



Actors Interviewed:

- Civil society: NGOs, trade unions, migrants' organizations: 5
- Media: 1
- Governmental representatives: 5
- Academics: 2

1. DESCRIPTION OF WORK AND TARGET GROUP

Policy Brief:

"In fact, according to data on apprehensions, irregular migrants residing longer in Slovakia are nationals from three main source regions – former Soviet republics (Ukraine, Moldavia, Russia, Georgia), certain Asian countries (Vietnam, China, India, Pakistan) and the Balkans (Kosovo, Albania, Serbia). The Ukrainians comprise over 50% of the total irregular migrant population, According to opinions of experts, the majority (90-95%) of undocumented migrants residing in Slovakia are economically active. Most of them (80-90%) work. They work in economic sectors with a need for low-skilled labour. Ukrainians and Moldavians usually work in the construction industry, manufacturing and agriculture, Asians are employed in catering, retail and services while irregularly staying Balkan nationals are often small entrepreneurs. Recent data on the gender breakdown of the flows of undocumented migrants indicate that around three quarters of irregular migrant residents in Slovakia are men. Over 95% of irregular migrants in the country are at working age (15-64)". (p.2)

According to the interviewees, the majority of undocumented migrants entering the country are men. A member of an NGO believed that women, children as well as elderly should be included in the target group. Another NGO representative noted that her organization deals not only with men but also with undocumented women and children. One interviewee was not capable of providing any answer.

A policy maker stressed that the majority of undocumented migrants are rejected asylum seekers. Some governmental representatives underlined that men apprehended at the borders and across the territory represent the majority of irregular migrants in the country. A

journalist affirmed that it is unlikely to provide any plausible answer due to lack of research and information on the topic.

There was consensus amongst the respondents in saying that migrants mainly come from China, Vietnam and Ukraine. One NGO representative pointed out that other nationalities of undocumented migrants referring to her organisation are Indians, Moldovans, Pakistanis, Iraqis, Georgians and Russians.

One respondent argued that the migrant's status varies from nationality to nationality. Another one referring to refugees only, argued that asylum seekers usually come from Afghanistan, Iran, Former Yugoslavia, Albania, Kosovo and some African countries.

***Terminology.** Majority used "illegal". The terms "irregular" and "undocumented" were hardly employed. Most of the interviewees tend to utilize "illegal" while only few referred to "irregular". It was said that irregular migrants are considered as criminals.

** Some interviewees lacked clarity to identify undocumented migrants; they simply associated them to 'rejected' asylum seekers.

2. ESTIMATES, DATA, ASSESSMENT OF SIZE AND COMPOSITION OF THE IRREGULAR MIGRANTS' POPULATION

Policy Brief:

"We have estimated that 15,000 to 20,000 undocumented migrants lived in Slovakia at the beginning of 2008 (approximately 0.3 to 0.4% of the overall population of the country). Although the population of irregular migrants in Slovakia gradually grows, the volume of their flows shows a downward trend". (p. 2)

"Data on irregular migrants apprehended in Slovakia are collected by the Bureau of Border and Aliens Police (Ministry of Interior). (...) As regards the overall stock of undocumented migrants in Slovakia, there are no data provided by any institution. Only a few rough and imprecise estimates have been found in the literature. In general, the phenomenon of irregular migration has been under-researched in Slovakia. No book, report or specialised study has been issued until now. Given these problems, our enquiry and the estimate produced was based on interviews with experts in related branches and secondary desk research on older assessments, empirical facts and media reports". (p. 2)

"Not long ago, the main pathway into irregular status was the unauthorised border crossing with the scope of transiting to another country. However, the number of apprehended migrants crossing irregularly the Slovak borders has decreased substantially since 2004. (...) While in 2004 transiting irregular migrants constituted over ¾ of the total flow of irregular migrants in the country, their share in 2008 was below 50% for the first time". (p. 3)

"The asylum seeking process provides an important pathway out of irregularity, although a short-term one. Almost all asylum seekers enter Slovakia's territory as transiting irregular migrants and apply, after apprehension, for asylum as a means to legalise their stay. However, a significant share of asylum applicants (about 40% of cases) interrupt the asylum procedure after a while as they are apprehended crossing the western Slovak border without permission". (p. 3)

Pathways into Irregularity

Irregular migrants seek from NGOs general assistance and legal advice (counselling). In Slovakia, few NGOs deal with undocumented migrants since the topic is relatively new and is not perceived as a key issue. Some organizations also focus on policy work through

campaign and information sessions in order to raise awareness amongst civil society actors and the population.

The majority of the interviewees (NGOs, a governmental representative and a journalist) felt that irregular entry is the most common pathway into irregularity; visa overstay as well as people who have been trafficked are perceived as the second and third most important pathways by four respondents respectively (2 NGOs representatives, a journalist and another authority the first and two governmental authorities and two researchers the latter).

