of worship, government officially recognises and supports only the so-called "registered" churches and religious associations. The problem is that the requirements pertaining to registration of churches are so strict that smaller religious communities stand virtually no chance to comply and thus remain officially unrecognised by government, which subsequently affects their legitimacy and acceptance within society. These requirements were made significantly stricter by an amendment from 2007, which introduced the most discriminatory condition of membership base. In order to be recognised, a church or a religious association must have at least 20,000 members who are Slovak citizens;<sup>363</sup> previously, in order to get registered, a religious association had to submit signatures of 20 sympathisers who did not have to be its members. This provision has made it virtually impossible for smaller religious associations to gain an equal footing with established churches.<sup>364</sup> Many migrants perceive this measure as particularly problematic because migrants in Slovakia are still relatively few and far between and are extremely heterogeneous, which makes their chance to gain the status of a registered church minuscule while the condition of citizenship renders it virtually impossible.<sup>365</sup></p>
<p>Does the action plan or strategy on integration and inclusion of migrants and their descendants address combating racism, xenophobia and intolerance?</p> <p>Are there specific integration/inclusion actions related to racism and intolerance for education and/or for young people? If yes, how are such actions linked to general integration and/or social inclusion and/or cohesion policy? Please provide information on implementation and impact of such plans and refer to any assessment of their impact?</p>	<p>In January 2014, the cabinet adopted <i>Integration Policy of the Slovak Republic</i>, which targets integration of migrants. As far as objectives and principles are concerned, the document emphasises "promoting justice and equality, equalising disadvantages, preventing discrimination, furthering respect for human rights and freedoms, and protecting vulnerable population groups".<sup>366</sup></p> <p>On a declaratory level, the document "supports adoption and implementation of measures aimed at eliminating displays of racism, xenophobia, discrimination and other forms of intolerance and hatred of foreigners"; however, if one takes a closer look at concrete measures proposed by the document, these principles are reflected in only some of them. For instance, in the field of cultural integration the cabinet proposed to promote "raising general public's awareness of disadvantaged [population] groups in order to prevent discrimination and intolerance". At the</p>

<sup>362</sup> Cfr. The notable ECHR case European Court of Human Rights (ECtHR), *S.A.S. v. France*, No. 43835/11, 1 July 2014, available at [http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-145466#{"itemid":\["001-145466"\]}](http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-145466#{)

<sup>363</sup> Slovakia, Act No. 308/1991 Coll. on the freedom of worship and on the status of churches and religious associations, as amended by Act No. 394/2000 (*Zákon č. 201/2007 Z. z., ktorým sa mení a dopĺňa Zákon č. 308/1991 Zb. o slobode náboženskej viery a postavení cirkvi a náboženských spoločností v znení zákona č. 394/2000 Z. z.*); available at: <https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/1991/308/20070501>.

<sup>364</sup> Lajčáková, J. (2012), *Menšinová politika na Slovensku v roku 2012 - výročná správa*, Bratislava, Centrum pre výskum etnicity a kultúry, p. 76.

<sup>365</sup> Lajčáková, J. (2012), *Menšinová politika na Slovensku v roku 2012 - výročná správa*, Bratislava, Centrum pre výskum etnicity a kultúry, p. 77

<sup>366</sup> Slovakia, Government of the Slovak Republic (*Vláda Slovenskej republiky*) (2014), 'Integračná politika Slovenskej republiky, January 2014, p. 3.

		<p>same time, it proposed to “carry out prevention and information campaigns and educational activities on migration and cultural diversity, with a special emphasis on young people”.<sup>367</sup></p> <p>The proposed measures were supposed to be reflected in action plans drafted by individual ministries and other state and public administration bodies. One year since approving the document, however, none of them has drafted such a document. The sole exception in this respect was the Ministry of Labour, Social Affairs and Family, which in its own action plan proposed measures aimed at educating employment agencies’ employees, social workers, etc. in order to prevent any discrimination against migrants in provision of services.<sup>368</sup> Since the action plan was adopted very recently, the ministry was unable to provide information on its practical implementation.</p>
	<p>Please provide information about state and non-state responses via positive measures, campaigns, partnerships involving migrants and communities. Please provide information only about those actions that focus on migrants and on <u>prevention</u> and promotion of peaceful living together and integration as mutual accommodation combatting racism and intolerance. Please outline any assessment about their impact and identify any relevant promising practice. (Use the template for promising practices in Annex 7).</p>	<p>Information provided in annex 7 - promising practices (project BUK)</p>
<h2>4.2. Combatting racism and intolerance</h2>		
	<p>Are there any policy measures, initiatives and practices to accommodate for ethnic or religious differences, for example in regard to sharing public space, such as swimming pools at local level?</p>	<p>The Slovak Government’s official policy document approved by the cabinet in early 2014, <i>Integration Policy of the Slovak Republic</i> features several concrete measures aimed at improving migrants’ social interaction. Most of them form part of the section entitled “Cultural and Social Integration”:<sup>369</sup></p>

<sup>367</sup> Slovakia, Government of the Slovak Republic (*Vláda Slovenskej republiky*) (2014), 'Integračná politika Slovenskej republiky', January 2014, p. 19.

<sup>368</sup> Slovakia, Ministry of Labour, Social Affairs and Family of the Slovak Republic (*Ministerstvo práce, sociálnych vecí a rodiny*) (2015), 'Akčný plán Integračnej politiky Slovenskej republiky v podmienkach Ministerstva práce, sociálnych vecí a rodiny Slovenskej republiky na roky 2014 – 2016.

<sup>369</sup> Slovakia, Ministry of Labour, Social Affairs and Family of the Slovak Republic (*Ministerstvo práce, sociálnych vecí a rodiny SR*) (2014), 'Integračná politika Slovenskej republiky', pp. 20-21.



<p>Identify any promising practices encouraging social interaction and contacts of people of different backgrounds at local level (<b>use the template for promising practices in annex 7</b>).</p>	<p>“Measure No. 7: Support foreigners’ participation in civil, cultural and political life of the society and improve the dialogue between advisory platforms of different groups of foreigners, government and civil society in order to support their active citizenship and equal access to information.”</p> <p>“Measure No. 9: Strive to deepen mutual cooperation between communities of foreigners, their associations and organisations on the one hand and state administration organs, self-governance bodies and non-governmental organisations on the other while ensuring the most effective use of integration programmes possible by all partners.”</p> <p>An example of this measure’s practical implementation is the series of meetings within the framework of the so-called Integration Forum, an initiative associating experts who specialise in integration issues as well as migrants and representatives of their associations (for further details, please see Annex 7).</p> <p>“Measure No. 10: Consider creating a special Committee for the Rights of Foreigners that would report to the Government Council for Human Rights, National Minorities and Gender Equality.”</p> <p>In the section entitled “Self-Governing Regions”, the document reads:</p> <p>“Measure No. 4: Support foreigners’ active participation and involvement in society’s life on the local level, including their participation in elected self-governance bodies.”<sup>370</sup></p> <p>Practical implementation of these measures has not been evaluated as yet; the evaluation is scheduled to be completed by the end of April 2015.<sup>371</sup></p>
<p>Please indicate concrete measures, initiatives or programmes targeting migrants and/or descendants aiming at building trust in public institutions, especially at local level. E.g. campaigns, opening doors and reaching out to citizens, social centres, informal collective bodies, cultural events etc.</p>	<p><i>Integration Policy of the Slovak Republic</i> emphasises integration of migrants on the local level. It includes an entire chapter devoted to the role of regional self-governance bodies (so-called self-governing regions) and municipal self-governance bodies in the process of improving migrants’ integration on the regional and local level.<sup>372</sup></p> <p>Municipal self-governments in Slovakia are growing increasingly active in the field of migrants’ integration. Good examples in this respect are the towns of Martin that have elaborated their own policy documents focusing on the issue of migrants’ integration on their</p>

<sup>370</sup> Slovakia, Ministry of Labour, Social Affairs and Family of the Slovak Republic (*Ministerstvo práce, sociálnych vecí a rodiny SR*) (2014), ‘Integračná politika Slovenskej republiky’, January 2014, p. 14.

<sup>371</sup> The information supplied by the Ministry of Labour, Social Affairs and Family of the Slovak Republic on 9 March 2015 in response to an official request for information.

<sup>372</sup> Slovakia, Ministry of Labour, Social Affairs and Family of the Slovak Republic (*Ministerstvo práce, sociálnych vecí a rodiny SR*) (2014), ‘Integračná politika Slovenskej republiky’, January 2014, pp. 13-14.

