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## KEY POINTS

### *Main facts and figures*

- The stock of migrants unlawfully staying in the country in 2007 is estimated at 15-20,000.
- As regards the flows in 2007, the number of those apprehended when crossing the Slovak borders illegally constituted 3,405 persons (with a downward trend); that of those apprehended as irregularly residing was 3,356 (with an upward trend).

### *Quality assessment of estimates found in literature*

- The lack of comprehensive and long-term data/estimates concerning undocumented migration is one of the gravest shortcomings in the field.
- Only a negligible number of Slovak authors have dealt with the subject hitherto (and just partially). Some data on flows are provided by the Bureau of Border and Aliens Police of the Ministry of Interior. Reliable estimates of stocks are not available.

### *Main paths of irregularity*

- Half of the undocumented migrants (in 2007) are constituted by persons crossing the State borders unlawfully.
- In this context, asylum seekers breaking the asylum procedure and trying to cross the borders irregularly play quite a significant role; however, only fragmentary information can be used to support this.
- The other half of the undocumented migrants cover those residing illegally in the country.

### *Relevant policies*

- As a result of Slovakia's commitments during its accession to the EU and Schengen zone, the adoption of new legal norms, the better protection of the country's borders and the fight against migrant smuggling became the major policies under which the problem of irregular migration is tackled.
- No regularisation of undocumented migrants has ever been considered.

### *Main discourses*

- Very little attention is paid to migration issues in Slovakia and irregular migration is no exception. Political elites either do not deal with it or deem it an undesirable phenomenon.
- The Slovak media occasionally report on the problem, and mostly portray its negative attributes to viewers and readers.
- The perception of irregular migrants by the autochthonous population is rather negative too.

### *Conclusions - policy suggestions*

- The country needs to raise interest in migration generally. Therefore, a migration doctrine should be articulated and a wider discussion on all aspects of migration initiated in the first instance.
- Key improvements in the field of undocumented migration could be: gathering more statistical data; strengthening cooperation amongst actors responsible for border management; more frequent inspections of clandestine work; concluding the absent readmission agreements, and broadening collaboration with the relevant countries of origin of immigrants.



## **THE RESEARCH**

*Estimates and guesstimates of irregular migration in Europe ‘travel’ freely and uncritically among experts, journalists and policy makers without it being clear who produced them first and how. Their source may not be clear, their direction, however, definitely is: these numbers are routinely used as a means of arousing public anxiety about migration and exercising pressure for policy responses.*

*This study critically explores the sources of data and estimates of irregular migration and, in particular, the validity and reliability of the methods used in their production. In doing so, it shows why and how migrants become irregular and whether and how they can achieve legal status. We also critically assess the policies aimed at tackling the phenomenon of irregular migration.*

## **Background of Migration Situation in the Slovak Republic**

In terms of legal migration, the country officially witnesses net migration (however, at least 90% of the emigrated are not registered). The accession of Slovakia to the EU intensified immigration and its volume has grown enormously. Between 2004 and 2007, the stock of foreigners living, working or studying in the country increased by 86% and accounted for 41,214 persons. This number thus makes up 0.76% of the overall population in Slovakia (nevertheless, by international comparison, it is the lowest proportion of foreign residents within the entire Union and one of the lowest shares in all Europe). Besides a remarkable absolute growth, structural transformations are also evident recently. Citizens of neighbouring countries (Czechia, Poland, Ukraine, Hungary) are still the most numerous immigrant group, but their share in the total has markedly diminished. Rising inflows of foreigners from some Asian countries (China, Vietnam, South Korea) form a new trend too. Nationals from “old” EU countries (mostly the Germans, Austrians, French, Italians, and British) have been the fastest-growing immigrant group in Slovakia. Due to this development, the number/share of economic immigrants – especially of those working in the tertiary and quaternary sectors as (highly-)skilled experts – have considerably expanded since 2004.