Moreover, one respondent added that migrants turn out to be undocumented because they have been refused refugee status. Another interviewee expressed his scepticism in providing a definitive answer since, according to him, migrants still treat Slovakia as a transit country. A journalist noted that since migrants are not visible, their pathways into irregularity vary.

Flows of Undocumented Migrants Coming to Slovakia

Three respondents, one authority and two NGOs representatives felt that the total yearly number of irregular migrants is increasing; two respondents, an NGO and four governmental representatives thought that is decreasing whereas other two respondents (a journalist and an academic) believed it is steady. Two additional interviewees (two NGO representatives) hesitated to express their opinion. They argued that flows fluctuate in relation to the global economic trend.

According to the first group of respondents, the number of undocumented migrants coming to Slovakia is increasing due to the following reasons: fear of being detected while crossing the borders, rise in the number of Ukrainians entering the country and of family reunification cases, belonging to the Schengen area. The second group of respondents said that the trend is decreasing due to border enforcement measures. Another respondent argued that the trend is steady since, according to him, migration flows have not fluctuated in the last 5 years and the government has not designed any plans to deal with migration in the meantime.



Photo: Bratislava Street Statue © Davie

Numbers of Undocumented Migrants Receiving Assistance from Organizations

It appears extremely difficult to provide figures regarding the number of undocumented migrants receiving assistance by the organisations interviewed. In fact, often NGOs do not provide direct assistance but work at policy level only; others do not focus on migrants' legal status since the number of undocumented migrants is far too narrow to be counted, at least on a monthly basis. Information available was provided by no more than two interviewees.

One NGO representative noted that only 2 undocumented migrants received assistance by his organization in 2008 while an additional one said that the number of undocumented migrants who referred to her NGO decreased from 335 in 2007 to 116 in 2008.

Figures and Percentages of Undocumented Migrants Living in a Given Geographical Area



Estimating the total population of undocumented migrants in the working region of the interviewees is largely unattainable. Only a respondent whose NGO is based in Kosice (Slovakia) was able to provide the following percentage.

- According to her personal assumption, the NGO representative believed that undocumented migrants living in Kosice comprise 99% of all migrants in the area. However, she was not able to

justify further her opinion.

Estimates of Undocumented Migrants in Slovakia

Policy Brief:

“We have estimated that 15,000 to 20,000 undocumented migrants lived in Slovakia at the beginning of 2008 (approximately 0.3 to 0.4% of the overall population of the country). Although the population of irregular migrants in Slovakia gradually grows, the volume of their flows shows a downward trend”. (p. 2)

Although providing estimates is not considered feasible due to lack of reliable data, some ‘guesstimates’ were pointed out by the following interviewees.

- According to a journalist, 70,000 undocumented migrants live in Slovakia; but no further argumentation was provided.
- Some governmental representatives said that, in 2007, 6,761 irregular migrants were apprehended while illegally crossing the state border or illegally staying in the territory; in 2008 their number was 2,355.
- Two additional policy makers were only able to provide figures as regards asylum seekers and refugees.

According to an academic, no information is provided as regards the number of undocumented migrants in Slovakia and/or Bratislava. The media do not cover the issue. It is characteristic that not even data concerning the number of legal migrants residing in the country are available. He believed that the irregular foreign residents’ stock tables of the CLANDESTINO Project simply remain a rough attempt. Another respondent said that estimating the number of undocumented migrants is impossible due to lack of reliable data.

While one interviewee argued that migration is an ongoing phenomenon which can hardly be counted, another pointed out that although some estimation could be provided, its quality should be critically assessed. “No one in Slovakia pays attention to irregular migrants and there are no studies in order to estimate the total population of undocumented

migrants”, he added. He also argued that the number of both undocumented and regular migrants is scarce due to the fact that Slovakia remains a transit country for many migrants. He did stress though that some migrants have settled down in the main cities.

From the above, it is clear that interviewees were not capable of providing any exhaustive response concerning figures of undocumented migrants living in Slovakia or Bratislava despite the Clandestino tables provided. Respondents lacked interest in estimates and data due to lack of reliable information on the topic and the resulting impossibility to support their arguments. It was said that ‘very little attention is paid to migration issues in Slovakia and irregular migration is no exception’.

Assessment Regarding Estimates and Views on their Reliability

Policy Brief:

“Data on irregular migrants apprehended in Slovakia are collected by the Bureau of Border and Aliens Police (Ministry of Interior). (...) As regards the overall stock of undocumented migrants in Slovakia, there are no data provided by any institution. Only a few rough and imprecise estimates have been found in the literature. In general, the phenomenon of irregular migration has been under-researched in Slovakia. No book, report or specialised study has been issued until now. Given these problems, our enquiry and the estimate produced was based on interviews with experts in related branches and secondary desk research on older assessments, empirical facts and media reports”. (p. 2)

Most of the interviewees believed that reliable data would eventually constitute a useful basis upon which policies could be drafted.