<p>Please provide notable examples of promising practice <b>(use the template for promising practices in annex 7)</b>.</p>	<p>respective territories.<sup>373</sup> Similar activities are being prepared by other Slovak towns, especially those that participate in the project “Capacity Building in the Area of Migrant Integration Policies on the Level of Local and Regional Self-Governance”,<sup>374</sup> a project that is being implemented by the Association of Slovak Towns and Villages (ZMOS), which is the most influential umbrella organisation of Slovak municipalities. The gist of the project is to train employees of self-governance bodies on issues related to migrants’ integration and to propose and implement concrete measures aimed at improving integration of migrants living on the territory of municipalities that participate in the project (for further details, please see Annex 7).</p>
<p>Are there any specific ethical or other guidelines or rules concerning the language used by media or journalists, when writing about migrants and/or their descendants? In this case please provide briefly information about actual application of such rules and challenges.</p>	<p><i>Integration Policy of the Slovak Republic</i> includes a concrete measure aimed at elaborating rules concerning the language used by media or journalists when reporting on migrants and/or their descendants, namely Measure No. 5 of the section entitled “Cultural and Social Integration”, which reads as follows: “Create and adopt ethical rules of informing about the issues of migration and integration”. The practical implementation of this task has been assigned to the Ministry of Labour, Social Affairs and Family in cooperation with other ministries and non-governmental organisations.<sup>375</sup> In its own progress reports, the Ministry of Labour, Social Affairs and Family maintains it is discharging the task continuously in compliance with the Communication Strategy on the Benefits and Positives of Migration and Integration of Foreigners in Slovakia<sup>376</sup> whose elaboration has been supported from the European Integration Fund.<sup>377</sup> One thing is for sure, though: the set of ethical rules for journalists who cover migrant issues has not been elaborated and/or published in Slovakia as yet.</p>
<h3>4.3. Mixed marriages</h3>	
<p>Mixed marriages is often used as an index for social distance and integration or, even, assimilation. Mixed</p>	<p>Currently valid Act No. 404/2011 Coll. on Residence of Foreigners as amended (Hereinafter only as the “Act on Residence of Foreigners”) puts forth conditions under which third country nationals who are married to Slovak</p>

<sup>373</sup> Slovakia, Ministry of Interior of the Slovak Republic (*Ministerstvo vnútra SR*) (2014), ‘Súhrnná správa o stave plnenia úloh, zámerov a cieľov migračnej politiky za rok 2012’, Annex, p. 73; Mesto Martin (2012), ‘Rámcová stratégia integrácie cudzincov žijúcich v meste Martin’; available at:

[http://martin.sk/VismoOnline\\_ActionScripts/File.ashx?id\\_org=700031&id\\_dokumenty=5815](http://martin.sk/VismoOnline_ActionScripts/File.ashx?id_org=700031&id_dokumenty=5815).

<sup>374</sup> Slovakia, Association of Slovak Towns and Communities (*Združenie miest a obcí Slovenska*), ‘Budovanie kapacít na úrovni miestnej územnej samosprávy v oblasti integračnej politiky’; available at: [www.projektbuk.sk/](http://www.projektbuk.sk/)

<sup>375</sup> Slovakia, Ministry of Labour, Social Affairs and Family of the Slovak Republic (*Ministerstvo práce, sociálnych vecí a rodiny SR*) (2014), ‘Integračná politika Slovenskej republiky’, january 2014, p. 20.

<sup>376</sup> Slovakia, Ministry of Labour, Social Affairs and Family of the Slovak Republic (*Ministerstvo práce, sociálnych vecí a rodiny SR*) (2014), ‘Akčný plán Integračnej politiky Slovenskej republiky v podmienkach Ministerstva práce, sociálnych vecí a rodiny Slovenskej republiky na roky 2014 – 2016’; available at: [www.employment.gov.sk/files/slovensky/ministerstvo/integracia-cudzincov/dokumenty/ap-k-ip-2014-2016.pdf](http://www.employment.gov.sk/files/slovensky/ministerstvo/integracia-cudzincov/dokumenty/ap-k-ip-2014-2016.pdf).

<sup>377</sup> Slovakia, Human Rights League (*Liga za ľudské práva*) (2014), ‘Komunikačná stratégia o prínosoch a pozitívach migrácie a integrácie cudzincov na Slovensku’; available at: [www.hrl.sk/sites/default/files/publications/hrl\\_komunikacna\\_strategia\\_skratena\\_verzia\\_web.pdf](http://www.hrl.sk/sites/default/files/publications/hrl_komunikacna_strategia_skratena_verzia_web.pdf)

	<p>(citizenship) marriages are defined as those where one of the spouses has foreign citizenship and the other has national citizenship (including registered partnerships, common-law marriages). Please indicate legal limitations, if any, for marriages between nationals and foreigners, e.g. for asylum seekers, third country nationals, etc. Do these limitations result in practical barriers?</p>	<p>citizens may apply for family reunification and permanent residence. While the requirements stipulated by the law are relatively strict and usually amount to a series of administrative challenges, they do not essentially differ from the requirements pertaining to other types of residence. The law even allows the spouses to choose the place of filing the permanent residence application; they can do so either with a branch of the Bureau of Border and Alien Police (<i>Úrad hraničnej a cudzineckej polície</i>, UHCP) in Slovakia or with the country's diplomatic mission abroad. An organisation that specialises in providing legal assistance to foreigners recently detected indications of consular or police clerks' changing attitude in countries such as India, Pakistan, Nigeria or China, as well as alien registration branches' changing procedures with respect to migrants from countries such as India<sup>378</sup>, Pakistan or Kosovo, for instance in recognising certified copies of official documents.<sup>379</sup></p> <p>Asylum seekers must overcome an essential legal and practical obstacle to concluding a marriage and applying for permanent residence, which is the non-existence of a valid passport or the impossibility to obtain documents proving their integrity from their home country.</p> <p><u>Undermined legal peace of administrative action participants:</u> Some participants of administrative action see their legal peace undermined with respect to Schengen visa rules. Recorded have been several cases of foreigners who applied for Schengen visa with another EU member state's diplomatic mission in order to travel to Slovakia and once on Slovakia's territory they filed an application for permanent residence. The police subsequently qualified this conduct as "Schengen visa abuse" in compliance with the Schengen Visa Code and rejected that person's right to file the application.<sup>380</sup> It is difficult to assume how often government organs apply this conduct and in what cases because statistics on the number of rejected applications on this ground are not available. But one thing is for sure: the valid law grants the right to file the permanent residence application on Slovakia's territory to all foreigners with legal residence, i.e. including valid visa holders. In its response to an ad hoc query from the European Migration Network, the Ministry of Interior admitted this was a contentious issue:<sup>381</sup> "According to the national legislation of the</p>
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<sup>378</sup> India is a party to the *Hague Convention Abolishing the Requirement of Legalisation for Foreign Public Documents*. Despite this, Apostilled documents from India are sometimes not (or may not be) accepted by the police during the application process as reported by several Human Rights League clients.

<sup>379</sup> The information was retrieved during an interview with a Human Rights League representative.

<sup>380</sup> The information was retrieved during an interview with a Human Rights League representative; the total number of cases has not been recorded.

<sup>381</sup> Please visit [http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european\\_migration\\_network/reports/docs/ad-hoc-queries/residence/569\\_emn\\_ahq\\_application\\_long\\_term\\_residence\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/reports/docs/ad-hoc-queries/residence/569_emn_ahq_application_long_term_residence_en.pdf), page 2.

		<p><i>Slovak Republic, a third country national with a short-term stay in Slovakia based on a granted Schengen visa or visa-free regime has the right to submit an application for a national long-term residence on the Slovak territory. The Slovak Republic regularly deals with practical problems arising from the current national legislation and therefore it considers amending it. The EU acquis is not clear in this regard as it explicitly does not ban a third country national from lodging an application for a national residence during his/her stay in the Member State based on a granted Schengen visa.”</i></p> <p><u>Administrative challenges of applying for permanent residence:</u></p> <p>Neither the Schengen Visa Code nor by-rules of Slovakia’s diplomatic missions abroad<sup>382</sup> allow for issuing the so-called “fiancé visa” for the purpose of concluding a matrimony in Slovakia; in practice, though, many migrants see their legal peace undermined as the police either refuse to issue invitations to would-be newlyweds or grant their visa applications out of fears they might abuse them and apply for permanent residence.<sup>383</sup> This amounts to a practical impediment to the conclusion of matrimonies or the subsequent filing of permanent residence permit applications, especially in cases when Slovakia’s diplomatic mission that is accredited to accept residence permit applications is located thousands of kilometres away from the migrant’s country of origin and if it is necessary to issue new visa to enter the country in question. Other hindrances include high financial costs related to filing the applications, super-legalisation of criminal record extracts and consular clerks’ unsatisfactory knowledge of Act on Residence of Foreigners.</p> <p><u>Marriages of convenience:</u></p> <p>As suggested by the application practice as well as everyday experience of organisations that specialise in providing legal assistance to foreigners,<sup>384</sup> Slovakia’s law enforcement organs are growing concerned about foreigners who abuse the institution of family reunification in order to obtain residence permits. As of the end of 2014, a total of 2,606 foreigners have obtained permanent residence in Slovakia as a result of reunifying families they have with their Slovak spouses. Most of them hailed from Ukraine (499), Russia (236), Serbia (175), Vietnam (171), United States (143) and</p>
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<sup>382</sup> Information request to the Consular department of the Ministry of Foreign and European Affairs of the Slovak Republic dated February 3, 2015,

<sup>383</sup> The information was retrieved during an interview with a Human Rights League representative.

<sup>384</sup> The information was retrieved during an interview with a Human Rights League representative and corroborated by the IOM study entitled *Misuse of the Right to Family Reunification: Marriages of Convenience and False Declarations of Parenthood* (2012); available at: [http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european\\_migration\\_network/reports/docs/emn-studies/family-reunification/23b\\_slovakia\\_national\\_report\\_familyreunification\\_sk\\_sl.pdf](http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/reports/docs/emn-studies/family-reunification/23b_slovakia_national_report_familyreunification_sk_sl.pdf)

	<p>China (141); the numbers of repatriates from other countries are negligible. According to the mentioned IOM study, this problem does not seem to be too pressing in Slovakia given the phenomenon's intensity. In 2011, the police exposed and investigated six cases of convenience marriages whereas in 2012 there was only one such case. In 2014, the police investigated 18 cases of concluding or preparing to conclude matrimony between foreign nationals and Slovak citizens; most of the Slovaks involved hailed from a socially poor environment and their only motivation was the reward ranging from €500 to €2,000.<sup>385</sup></p> <p>Practically every single marriage between a Slovak citizen and a foreign national is thoroughly scrutinised in order to dispense suspicions that it may be a marriage of convenience, including interviews with both partners, inspections of their households and random checks at the couple's registered domicile. The most recent response to this phenomenon came from the Ministry of Justice of the Slovak Republic, which used the ongoing debate to amend Act on Residence of Foreigners to suggest an amendment to Family Act, proposing that marriages of convenience be deemed null and void from the start. If parliament approved the amendment during its regular March session, it would take effect in July 2015.<sup>386</sup></p> <p><u>Trafficking in human beings</u></p> <p>In recent years, organisations that work with migrants have encountered cases when marriages between Slovak women of Romani origin and foreign nationals received increased attention from law enforcement organs as well as the media, which at times suggested suspicions of activities related to trafficking in human beings.<sup>387</sup></p> <p><u>The right to residence of EU citizens' family members</u></p> <p>Act on residence of Foreigners defines family members of EU citizens more broadly than family members of Slovak citizens.<sup>388</sup> In practice, this causes a legal discrepancy because, for instance, registered partners of Slovak citizens (regardless of sex) are not eligible to apply for permanent residence whereas registered partners of EU citizens (regardless of sex) are eligible to</p>
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<sup>385</sup> Information was retrieved by Katarína Fajnorová with Human Rights League on 12 February 2015 from the Bureau of Border and Alien Police.