## **Size and Demographic Features of Irregular Migration**

As regards the stock of undocumented migrants in Slovakia, there are no data generated by any institution. A few rough estimates range from several thousands to several dozens of thousands. Therefore, we conducted an inquiry and interviews with experts in the area. Their results – together with some older assessments, empirical facts and media reports – have enabled us to estimate the total stock of irregularly staying migrants in Slovakia at 15-20 thousand in 2007. This is approximately 0.3 to 0.4% of the overall country’s population.

Data on the sex structure related to the flows of undocumented migrants lead us to assume that around three quarters of unlawfully residing migrants in Slovakia at present are men. We also suppose that over 95% of irregular migrants in the country are at working age (15-64). There are no records of their births and deaths – we estimate that their numbers are negligible.

Since there are no data on the structure of undocumented migrants in Slovakia by nationality, we have to start from commonly known facts, data from the flows, as well as empirical information obtained through the interviews and inquiry. Accordingly, migrants staying illegally in the country are represented by persons from three main source regions – former Soviet republics (Ukraine, Moldavia, Russia), some Asian countries (Vietnam, China, India, Pakistan) and the Balkans (Kosovo, Albania, Serbia). The Ukrainians are believed to prevail constituting over 50% of the total.

According to expert opinions, the absolute majority (90-95%) of the stock of irregularly residing migrants in Slovakia (end of 2007) are economically active. Of them, some 80-90% may work, the remainder looks for a job. Those working are involved primarily in economic branches with a need for low-skilled labour. These persons may be found chiefly in the building industry, manufacturing, and agriculture (Ukrainians and Moldavians), catering, retail and services (Asian nationalities), while irregularly staying Balkan nationals are often small entrepreneurs.

The situation in the area of flows of undocumented migrants in the Slovak Republic – in stark contrast to stocks – is much better as regards the amount and quality of necessary data. They are dominantly gathered and presented by the Bureau of Border and Aliens Police (within the Ministry of Interior). Although these data are sufficiently rich for some indicators, for others they may be incomplete or even missing altogether.

## **Main Paths into and out of Irregularity**

Since 1993, the country has undergone several, principally different, stages in the quantitative development of irregular migration. During the first stage in 1993-1997, the phenomenon was minimal. A radical turning point came in 1998 and subsequent years, when Slovakia became one of the favoured routes for the transit of irregular migrants. Undocumented migration in 2001-2002 – with over 15 thousand apprehensions per year – was 7 times larger than in 1993. Slovakia was thus established as a significant regional transit corridor (from the east to the west). Since the accession of the country to the EU in 2004, the flow of irregular migrants has decreased markedly: the 2007 number was by 38% lower than the 2004 figure.

Both basic constituents of undocumented migration have, however, shown different developmental trajectories from 2004. In 2004-2007, the share of migrants crossing the State borders unlawfully fell from 76 to 50% in the total – due to reforms in border management, a stricter clampdown on migrant smuggling, and some external factors. But still, irregular migrants enter the country mainly from Ukraine and leave for Austria.

On the other side, the share of migrants having violated conditions for stay/work in the country has been growing – in 2004-2007 it rose from 24 to 50% in the total. This means that Slovakia is increasingly perceived by undocumented migrants as a destination country too.

In the context of paths into and out of irregularity, asylum migration plays quite an important role. At first, (almost) all asylum seekers in Slovakia come from among the apprehended undocumented migrants; they enter the country's territory as transiting irregular migrants applying for asylum after apprehension as a means to legalize their stay. However, the majority of asylum applicants break the asylum procedure after a while. They are then often apprehended when crossing the western Slovak border without permission and thus they become irregular migrants again. Some fragmentary data suggest that the extent of such repeated undocumented migration may be sizeable in the country (about 40%).

No regularisation has ever been discussed or planned in Slovakia.

## **Main Discourses**

In general, very little attention is paid to migration issues – including undocumented migration – in Slovakia. Despite their growing relevance, they are still at the periphery of societal dialogue and rarely dealt with.