According to an academic, reliable figures could contribute to identify different tools in policy planning in the field of migration. One NGO representative also underlined the importance of data in designing and implementing projects as well as policies. A consultant argued that estimates would pave the way for a fruitful debate on the issue.

A respondent said that estimates would be ‘good’ in order to know what migrants need and draft relevant projects; a journalist believed that usefulness of data is doubtful although he admitted that ‘having something is always better than nothing’. He noted that the media ignore the topic and tend to report negative news on irregular migrants.

Some governmental representatives argued that reliable numbers would help to provide assessments, analysis and trends for the upcoming years. Trustworthy data could also be important to set up an operational network dealing with the issue.

“How valuable could it be? How relevant would it be?”, were instead the doubts expressed by one policy maker, who stressed her personal disbelief in statistical data emphasizing the difficulty in coming up with trustworthy figures. Nevertheless, she said that numbers and statistics of asylum seekers are collected and provided by the Ministry. Another governmental representative welcomed the project by underlining its potential impact on the economy and the decrease of criminality: “if you had data regarding the number of irregular migrants in the country, you could do something to prevent them from coming”.

While believing that there is a need to collect data to develop policies, an interviewee affirmed that mapping out target policies would be much more helpful. He also noted that migration is a topic which emerged in the country only few years ago and as a result only some initial discussions have taken place.

3. DISCUSSION AND POLICY IMPLICATIONS

Policy Brief:

"The issue of irregular migration has been underestimated for a long time in Slovakia. Therefore, several fundamental changes and improvements are necessary. On a more general level we suggest that:

- The debate on the causes and consequences of undocumented migration should be opened up amongst politicians and experts;*
- The Slovak media should report the phenomenon in a more professional and objective manner;*
- All relevant stakeholders should play a greater role in combating various manifestations of intolerance towards irregular immigrants in the country;*
- Legal immigration to Slovakia is facilitated through a simplification of the current complicated procedure for granting a residence and work permit, particularly to third-country nationals". (p. 4)*

"Most concretely, we recommend: (...) To raise the level of awareness on the potential risks of irregular migration to Slovakia and create, towards this end, a network of immigration liaison officers at Slovak consular offices abroad;". (p. 4)

State Policy Responses and their Implementation on the Ground. Examples of State Beneficial Policies Employed

Most interviewees stated that there are no beneficial state policies implemented on the ground for undocumented migrants. According to few respondents, enforcement by means of border controls, expulsion and detention are the main policy responses of the Slovak government.

According to a journalist, irregular migration is managed through border controls but is not considered a priority in the country. Although "sooner or later, Slovaks will need migrants' labour force", he added. Another respondent noted that there is a lack of migration policy in Slovakia; managing migration is simply not envisaged in the country. Since the topic is very new and the migration office was established recently, there is no tradition in dealing with it. An academic added that Slovakia should be considered as a 'restrictive country' towards both regular and irregular migrants since politicians try to prevent their entry. He pointed out that Slovaks are not open to other cultures due to historical reasons.

One further interviewee argued that irregular migration is definitely not considered as an issue; apart from some repressive measures aiming to expel irregular migrants the political discourse is hardly developed. While an NGO representative stressed that there is a 'care' on security through expulsions and border controls, another said that migrants not applying for asylum are returned to their home countries within readmission agreements or are simply detained to be expelled later on. A respondent noted that the fact that there is no policy regarding irregular migration so far is balanced out to a certain extent by the fact that Slovakia is a transit country and, thus, could afford delaying the design of a migration policy up to now. Nevertheless, no tools are envisioned in the short term. Moreover, since Slovakia is not regarded as a destination country, other social issues are foreseen as priorities.

One policy maker pointed out that while the immigration policy is ongoing, a new office in charge of dealing with foreigners will be set up after 2010 with the aim of managing all the issues concerning irregular migration. Arguing once again that irregular migration is not a

priority in Slovakia, some governmental representatives acknowledged that FRONTEX recently demanded certain policy responses in the near future from Slovakia.

Education for Children and Health Care

The majority said that access to health care or free education provided to children of undocumented parents are not foreseen by the Slovak state. According to an interviewee, no systematic approach or strategies are in place in order to guarantee the right of education to undocumented children.

As regards access to health care, an NGO representative said that it remains an unresolved issue since only basic medical treatment should be provided according to the constitution.

A policy maker admitted 'not having a clue whether or not irregular migrants receive assistance if need be' whereas other governmental representatives said that medical treatment is provided to irregular migrants.

Some NGO representatives are convinced that civil society will tackle migration issues by further strengthening their actions and lobbying but they urged for more cooperation in order to achieve this. One additional interviewee said that organizations neither cooperate nor share knowledge on the subject; for this reason, it is unlikely that a competitive approach will be ever attained with regard to irregular migration.