<sup>386</sup> Sme daily (2014) 'Fiktívne manželstvá budú podľa zákona o rodine neplatné', 30 December 2014, available at: [www.sme.sk/c/7566939/fiktivne-manzelstva-budu-podla-zakona-o-rodine-neplatne.html](http://www.sme.sk/c/7566939/fiktivne-manzelstva-budu-podla-zakona-o-rodine-neplatne.html).

<sup>387</sup> Pluska.sk (2013), 'Slovenské Rómky zarábali v Británii na falošných sobášoch s pakistancami' 7 October 2013, available at: [www.pluska.sk/plus-7-dni/zahranicie/slovenske-romky-zarabali-britanii-falosnych-sobasoch-pakistancami.html](http://www.pluska.sk/plus-7-dni/zahranicie/slovenske-romky-zarabali-britanii-falosnych-sobasoch-pakistancami.html) ;

Topky.sk (2012) 'Falošné sobáše v Británii, Slovenky pomáhali dostať na ostrovy Pakistancov', 12 October 2012, available at: [www.topky.sk/cl/100278/1327891/Falosne-sobase-v-Britanii--Slovenky-pomahali-dostat-na-ostrovy-Pakistancov-](http://www.topky.sk/cl/100278/1327891/Falosne-sobase-v-Britanii--Slovenky-pomahali-dostat-na-ostrovy-Pakistancov-) ;

Romovia.sme.sk (2013) 'Poslal do otroctva dcéry. Družka bola na to príliš stará', 10 September 2013, available at: <http://romovia.sme.sk/c/6930129/poslal-do-otroctva-dcery-druzka-bola-na-to-prilis-stara.html> ; article published by the MECCEM, Roma Media Centre at: [www.mecem.sk/1379/ako-sa-vola-tvoj-manzel-pakistanec](http://www.mecem.sk/1379/ako-sa-vola-tvoj-manzel-pakistanec)

<sup>388</sup> In compliance with Directive 2004/38/EC; for further details, please visit <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:158:0077:0123:en:PDF>

	do so in compliance with Directive 2004/38/EC. Slovak citizens and their registered partners are only eligible to do so upon their joint return from another EU member state.					
<p>Are there any official or non-official data and information on mixed marriages (between nationals and people with another citizenship)? Please provide % proportions on the total number of marriages in a given period, as well as data – where available – about ages, country of origin/birth of migrant spouses.</p>	<p>The applicable authorities in Slovakia only keep statistics on mixed marriages; in other words, it is impossible to retrieve information on informal partnerships that lack the official status of a marriage. It is fair to assume that many mixed couples prefer loose partnerships to official marriages, mostly due to multiple obstacles and complications people in Slovakia face when they want to enter into matrimony with foreign nationals (please see above).</p> <p>Available data suggest that the overall share of mixed marriages is almost 15% of all officially registered marriages since 2010; the total number of marriages concluded in Slovakia between two foreign nationals is rather negligible: eight in 2010, 11 in 2011, 10 in 2012, and 17 in 2013.</p> <p>Another typical feature of mixed marriages in Slovakia is that they are much more popular among female Slovak citizens while marriages between male Slovak citizens and female foreign nationals are much less common. For instance, 2,964 Slovak women but only 757 Slovak men married foreign nationals in 2013. This trend has been steady for several years.</p>					
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	2010 <sup>389</sup>	2011 <sup>390</sup>	2012	2013 <sup>392</sup>		

<sup>389</sup> Slovakia, Statistical Office of the Slovak Republic (*Štatistický úrad SR*) (2010), ‘Štatistiky, Obyvateľstvo a migrácia, Pramenné dielo – Sobáše’, data for 2010; available at: [http://slovak.statistics.sk/wps/portal/ext/themes/demography/population/indicators!/ut/p/b1/jZDBDoIwDIafxSdYBwPGcaCMCUEYtNEXw8EYjIAH4\\_MLhJMjw96afL\\_6t0ijCumU\\_jT3-t30Xf0ce-1eC0\\_OIMAMaHCyQHIZxElR8ASTAbgMACwUgx8\\_kzsQR5ZzuScYiDP7BmD0ozK3mE94uJWHaBiHFi1T1wLAsx9yFhMvBaApd0CwWEm\\_sG1g9n\\_5DQtW\\_DPSE2JKMAGmFxmXKG8GikJydwUYrsjivr2hV6uUqqARD7L5Ao-QhRw!/dl4/d5/L2dJQSEvUUt3QS80SmtFL1o2X1E3SThCQjFBMDhCVjIwSTdOUjFLUVFHSTky/](http://slovak.statistics.sk/wps/portal/ext/themes/demography/population/indicators!/ut/p/b1/jZDBDoIwDIafxSdYBwPGcaCMCUEYtNEXw8EYjIAH4_MLhJMjw96afL_6t0ijCumU_jT3-t30Xf0ce-1eC0_OIMAMaHCyQHIZxElR8ASTAbgMACwUgx8_kzsQR5ZzuScYiDP7BmD0ozK3mE94uJWHaBiHFi1T1wLAsx9yFhMvBaApd0CwWEm_sG1g9n_5DQtW_DPSE2JKMAGmFxmXKG8GikJydwUYrsjivr2hV6uUqqARD7L5Ao-QhRw!/dl4/d5/L2dJQSEvUUt3QS80SmtFL1o2X1E3SThCQjFBMDhCVjIwSTdOUjFLUVFHSTky/)

<sup>390</sup> Slovakia, Statistical Office of the Slovak Republic (*Štatistický úrad SR*) (2010), ‘Štatistiky, Obyvateľstvo a migrácia, Pramenné dielo – Sobáše’, data for 2011; available at: [http://slovak.statistics.sk/wps/portal/ext/themes/demography/population/indicators!/ut/p/b1/jZDBDoIwDIafxSdYBwPGcaCMCUEYtNEXw8EYjIAH4\\_MLhJMjw96afL\\_6t0ijCumU\\_jT3-t30Xf0ce-1eC0\\_OIMAMaHCyQHIZxElR8ASTAbgMACwUgx8\\_kzsQR5ZzuScYiDP7BmD0ozK3mE94uJWHaBiHFi1T1wLAsx9yFhMvBaApd0CwWEm\\_sG1g9n\\_5DQtW\\_DPSE2JKMAGmFxmXKG8GikJydwUYrsjivr2hV6uUqqARD7L5Ao-QhRw!/dl4/d5/L2dJQSEvUUt3QS80SmtFL1o2X1E3SThCQjFBMDhCVjIwSTdOUjFLUVFHSTky/](http://slovak.statistics.sk/wps/portal/ext/themes/demography/population/indicators!/ut/p/b1/jZDBDoIwDIafxSdYBwPGcaCMCUEYtNEXw8EYjIAH4_MLhJMjw96afL_6t0ijCumU_jT3-t30Xf0ce-1eC0_OIMAMaHCyQHIZxElR8ASTAbgMACwUgx8_kzsQR5ZzuScYiDP7BmD0ozK3mE94uJWHaBiHFi1T1wLAsx9yFhMvBaApd0CwWEm_sG1g9n_5DQtW_DPSE2JKMAGmFxmXKG8GikJydwUYrsjivr2hV6uUqqARD7L5Ao-QhRw!/dl4/d5/L2dJQSEvUUt3QS80SmtFL1o2X1E3SThCQjFBMDhCVjIwSTdOUjFLUVFHSTky/)

<sup>391</sup> Slovakia, Statistical Office of the Slovak Republic (*Štatistický úrad SR*) (2010), ‘Štatistiky, Obyvateľstvo a migrácia, Pramenné dielo – Sobáše’, data for 2012; available at: [http://slovak.statistics.sk/wps/portal/ext/themes/demography/population/indicators!/ut/p/b1/jZDBDoIwDIafxSdYBwPGcaCMCUEYtNEXw8EYjIAH4\\_MLhJMjw96afL\\_6t0ijCumU\\_jT3-t30Xf0ce-1eC0\\_OIMAMaHCyQHIZxElR8ASTAbgMACwUgx8\\_kzsQR5ZzuScYiDP7BmD0ozK3mE94uJWHaBiHFi1T1wLAsx9yFhMvBaApd0CwWEm\\_sG1g9n\\_5DQtW\\_DPSE2JKMAGmFxmXKG8GikJydwUYrsjivr2hV6uUqqARD7L5Ao-QhRw!/dl4/d5/L2dJQSEvUUt3QS80SmtFL1o2X1E3SThCQjFBMDhCVjIwSTdOUjFLUVFHSTky/](http://slovak.statistics.sk/wps/portal/ext/themes/demography/population/indicators!/ut/p/b1/jZDBDoIwDIafxSdYBwPGcaCMCUEYtNEXw8EYjIAH4_MLhJMjw96afL_6t0ijCumU_jT3-t30Xf0ce-1eC0_OIMAMaHCyQHIZxElR8ASTAbgMACwUgx8_kzsQR5ZzuScYiDP7BmD0ozK3mE94uJWHaBiHFi1T1wLAsx9yFhMvBaApd0CwWEm_sG1g9n_5DQtW_DPSE2JKMAGmFxmXKG8GikJydwUYrsjivr2hV6uUqqARD7L5Ao-QhRw!/dl4/d5/L2dJQSEvUUt3QS80SmtFL1o2X1E3SThCQjFBMDhCVjIwSTdOUjFLUVFHSTky/)