At the “highest” level, Slovak political elites either do not address irregular migration at all, or deem it a rather undesirable phenomenon usually imagining only hordes of foreigners crossing the borders illegally. Therefore, politicians have failed to form realistic opinions about undocumented migration so far. Since it is not considered significant, there is no will to treat it seriously and unbiasedly within individual political parties. Debates and measures resulting finally in Slovakia's accession to the Schengen zone were an exception; they represented the implementation of international commitments of the country.

The operation of the Slovak media in reporting on irregular migration is not very positive either. Since the topic is not regarded as interesting, they cover it just occasionally and seldom with a degree of competence. Mostly only negative attributes of irregular migration (mass inflows of foreigners, migrant smuggling, cross-border crime, alleged contribution to the unemployment rate, fiscal burden, the potential spread of infectious diseases, etc.) are offered by the media. Thus, readers/viewers in Slovakia often receive a distorted picture of reality.

Self-government, scholars, NGOs, IGOs, churches and other actors in the field discuss contemporary challenges of undocumented migration to a minimal degree.

## **Main Policy Recommendations**

The current situation regarding undocumented migration in Slovakia is unfavourable in many areas. Therefore, several fundamental improvements and changes are needed. It is also clear that due to the sensible underestimation of all migration management in the country, concrete recommendations within irregular migration cannot be separated from general migration policy suggestions which also need to be realised.

In terms of universal policy recommendations, it seems necessary to:

- finally articulate the migration doctrine of Slovakia, i.e. the official attitude of the State and whole society to migration. Or, instead, to substantially re-work and complete the existing document Conception of the Migration Policy of the Slovak Republic;

- define the role of international migration in the overall economic, social, demographic, cultural, political and security development of the country;
- place corresponding emphasis on solving the problems of irregular migration in the context of challenges of other migration components (e.g., labour immigration, the reunification of families, asylum migration, the integration of foreigners, study migration, naturalisation, support for Slovak expatriates, etc.).

As regards particular areas of undocumented migration, we recommend especially to:

- raise interest in and initiate a wider debate on all aspects of the phenomenon by politicians, experts, the media, and the public in the country;
- strengthen cooperation among the relevant stakeholders responsible for border protection, the fight against migrant smuggling and cross-border crime suppression;
- carry out more frequent concerted inspections of clandestine work in Slovakia by all institutions concerned (police, labour authorities, labour inspectorates, customs offices, employer associations);
- radically improve the quality, complexity and availability of the data on irregular migration for final users; provide better software and hardware equipment to respective departments of the Bureau of Border and Aliens Police;
- negotiate and conclude readmission agreements with major source countries of migrants, which are hitherto absent;
- enhance official development and other assistance (in particular technical, consultative, expert and research one) to those countries of origin that produce larger flows of irregular migrants to Slovakia;
- raise the level of information gathered on the potential risks of undocumented migration in the above mentioned countries by the Slovak diplomatic service;
- implement domestic procedures for return migration more quickly, effectively and with greater accessibility for irregular migrants;
- encourage Slovak representatives to participate more actively in EU, CoE, UN and other international or regional institutions and initiatives dealing with issues of irregular migration (e.g., Frontex, ICMPD, Europol, Söderköping process, European Migration Network);
- apply for grants from EU funds (for example, within Solidarity and Management of Migration Flows) to facilitate high-quality and timely projects on undocumented migration;
- ensure greater financial, institutional and expert support for research on irregular migration, which is completely inadequate in Slovakia at present;
- consider regularisation principles and prepare outline regularisation schemes for the future.

### **For more information**

The full report on the Slovak Republic, by Boris Divinský, is available at <http://www.eliamep.gr/en/category/migration/>.

Read the research briefings and full reports of the other 14 countries included in the CLANDESTINO project at <http://www.eliamep.gr/en/category/migration/>.

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