<sup>392</sup> Slovakia, Statistical Office of the Slovak Republic (*Štatistický úrad SR*) (2010), ‘Štatistiky, Obyvateľstvo a migrácia, Pramenné dielo – Sobáše’, data for 2013; available at: [http://slovak.statistics.sk/wps/portal/ext/themes/demography/population/indicators!/ut/p/b1/jZDBDoIwDIafxSdYBwPGcaCMCUEYtNEXw8EYjIAH4\\_MLhJMjw96afL\\_6t0ijCumU\\_jT3-t30Xf0ce-1eC0\\_OIMAMaHCyQHIZxElR8ASTAbgMACwUgx8\\_kzsQR5ZzuScYiDP7BmD0ozK3mE94uJWHaBiHFi1T1wLAsx9yFhMvBaApd0CwWEm\\_sG1g9n\\_5DQtW\\_DPSE2JKMAGmFxmXKG8GikJydwUYrsjivr2hV6uUqqARD7L5Ao-QhRw!/dl4/d5/L2dJQSEvUUt3QS80SmtFL1o2X1E3SThCQjFBMDhCVjIwSTdOUjFLUVFHSTky/](http://slovak.statistics.sk/wps/portal/ext/themes/demography/population/indicators!/ut/p/b1/jZDBDoIwDIafxSdYBwPGcaCMCUEYtNEXw8EYjIAH4_MLhJMjw96afL_6t0ijCumU_jT3-t30Xf0ce-1eC0_OIMAMaHCyQHIZxElR8ASTAbgMACwUgx8_kzsQR5ZzuScYiDP7BmD0ozK3mE94uJWHaBiHFi1T1wLAsx9yFhMvBaApd0CwWEm_sG1g9n_5DQtW_DPSE2JKMAGmFxmXKG8GikJydwUYrsjivr2hV6uUqqARD7L5Ao-QhRw!/dl4/d5/L2dJQSEvUUt3QS80SmtFL1o2X1E3SThCQjFBMDhCVjIwSTdOUjFLUVFHSTky/)

	All marriages total	25,415	25,621	26,00	25,491
	Number of marriages involving brides of foreign nationality	703	867	723	774
	Of that number: marriages concluded between two foreign nationals	8	11	10	17
	Number of marriages involving grooms of foreign nationality	2,969	3,131	2,857	2,981
	Of that number: marriages concluded between two foreign nationals	8	11	10	17
	Number of mixed marriages total <sup>393</sup>	3,664	3,987	3,570	3,738
	Share of mixed marriages on total marriages <sup>394</sup>	14.4	15.6	13.7	14.7

In the following, we shall present a brief overview of the most typical countries of origin of foreign nationals who enter into matrimony with Slovak citizens:<sup>395</sup>

In 2013, most female foreign nationals who married Slovak men hailed from Europe (78.6%, most of them Czechs, Polish, Ukrainians, Russians and Hungarians), followed by Asia (13.1%) and America (6.1%). Male foreign nationals who married Slovak women also hailed primarily from Europe (84.9%, most of them Czechs, British, Germans, Austrians and Italians), followed by America (5.7%), Africa (4.8%) and Asia (3.5%).

In 2012, most foreign women marrying Slovak men came from Europe (83.7%, primarily Czechs, Ukrainians, Polish and Russians), followed by Asia (9.5%) and America (5.2%). Most foreign men marrying Slovak women also came from Europe (80.1%, primarily Czechs, British, Germans, Austrians, Hungarians and Italians), followed by America (7.8%), Asia (6.5%) and Africa (4.7%).

In 2011, most foreign brides entering matrimony with Slovak men were from Europe (83.6%, especially Czechs, Ukrainians, Polish and Russians), followed by Asia (8.5%) and America (5.5%). Most foreign grooms entering matrimony with Slovak women were also from Europe (80%, especially Czechs, British, Germans,

[FhMvBaApd0CwWEm\\_sG1e9n\\_5DQtW\\_DPSE2JKMAGmFxmXKG8GikJydwUYrsjivr2hV6uUqqARD7L5Ao-QhRw!/dl4/d5/L2dJQSEvUUt3QS80SmtFL1o2X1E3SThCQjFBMDhCVjIwSTdOUjFLUVFHSTky/](http://FhMvBaApd0CwWEm_sG1e9n_5DQtW_DPSE2JKMAGmFxmXKG8GikJydwUYrsjivr2hV6uUqqARD7L5Ao-QhRw!/dl4/d5/L2dJQSEvUUt3QS80SmtFL1o2X1E3SThCQjFBMDhCVjIwSTdOUjFLUVFHSTky/)

<sup>393</sup> Authors' own calculations based on data released by the Statistical Office of the Slovak Republic.

<sup>394</sup> Authors' own calculations based on data released by the Statistical Office of the Slovak Republic.

<sup>395</sup> Authors' own calculations based on data released by the Statistical Office of the Slovak Republic.

		<p>Austrians, Hungarians and Italians), followed by America (6.8%), Asia (6.5%) and Africa (5.1%).</p> <p>In 2010, most Slovak grooms said their “yes” to foreign nationals from Europe (82.4%, mostly Czechs, Polish, Ukrainians and Russians), followed by Asia (9.4%) and America (6%). Likewise, most Slovak brides preferred foreign nationals from Europe (81.1%, mostly Czechs, British, Germans, Austrians, Italians and Hungarians), followed by America (6.6%), Asia (6.1%) and Africa (5.2%).</p>
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## Annex 2: National and regional level action plans on integration

<b>National / regional level</b> (specify region)	<b>Year of the first edition and</b>  <b>Year of latest update(e.g.</b>  <b>First edition: 2004, Most recent update: 2011)</b>	<b>Responsible ministry – public authority – reference details (URL – links)</b>	<b>Target groups identify migrant and refugee groups as beneficiaries (e.g. on the basis of their residence status)</b>	<b>Main aims, actions and activities foreseen in the focus areas – link to fundamental rights [provide both key dimensions and specific actions and aims of the policy instruments in each focus area (use a different row for each focus area if needed)</b>	<b>Targeting general population?</b>  <b>Yes/No – explanatory comments where needed</b>	<b>Insert here definition of integration (in EN) if any. Alternative: Indicate the core aim/objective of the NAP related to social inclusion and/or integration of migrants</b>
Integration Policy of the Slovak Republic	2014	Ministry of Labour, Social Affairs and Family; available at: <a href="http://www.rokovania.sk/Rokovanie.aspx/BodRokovaniaDetail?idMaterial=23222">http://www.rokovania.sk/Rokovanie.aspx/BodRokovaniaDetail?idMaterial=23222</a>	Foreigners who are migrants and who have entered the territory of the Slovak Republic, who live temporarily or have settled permanently on the territory of the Slovak Republic, meaning all age categories of migrants including children that are Slovak citizens; Foreigners who have been granted an international form of protection; Foreigners who have acquired	The document is divided into eight basic areas: 1. Regional self-governments; 2. Housing; 3. Cultural and social integration; 4. Healthcare; 5. Education; 6. Employment and social protection; 7. Slovak citizenship; 8. Unaccompanied minors.	Yes; the integration policy includes activities designed for general population, especially information and educational activities and those aimed at eliminating prejudices and xenophobia.	Definitions of integration:  “Integration is a two-way process of mutual recognition and respect between majority society and foreigners” (p. 3).  “Integration policy views integration as a continuous, long-term and dynamic two-way process that includes foreigners living in the host country as well as the entire society. The active character of integration policies emphasises the need for mutual respect and

			Slovak citizenship (p. 9).			reciprocal recognition of both groups' rights and obligations." (p. 6).  Goals of integration:  "Integration policy is defined ... as implementation of measures that will be instrumental in the process of foreigners' integration and will serve as preventive tools to avoid the risks of building an economically, socially and culturally divided society and forming close and excluded communities of migrants" (p. 6).
Migration Policy of the Slovak Republic with an Outlook to 2020	2011	Ministry of Interior; available at: <a href="http://www.rokovania.sk/Rokovanie.aspx/BodRokovaniaDetail?idMaterial=20174">http://www.rokovania.sk/Rokovanie.aspx/BodRokovaniaDetail?idMaterial=20174</a>	The target group has not been precisely defined.	Sections related to the integration policy: a. Furthering integration mainstreaming in the process of drafting legislation and policies; b. Pursuing integration activities aimed at furthering human rights and tolerance as well as combating discrimination and intolerance; c. Setting a mechanism of systematic monitoring to attain	Yes; the section on integration policy also includes activities aimed at universal furthering of human rights and tolerance as well as combating discrimination and intolerance.	Definition of integration: "The Slovak Republic inclines to an integration model that is based on the migrants' full acceptance of Slovak life and institutions." (Chapter 2. Integration) Goals of integration: "The goal of the integration policy is to propose and pursue such integration measures that would

				<p>indicators of migrants' integration;</p> <p>d. Shaping integration policies on the local and regional level;</p> <p>e. Getting members of individual migrant associations and communities involved in the integration process;</p> <p>f. Improving coordination and mutual interconnection of participating subjects;</p> <p>g. Increasing pre-arrival awareness of migrants in their respective home countries;</p> <p>h. Simplifying the mechanism of recognising professional qualifications;</p> <p>i. Ensuring availability of Slovak language and socio-cultural orientation courses for migrants and introducing a single methodology to test proficiency in Slovak for migrants with low qualifications;</p> <p>j. Considering amending the naturalisation procedure and the process of acquiring Slovak citizenship in order to expedite the integration process;</p>		<p>prevent the risk of building an economically, socially and culturally divided society and forming close communities of migrants.” (Chapter 2. Integration)</p>
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				k. Extending possibilities, ways and forms of financing integration measures (Chapter 2. Integration).		
Framework Strategy of Foreigners' Integration in the Town of Martin	August 2012	Town of Martin; available at: <a href="http://martin.sk/VismoOnline_ActionScripts/File.ashx?id_or_g=700031&amp;id_dokumenty=5815">http://martin.sk/VismoOnline_ActionScripts/File.ashx?id_or_g=700031&amp;id_dokumenty=5815</a>	The target group is foreigners living in the town of Martin and its immediate surroundings.	The document has rather informative nature, mapping out the situation of foreigners living in the town on Martin and its immediate surroundings as well as availability of services that are necessary for their more effective integration. Chapter 7 of the document elaborates in greater detail on the challenges and recommendations with respect to migrants' integration in the town of Martin.	Yes; the document proposes to influence the local public opinion in order to prevent displays of intolerance aimed against foreigners (p. 12); the document also recommends pursuing activities aimed at promoting conflict-free coexistence of all inhabitants (p. 14).	The document is based on the definition of integration spelled out in an older policy document entitled <i>Strategy of Foreigners' Integration in the Slovak Republic</i> , which no longer applies.
Action Plan of the Migration Policy of the Ministry of Labour, Social Affairs and Family for the Years 2014 - 2015	2014	Ministry of Labour, Social Affairs and Family; available at: <a href="http://www.employment.gov.sk/files/slovensky/ministerstvo/integracia-cudzincov/dokumenty/vlastny-material-ap-2014-2015.pdf">http://www.employment.gov.sk/files/slovensky/ministerstvo/integracia-cudzincov/dokumenty/vlastny-material-ap-2014-2015.pdf</a>	The target group has not been precisely defined.	The Action Plan elaborates in greater detail on tasks outlined in the <i>Migration Policy of the Slovak Republic with an Outlook to 2020</i> (Section 2.3 Integration, pp. 7 - 11).	Yes; the section on integration policy also includes activities aimed at universal furthering of human rights and tolerance as well as combating discrimination and intolerance.	Integration as well as its goals are defined by the <i>Migration Policy of the Slovak Republic with an Outlook to 2020</i> (please see above).
Action Plan of the Integration Policy of the Ministry of Labour, Social Affairs and Family	2014	Ministry of Labour, Social Affairs and Family; available at: <a href="http://www.employment.gov.sk/files/s">http://www.employment.gov.sk/files/s</a>	The target group is defined by <i>Integration Policy of the Slovak Republic</i> .	The Action Plan elaborates in greater detail on tasks for the period of 2014 - 2016 outlined in the <i>Integration Policy of the Slovak Republic</i> .	Yes; the section on the integration policy includes activities designed for general population,	Integration as well as its goals are defined by the <i>Integration Policy of the Slovak Republic</i> (please see above).

for the Years 2014 - 2016		<a href="http://ovensky/ministerstvo/integracia-cudzincov/dokumenty/ap-k-ip-2014-2016.pdf">ovensky/ministerstvo/integracia-cudzincov/dokumenty/ap-k-ip-2014-2016.pdf</a>			especially information and educational activities and those aimed at eliminating prejudices and xenophobia.	
Action Plan of the Migration Policy of the Slovak Republic with an Outlook to 2020 (time, factual and financial conditions of fulfilling the plan elaborated and approved for individual subjects in the period of 2012 - 2013)	2012	Ministry of Interior; available at: <a href="http://www.rokovania.sk/html/m_Mater-Dokum-144306.html">http://www.rokovania.sk/html/m_Mater-Dokum-144306.html</a>	The target group has not been precisely defined.	The Action Plan elaborates in greater detail on measures to be adopted by individual ministries and other institutions outlined in the <i>Migration Policy of the Slovak Republic with an Outlook to 2020</i> .	Yes; the section on the integration policy also includes activities aimed at universal furthering of human rights and tolerance as well as combating discrimination and intolerance.	Integration as well as its goals are defined by the <i>Migration Policy of the Slovak Republic with an Outlook to 2020</i> (please see above).

## Annex 4: Indicators monitoring migrant integration - social inclusion/cohesion

N.	Indicator	Definition	Legal frame / policy target	Data source	Periodicity	Reference / Comments
1	Employment rate of migrants by age, sex, education, economic activity and employment classification	Not defined <sup>396</sup>	Integration Policy of the Slovak Republic	The Integration Policy of the Slovensk republic does not define the source of the data.	annually	Area - employment
2	Unemployment rate of migrants by age and sex	Not defined	Integration Policy of the Slovak Republic	The Integration Policy of the Slovensk republic does not define the source of the data.	annually	Area - employment
3	Number of registered migrant job seekers by age and sex	Not defined	Integration Policy of the Slovak Republic	The Integration Policy of the Slovensk republic does not define the source of the data.	Annually	Area - employment
4	Number illegally employed migrants by age and sex	Not defined	Integration Policy of the Slovak Republic	The Integration Policy of the Slovensk republic does not define	Annually	Area - employment

<sup>396</sup> The employment rate is a precisely defined indicator; however, the *Integration Policy of the Slovak Republic* of 2014 fails to spell out the definition of migrants' unemployment rate. The same applies to all other indicators.

				the source of the data.		
5	Share of trade licences issued to migrants by age and sex	Not defined	Integration Policy of the Slovak Republic	The Integration Policy of the Slovensk republic does not define the source of the data.	Annually	Area - employment
6	Types of migrants' labour contracts (i.e. temporary, occasional, seasonal, permanent) by age and sex	Not defined	Integration Policy of the Slovak Republic	The Integration Policy of the Slovensk republic does not define the source of the data.	annually	Area - employment
7	Share of migrants who successfully applied for Slovak citizenship	Not defined	Integration Policy of the Slovak Republic	The Integration Policy of the Slovensk republic does not define the source of the data.	Annually	Area – active citizenship
8	Share of migrants who unsuccessfully applied for Slovak citizenship	Not defined	Integration Policy of the Slovak Republic	The Integration Policy of the Slovensk republic does not define the source of the data.	Annually	Area – active citizenship
9	Share of migrants among elected representatives	Not defined	Integration Policy of the Slovak Republic	The Integration Policy of the Slovensk republic does not define	Annually	Area – active citizenship

				the source of the data.		
10	Share of persons without nationality who acquired Slovak citizenship	Not defined	Integration Policy of the Slovak Republic	The Integration Policy of the Slovensk republic does not define the source of the data.	Annually	Area – active citizenship
11	Net average income; ratio of migrants' net average income and that of general population	Not defined	Integration Policy of the Slovak Republic	The Integration Policy of the Slovensk republic does not define the source of the data.	Annually	Area – social inclusion
12	Indicator of migrants' poverty risk rate (share of persons whose equivalent disposable income is below 60% of the national average)	Not defined	Integration Policy of the Slovak Republic	The Integration Policy of the Slovensk republic does not define the source of the data.	Annually	Area – social inclusion
13	Ratio of property owners and non-owners among migrants and general population	Not defined	Integration Policy of the Slovak Republic	The Integration Policy of the Slovensk republic does not define the source of the data.	Annually	Area – social inclusion
14	Number of recipients of social security benefits and old-age pensions from the country's social security system among	Not defined	Integration Policy of the Slovak Republic	The Integration Policy of the Slovensk republic does not define	Annually	Area – social inclusion



	migrants by age, sex, country of origin and type of residence			the source of the data.		
15	Share of the population with the highest education status achieved	Not defined	Integration Policy of the Slovak Republic	The Integration Policy of the Slovensk republic does not define the source of the data.	Annually	Area - education
16	Share of nine-grade pupils proficient in reading, mathematics and natural sciences	Not defined	Integration Policy of the Slovak Republic	The Integration Policy of the Slovensk republic does not define the source of the data.	Annually	Area - education
17	Share of the population with third-degree education	Not defined	Integration Policy of the Slovak Republic	The Integration Policy of the Slovensk republic does not define the source of the data.	Annually	Area - education
18	Share of the population that finished compulsory education	Not defined	Integration Policy of the Slovak Republic	The Integration Policy of the Slovensk republic does not define the source of the data.	Annually	Area - education
19	Availability of language courses for migrants by age and sex (price of courses)	Not defined	Integration Policy of the Slovak Republic	The Integration Policy of the Slovensk republic does not define	annually	Area - education

				the source of the data.		
20	Share of migrants living in public and private rented accommodation	Not defined	Integration Policy of the Slovak Republic	The Integration Policy of the Slovensk republic does not define the source of the data.	annually	Area - housing
21	Rate of migrants who use social housing	Not defined	Integration Policy of the Slovak Republic	The Integration Policy of the Slovensk republic does not define the source of the data.	annually	Area - housing
22	Ratio of migrants in ownership of residential houses and flats	Not defined	Integration Policy of the Slovak Republic	The Integration Policy of the Slovensk republic does not define the source of the data.	annually	Area - housing

## Annex 5: Use of funding instruments

Table 1 - European Integration Fund (EIF) <sup>397</sup>

	European Integration Fund TOTAL (€)	Own funds (€)	Funds distribution / Thematic areas							
			Participati on	Social Cohesion / social inclusion	Active citizenship	Welcoming society	Employment	Educati on	Healthc are	Oth er
<b>2010</b>	582,587.36	194,195.81								
<b>2011</b>	640,887.83	213,629.32								
<b>2012</b>	715,925.03	238,641.71								
<b>2013</b>	730,569.28	243,523.12								
<b>2014</b>	-	-								

<sup>397</sup> Authors' own calculations based on statistical data on supported projects published on the official website of the Ministry of Interior, section "European Fund for the Integration of Third-Country Nationals"; available at: <http://www.minv.sk/?podporene-projekty-3>.

Table 2 - European Refugee Fund (ERF) aiming at integration of beneficiaries of international protection<sup>398</sup>

	European Refugee Fund TOTAL (€)	Own (national) funds (€)/regional)	Funds distribution / Thematic areas								
			Participation	Social Cohesion / social inclusion	Active citizenship	Welcoming society (host targeted)	society	Employment	Education	Healthcare	Other
<b>2010</b>											
<b>2011</b>	1,671,177.2	557,059.09									
<b>2012</b>	611,275.74	203,758.61									
<b>2013</b>	570,341.17	190,113.74									
<b>2014</b>											

\* Please indicate if Asylum, Migration and Integration Fund is used for 2014

<sup>398</sup> Authors' own calculations based on statistical data on supported projects published on the official website of the Ministry of Interior, section "European Refugee Fund (2008 – 2013)"; available at: <http://www.minv.sk/?podporene-projekty-1>.

<sup>399</sup> The figure for 2011 also includes the figure for 2010.

## Annex 7: Promising practices

Thematic area	Legal and policy instruments for migrant integration
Title (original language)	Budovanie kapacít na úrovni miestnej a územnej samosprávy v oblasti integračnej politiky
Title (EN)	Capacity building in the area of migrant integration policies on the level of local and regional self-governance
Organisation (original language)	Združenie miest a obcí Slovenska
Organisation (EN)	Association of Slovak Towns and Villages
Government / Civil society	Civil society
Funding body	European Fund for Integration of Third-Country Nationals
Reference (incl. url, where available)	<a href="http://www.projektbuk.sk/projekt-buk.html">http://www.projektbuk.sk/projekt-buk.html</a>
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	June 2014 – June 2015
Type of initiative	
Main target group	<ul style="list-style-type: none"> <li>- Representatives of local self-governments – technical employees and elected representatives (mayors/local council chairpersons/deputies) and other local actors approached by the local self-government</li> <li>- Other local actors approached by the local self-government</li> <li>- Third country nationals</li> </ul>
Indicate level of implementation: Local/Regional/National	Local
Brief description (max. 1000 chars)	<p>The process of targeted and managed integration of third country nationals is often at the bottom of the priority list of Slovak towns and villages. Therefore, <b>it is important to prepare local self-governments for the increasing inflow of third country nationals who would seek permanent residence on their territory</b> and to shape local integration policies on the level of local by-laws and design public services to be provided to third country nationals. Self-governments may pursue these activities either directly or indirectly, for instance by creating background for non-governmental organisations, educational institutions, charity subjects, etc. Of course, planning of activities should be preceded by thorough mapping out of the migrants' situation and needs. The project consists of</p>

	<p>three two-day training courses for representatives of 28 participating self-governments. Part of the project is close cooperation with seven pilot towns in which adopted local strategies and action plans pertaining to integration of third country nationals will be implemented.</p>
<p>Highlight any element of the actions that is transferable (max. 500 chars)</p>	<ul style="list-style-type: none"> <li>- Raising local leaders' awareness of the issues of migration and integration of third country nationals</li> <li>- Motivating local leaders to take these issues into account</li> <li>- Combining expert information and interactive approach in order to increase local leaders' sensitivity to cultural diversity</li> <li>- Establishing intense long-term (one year) cooperation with concrete towns</li> <li>- Empowering local leaders to draft strategic policy documents</li> <li>- Tailoring adopted measures to concrete needs of particular municipalities</li> <li>- Pooling activities and expertise of self-governments and non-governmental organisations that often perceive each other as competitors</li> <li>- Including migrants' integration into the broader context of furthering local communities' social cohesion.</li> </ul>
<p>Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')</p>	<p>Although the project has a limited lifespan (one year), it is particularly important that through it, the Association of Slovak Towns and Villages (ZMOS) shouldered its part of the responsibility for the issues of third country nationals' migration and integration. While ZMOS is legally a civic association, it enjoys an influential position in the legislative process as it represents towns and villages in negotiations with parliament, cabinet and other central state administration organs. Therefore, it is quite a landmark that ZMOS publicly embraced its role in the process of integrating migrants in Slovakia. Besides, ZMOS has much greater fundraising capacities compared to often small non-governmental organisations.</p> <p>At the same time, cooperation with concrete pilot towns is likely to increase expert capacities of local leaders, which they may continue to benefit from long after the project has been officially terminated. Part of building capacities is increasing local leaders' sensitivity to cultural diversity, which may positively affect their attitude to minority groups while discharging their duties.</p>
<p>Give reasons why you consider the practice as having concrete measurable impact</p>	<p>As part of the project, ZMOS established cooperation with seven pilot towns, helping them to develop their own local strategies and action plans of integrating third country nationals and begin to implement them in practice. The</p>

	<p>process of adopting these policy documents is relatively easy to evaluate in retrospect. An important aspect of evaluation will be setting the methods of evaluating these policy documents' practical implementation. If the methods are set well, it will be possible to assess proposed measures' impact on the migrant population or social cohesion of local communities.</p>
<p>Give reasons why you consider the practice as transferrable to other settings and/or Member States?</p>	<p>We believe a suitable contextualisation of the project's activities can make similar training based on long-term cooperation transferable to other member states as well. Interactive training as a method can be applied in any context; however, it is important to take into account the issues, possibilities and needs that affect a given context. Cooperation with concrete towns that is based on a personal approach (i.e. communication with the contact person that has been officially appointed to deal with migrant integration issues) creates space for more effective tackling of integration issues. At the same time, cooperation with concrete persons increases their involvement and commitment to the cause.</p>
<p>Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.</p>	<p>One of the project's objectives is to help the seven participating pilot towns draft and adopt strategies and action plans pertaining to migrants' integration. The role of the project's experts is to assist the pilot towns throughout the process and provide counselling to them, encouraging the pilot towns to get migrants living on their territory involved in the process. Many towns have a concept of getting the migrants involved by appointing them to various advisory organs and commissions. During the initial phase, however, they intend to consult the drafted strategies and action plans with representatives of local migrant communities.</p>
<p>Explain, if applicable, how the practice provides for review and assessment.</p>	<p>The method of evaluating adopted policy documents and their practical implementation is currently at the stage of preparation.</p>

<b>Thematic area</b>	<b>Civic and citizenship education</b>
Title (original language)	Vzdelávanie detí cudzincov
Title (EN)	Education of Children of Foreign Nationals
Organisation (original language)	Nadácia Milana Šimečku
Organisation (EN)	The Milan Šimečka Foundation
Government / Civil society	Civil society
Funding body	European Fund for the Integration of Third-Country Nationals

Reference (incl. url, where available)	
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	1 July 2012 – 30 June 2013
Type of initiative	Training of teachers
Main target group	Primary education teachers (i.e. first level of primary schools), lower secondary education (i.e. second level of primary schools), continuous education teachers, educators and pedagogical assistants.
Indicate level of implementation: Local/Regional/National	National
Brief description (max. 1000 chars)	<p>The project's principal objective was to enhance the qualifications of teachers in the field of educating (not only) migrants' children in Slovak primary schools. The principal objective would be attained through achieving the following three specific goals:</p> <ul style="list-style-type: none"> <li>A) Training a group of primary school teachers through an integral educational programme.</li> <li>B) Applying the educational programme's methods in select primary schools.</li> <li>C) Evaluating the methods' implementation in select primary schools and spread the project's outputs.</li> </ul> <p>The project was implemented in the form of a programme of teachers' continuous education entitled <i>Education of Children of Foreign Nationals</i>, which in 2010 received accreditation from the Ministry of Education, Science, Research and Sports. The programme, which is the one of its kind in Slovakia, was jointly conceived by the Milan Šimečka Foundation and the Centre for the Research of Ethnicity and Culture based on their previous research cooperation in the field of educating migrants' children.</p>
Highlight any element of the actions that is transferable (max. 500 chars)	<ul style="list-style-type: none"> <li>- Effective measuring of the educational programme's impact – organising focus groups with participants before and after taking the training courses allowed for a realistic evaluation of the programme's impact on their attitudes to the issues of migration and migrants' integration. This opens further possibilities for designing similar programmes in the future.</li> <li>- Flexible setting of the educational programme – the programme's authors and lecturers were flexible in adapting particular training courses to actual needs of participants who were encouraged to take an active part in designing the courses, which had a strong empowering effect that might lead to participants' greater motivation to apply the acquired knowledge, experience and attitudes after their graduation from the educational programme.</li> <li>- Putting the issue of educating migrants' children in the broader context of inclusive education and children's right to access to education.</li> </ul>



	<ul style="list-style-type: none"> <li>- Maintaining participants' continuous involvement throughout the academic year (i.e. in between particular training courses) through assigning practical homework to them and encouraging them to apply the recently mastered methods in everyday practice.</li> <li>- Lecturers' regular inspections at participants' schools, which helped maintain contact with participants in their natural environment.</li> </ul>
<p>Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')</p>	<p>The sustainability of this type of initiatives largely depends on the sources of funding. Since the Slovak Republic relies almost exclusively on European funds (i.e. EIF and ERF) in financing integration measures, it is extremely complicated to ensure sustainability of similar projects.</p> <p>The Milan Šimečka Foundation in cooperation with the Centre for the Research of Ethnicity and Culture managed to obtain financial aid from the EIF to implement two cycles of the programme. The original goal was to turn this project into an officially acknowledged programme of continuous education for teachers, mostly because education of migrants' children is not sufficiently covered by any of the currently existing programmes. Thanks to the Milan Šimečka Foundation, this educational programme even obtained an official accreditation from the Ministry of Education, Science, Research and Sports, which meant that programme graduates received additional credits and, consequently, enter higher salary brackets as a result of officially increasing their qualifications. In the meantime, however, government passed an amendment that prevented non-governmental organisations from providing accredited courses of continuous education for teachers; consequently, the programme saw its accreditation revoked.</p> <p>The project had been conceived as the one of "building teachers' capacities" that was hoped to have a multiplication effect at graduates' home schools. Programme participants were encouraged to apply the knowledge, principles, methods and forms of working with migrants' children in their own teaching practice and thus further inclusive atmosphere within the education system. Programme lecturers have remained in touch with several graduates even after the programme was terminated. A conclusion may be drawn that the goal of "multiplication effect" has been at least partially met since many programme graduates continue to apply the knowledge and experience they acquired during the programme and share them with their colleagues as well as pupils.</p>
<p>Give reasons why you consider the practice as having concrete measurable impact</p>	<p>The focus groups with participants before and after they took part in the programme as well as feedback questionnaires that evaluated their homework indicate that this training programme has had a very positive impact on participants' teaching practice, especially in terms of acquiring new knowledge in the field of migration, integration and developing practical skills in the field of</p>

	<p>educating migrants' children in Slovak primary schools. The teachers have mastered the principles and methods of multicultural and inclusive education and have learned to apply them not only in teaching migrants' children but also in working with entire classes. Many programme participants observed that they have become much more sensitive to their pupils' specific educational needs upon graduation from the programme.</p>
<p>Give reasons why you consider the practice as transferrable to other settings and/or Member States?</p>	<p>We believe that similar training programmes may be successfully applied in other member states, provided that their activities will be placed in a proper context. Interactive training as a method can be applied in any context; however, it is important to take into account the possibilities and needs that are key in the given context. The training activities were designed in a way that develops teachers' ability to operate in a multicultural school environment. Instead of memorising the knowledge on migration and integration, the participants were encouraged to "experience" this knowledge in practice, to ponder it critically and to identify with the principles on which the training was built (e.g. respect for cultural diversity).</p>
<p>Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.</p>	<p>Particular training courses were relatively flexible. The second training cycle that took place in the 2012/2013 academic year was largely based on the experience gathered during the first training cycle (2010-2011). After members of the lecturing team had evaluated the make-up and needs of participants they concluded it was necessary to redesign the training. The main reason was that participants of the second training cycle (2012-2013) were generally much more motivated, opened in their attitudes and in many aspects more experienced than participants of the first training cycle (2010-2011). Therefore, the lecturing team decided to contact some graduates of the previous cycle and get them directly involved in the process of designing particular training courses.</p> <p>Throughout the programme, the lecturing team placed a great emphasis on participative decision-making. At the same time, the feedback from participants in the form of evaluation questionnaires along with the findings of focus groups held before and after undergoing the programme was the core of evaluating the entire programme.</p>
<p>Explain, if applicable, how the practice provides for review and assessment.</p>	<p>The rules of reviewing and assessing the entire programme were outlined by the European Fund for the Integration of Third-Country Nationals, which precisely circumscribes the form and deadlines of continuous monitoring reports that evaluated the programme's meeting of stipulated quantitative and qualitative indicators. The quantitative indicators included, for instance, the number of training course participants, the number of man-hours, the amount of assigned homework, etc. The programme's qualitative evaluation applied research methods in the form of focus groups conducted before and after the programme; the focus groups included all participants divided into three</p>

	groups. The analysis of the focus group findings provided data for evidence-based evaluation of the programme's impact on participants' knowledge and their attitudes on cultural diversity, migration and migrants' integration.
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<b>Thematic area</b>	<b>Political and Civic participation</b>
Title (original language)	Fórum integrácie
Title (EN)	Integration Forum
Organisation (original language)	Liga za ľudské práva
Organisation (EN)	Human Rights League
Government / Civil society	Civil society
Funding body	EIF
Reference (incl. url, where available)	<a href="http://www.hrl.sk/projekty/forum-integracie-platforma-pre-otvoreny-dialog-o-migracii-integracii-cudzincov">www.hrl.sk/projekty/forum-integracie-platforma-pre-otvoreny-dialog-o-migracii-integracii-cudzincov</a>
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	2010 - present
Type of initiative	Initiative of NGO in cooperation with public authorities funded by EIF
Main target group	Community of experts who specialise in issues of migrants' integration, representatives of government institutions, self-governance bodies, migrant associations, non-governmental organisations, general public
Indicate level of implementation: Local/Regional/National	National
Brief description (max. 1000 chars)	The Integration Forum was founded in 2010 based on an initiative of the Ministry of Labour, Social Affairs and Family. Since 2013, the Integration Forum has been organised by the Human Rights League non-governmental organisation as part of its project that has been supported from the EIF. The Integration Forum takes the form of regular meetings attended by experts who specialise in issues related to migrants' integration; some of the meetings are attended by experts from abroad. During the meetings, they discuss

	<p>topical issues and share latest information on their activities. It goes without saying that important participants of these meetings are migrants and representatives of migrant associations.</p>
<p>Highlight any element of the actions that is transferable (max. 500 chars)</p>	<p>We assume that similar meetings involving government officials, representatives of self-governments, experts and migrants are already an established practice in other EU member states.</p>
<p>Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')</p>	<p>The initiative seeks to get Integration Forum meeting participants involved in the planning and financing of future meetings.</p>
<p>Give reasons why you consider the practice as having concrete measurable impact</p>	<p>The only measurable indicator is the number of meetings held, the volume of information shared or other quantitative data that may be gathered during or upon completion of individual meetings.</p>
<p>Give reasons why you consider the practice as transferrable to other settings and/or Member States?</p>	<p>We assume that similar meetings involving government officials, representatives of self-governments, experts and migrants are already an established practice in other EU member states.</p>
<p>Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.</p>	<p>Since the initiative is neither organised nor directly financed by a government institution, the participants of Integration Forum meetings have also discussed the activity's sustainability, i.e. designing its future model of organisation and financing.</p>
<p>Explain, if applicable, how the practice provides for review and assessment.</p>	<p>Human Rights League has already evaluated the initiative through circulating anonymous questionnaires that inquired about views of Integration Forum meetings' participants. The results have been included in the set of recommendations regarding the future organisation and development of the Integration Forum.<sup>400</sup></p>

<sup>400</sup> Slovakia, Human Rights League (*Liga za ľudské práva*) (2014), 'Fórum integrácie. Odporúčania pre ďalší rozvoj Fóra integrácie'; available at: [www.integration.sk/wp-content/uploads/2014/04/N%C3%A1vrh-odpor%C3%BA%C4%8Dan%C3%AD-pre-F%C3%B3rum-integr%C3%A1cie.pdf](http://www.integration.sk/wp-content/uploads/2014/04/N%C3%A1vrh-odpor%C3%BA%C4%8Dan%C3%AD-pre-F%C3%B3rum-integr%C3%A1cie.pdf).

## Annex 8: Discrimination complaints submitted to Equality Bodies

Table 3 – Numbers of discrimination cases on any ground submitted by third country nationals (TCNs) in 2014\*

Number of cases (report the 10 Largest nationality group that submitted a complaint by the end of 2014)	Grounds								
	Racial or ethnic origin	Nationality (where applicable)	Race / skin colour	Religion / faith/ belief	disability	gender	Sexual orientation / gender identity	age	other
10 (Ombudsperson) <sup>401</sup> + 2 (Equality Body) <sup>402</sup>	no data	no data	no data	no data	no data	no data	no data	no data	no data

\* Provide data for 2013 if 2014 not available by March 2015

Table 4 - Outcome of discrimination cases on grounds of ethnic origin submitted by third country nationals\*

Competent Body (e.g. Equality Body, Administrative court etc.)	Outcome						
	Pending from previous years	Pending – submitted in 2014	Established discrimination	Shift of the burden of proof applied	Successful mediation – restoring rights/fairness – sanctions applied	Unsuccessful mediation	Not admissible (formal admissibility / withdrawal reasons)
Equality Body <sup>403</sup>	no data	1	no data	no data	no data	no data	no data

\* Provide data for 2013 if 2014 not available by March 2015

<sup>401</sup> The information supplied by the Office of Public Defender of Rights on 20 January 2015 in response to an official request for information.

<sup>402</sup> The information supplied by the Slovak National Centre for Human Rights on 16 January 2015 in response to an official request for information.

<sup>403</sup> The information supplied by the Slovak National Centre for Human Rights on 16 January 2015 in response to an official request for information.

## Annex 9: Case law – max 5 leading cases

<b>Thematic area</b>	state citizenship, security concerns, right to information
<b>Decision date</b>	03/December/2014
<b>Reference details</b>	2S 54/2013 <sup>404</sup>
<b>Key facts of the case</b> (max. 500 chars)	<p>The applicant is a migrant, university teacher, and a Muslim living in Slovakia since 2000, with expertise in aviation. He applied for Slovak citizenship after meeting conditions for citizenship in 2010. The applicant was seeking review of legality of the decision of the Ministry of Interior to refuse to grant him Slovak citizenship and not to reveal the facts behind its reasoning.</p> <p>The Ministry of Interior, as a second party, justified the denial of citizenship by security concerns, yet those have not been revealed to the applicant. The Ministry of Interior stated they hold a negative opinion of the Office for Combating of Organized Crime concerning the applicant, with reasoning that the applicant does not follow the laws of the country (the claims he could argue to) and could become a real security concern in the future (the claims he couldn't react to as they were not relieved). The concerned information were processed as secret, not available to the applicant. The applicant therefore claimed the denial of his right to legal protection (Art. 46/1-2 of the Constitution), stating he had no possibility to react or provide counterevidence on the secured information about him being a security concern to the country.</p>
<b>Main reasoning/argumentation</b> (max. 500 chars)	<p>The Regional Court in Bratislava rejected applicant's case reasoning that internal and European jurisprudence allows for the denial to reveal of secret information that form a base for decision-making in the proceedings related to aliens to be relieved to the applicants, in case it is in the security interests of the state. The reasoning of the Regional Court was underlined by the possibility that the application of procedural rights of the aliens might become a tool to gather at least some information about the persons that are of interest to intelligence services.</p>
<b>Key issues (concepts, interpretations) clarified by the case</b> (max. 500 chars)	refusal to reveal secret information to the applicants in proceedings for the state citizenship, security concerns of the state in the legal proceedings concerning foreigners
<b>Results (sanctions) and key consequences or</b>	The applicant's case was rejected by the Regional Court stating that the denial of the citizenship to the applicant was justified

<sup>404</sup> The case is not yet public, information given by the applicant's lawyer on 20 March 2015.

<p><b>implications of the case</b> (max. 500 chars)</p>	<p>by the security concerns of the state that were legal and legitimate. The legal procedure preceding following the denial of the citizenship that was questioned by the applicant was found to be within the limits of law.</p> <p>Another case with similar facts (denial of the state citizenship for security reasons without the possibility to reveal the details) has been rejected by a Constitutional Court in December. However, the judgment is not public yet<sup>405</sup>.</p>
<p><b>Key quotation in original language and translated into English with reference details</b> (max. 500 chars)</p>	<p>Additional quote of the Regional Court after reasoning that it does not perceive there is any room for even partial disclosure of the secret information to the applicant:</p> <p><i>"(...) pokiaľ sa o osobu žalobcu zaujímajú bezpečnostné orgány na úseku boja proti organizovanej kriminalite, nebude ťažké sa dovtípiť, že to bude súvisieť so žalobcovým pôvodom, jeho zručnosťami a záujmami a prostredím, ktoré vyhľadáva."</i> (s.8)</p> <p><i>"(...) in case the security authorities in the field of combating of organized crime are interested in the person that is an applicant, it wouldn't be hard to guess it is in relation to applicant's origin, his abilities and interests and the environment he seeks. (p.8)"</i></p> <p><i>"In case the security authorities in the field of combating of organized crime are interested in the person that is an applicant, it wouldn't be hard to guess it is in relation to applicant's origin, his abilities and interests and the environment he seeks. (p.9)"</i></p>

<p><b>Thematic area</b></p>	<p>Law on stay of aliens, asylum law, security concerns, right to information</p>
<p><b>Decision date</b></p>	<p>5/March/2014</p>
<p><b>Reference details</b></p>	<p>PL. ÚS 5/2014-27<sup>406</sup></p>
<p><b>Key facts of the case</b> (max. 500 chars)</p>	<p>The applicant to the Constitutional Court – Ombudsperson of the Slovak republic, asked the Court to rule upon compliance of some of the regulations of Law on Residence of Foreigners<sup>407</sup></p>

<sup>405</sup> Information gathered from the applicant's attorney on 02 March 2015

<sup>406</sup> The Ombudsperson submitted this motion to the Constitutional Court several times already – the judgment of 05 March 2014 is already public and stated here as a case law. Another motion has been denied as inadmissible as well in December 2014, yet the judgment is not made available to the public yet.

<sup>407</sup> Slovakia, Act No. 404/2011 Coll. on Residence of Foreigners and on amendment and supplementation of certain acts as amended (*Zákon č. 404/2011 o pobyte cudzincov a o zmene a doplnení niektorých zákonov*), Art. 120/2, available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/2011/404/20140101](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2011/404/20140101).

	<p>and Asylum Law<sup>408</sup> with the Constitution<sup>409</sup>, European Convention on Human Rights<sup>410</sup> and ICCPR<sup>411</sup>.</p> <p>The abovementioned Articles that were in concern to the Ombudswoman state that the Ministry of Interior has a right to justify the denial or a refusal to prolong asylum, subsidiary or temporary protection, by a statement it is in the security interest of the country<sup>412</sup>. Similarly, the Police Office has a right to justify the denial or a refusal to prolong various residence permits or act in the proceedings on administrative deportation, by a statement it is in the security interests of the country and in case there is a reasonable suspicion the alien may become a security concern to the country<sup>413</sup>.</p>
<p><b>Main reasoning/argumentation</b> (max. 500 chars)</p>	<p>The Ombudsperson reasoned the changes in the legislation concerning aliens that grant the Ministry of Interior the right to justify the denial of stay or asylum by stating the concerned persons are a security concern to the country were not in accordance with the domestic and international law. The denial to reveal the information to the applicants may form discrimination of foreigners in legal proceedings (as compared to Slovak nationals) and their right to defend themselves. The Ombudsperson asked for the review of the concerned articles and their suspension.</p>
<p><b>Key issues (concepts, interpretations) clarified by the case</b> (max. 500 chars)</p>	<p>refusal to reveal secret information to the applicants in proceedings concerning legality of stay of aliens</p>
<p><b>Results (sanctions) and key consequences or implications of the case</b> (max. 500 chars)</p>	<p>The Constitutional Court dismissed the Ombudswoman's submission as inadmissible. The Court reasoned by procedural insufficiencies of the Ombudsperson's motion claiming it lacks submissions from the public.</p> <p>The second Ombudsperson's motion of the same issue (with public submissions gathered) in December has been dismissed as inadmissible as well, yet the reasoning has not been made public yet<sup>414</sup>.</p>

<sup>408</sup> Slovakia, Act No. 480/2002 Coll. on Asylum and on amendment and supplementation of certain acts as amended (*Zákon č. 480/2002 Z.z. o azyle a o zmene a doplnení niektorých zákonov*), Art. 52/2, available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/2002/480/20140101](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2002/480/20140101).

<sup>409</sup> Slovakia, Act No. 460/1992 Coll., Constitution of the Slovak Republic (*Zákon č. 460/1992, Ústava Slovenskej republiky*), Art. 1/1; Art. 12/1; Art. 12/2; Art. 13/4 in conjunction with Art. 46/1 and Art. 46/2; Art. 47/3, Art. 48/2; available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/1992/460/20141201](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/1992/460/20141201).

<sup>410</sup> Art. 6/1

<sup>411</sup> Art. 14/1

<sup>412</sup> Slovakia, Act No. 480/2002 Coll. on Asylum and on amendment and supplementation of certain acts as amended (*Zákon č. 480/2002 Z.z. o azyle a o zmene a doplnení niektorých zákonov*), Art. 52/2, available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/2002/480/20140101](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2002/480/20140101).

<sup>413</sup> Slovakia, Act No. 404/2011 on Residence of Foreigners and on amendment and supplementation of certain acts as amended (*Zákon č. 404/2011 o pobyte cudzincov a o zmene a doplnení niektorých zákonov*), Art. 120/2, available at: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/2011/404/20140101](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2011/404/20140101).

<sup>414</sup> Information gathered by personal communication with the Ombudsperson's office on 05 March 2015, by the communication with one of the applicant's attorney on 02 March 2015 and is also available in the news: SME (2014), 'Constitutional Court denied thze motion of Dubovcová on stay of aliens' (*Ústavný súd odmietol Dubovcovej podanie o pobyte cudzincov*), 17 December 2014, available in Slovak: [www.sme.sk/c/7552760/ustavny-sud-odmietol-dubovcovej-podanie-o-pobyte-cudzincov.html](http://www.sme.sk/c/7552760/ustavny-sud-odmietol-dubovcovej-podanie-o-pobyte-cudzincov.html)



<p><b>Key quotation in original language and translated into English with reference details</b></p> <p>(max. 500 chars)</p>	<p>Argumentation of the Ombudsperson concerning procedural rights of the foreigners:</p> <p><i>"Cudzincom sa na území Slovenskej republiky zaručujú všetky práva uvedené v čl. 46 až 50 Ústavy Slovenskej republiky, pretože oprávnený subjekt sa v týchto článkoch označuje slovom „každý“(...) (čl. 5ods. 2 ústavy) Napadnuté ustanovenia ,(...), podľa môjho názoru, popierajú princíp rovnosti účastníkov súdneho konania, ktorý je nevyhnutnou súčasťou každého právneho štátu (...)" (s.3)</i></p> <p><i>"Foreigners in the Slovak Republic are guaranteed all the rights stated in Art. 46-50 of the Constitution, because the qualified person in these regulations is stated as 'everyone'. (...)The contested provisions,(...), in my view deny the principle of equality in the court proceedings that are an essential part of the rule of law (...)." (p.3)</i></p> <p><i>Argumentation of the Ombudsperson regarding the discrimination of foreigners in legal proceedings:</i></p> <p><i>"Zásada rovnosti účastníkov konania, v konaniach, ktoré predchádzali vyššie uvedeným rozhodnutiam, je narušená tým, že správny orgán má k dispozícii dôkazy (utajované skutočnosti), ktorými cudzinec nedisponuje a nemá ani žiadnu možnosť sa s týmito dôkazmi oboznámiť." (s.5)</i></p> <p><i>"The principle of equality of the parties in the proceedings prior to the abovementioned decisions has been disturbed by the fact that the authorities have evidence (secret evidence) that are not made available to the foreigner and those have no possibility to become familiar with such evidence." (p.5)</i></p>
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