

COUNTRY REPORT
**SLOVAK
REPUBLIC**



Undocumented Migration

Counting the Uncountable. Data and Trends across Europe

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Undocumented Migration: Counting the Uncountable Data and Trends across Europe

This interdisciplinary project is a response to the need for supporting policy makers in designing and implementing appropriate policies regarding undocumented migration. The project aims (a) to provide an inventory of data and estimates on undocumented migration (stocks and flows) in selected EU countries, (b) to analyse these data comparatively, (c) to discuss the ethical and methodological issues involved in the collection of data, the elaboration of estimates and their use, (d) to propose a new method for evaluating and classifying data/estimates on undocumented migration in the EU. Twelve selected EU countries (Greece, Italy, France and Spain in southern Europe; Netherlands, UK, Germany and Austria in Western and Central Europe; Poland, Hungary, Slovakia and the Czech Republic in Central Eastern Europe) are under study in this project. Three non EU transit migration countries used as key ‘stepping stones’ by undocumented migrants en route to the EU, notably Turkey, Ukraine and one Maghreb country, are also analysed. Where relevant, the project considers the factors affecting the shift between legal and undocumented status among migrant populations. The project work programme is complemented by two regional workshops with policy makers and academics, 12 fieldvisits each resulting in a series of meetings with key policy actors, NGOs and journalists working on migration in each of the EU countries studied. The CLANDESTINO database on irregular migration in Europe, the Project reports and Policy Briefs are available at: <http://clandestino.eliamep.gr>

Each country report reviews all relevant data sources on irregular migration (e.g. apprehended aliens at the border or in the inland, expulsion orders, people registered through health or other welfare schemes for undocumented immigrants, municipal registers, statistical estimates from national and European statistical services), assesses the validity of the different estimates given and where appropriate produces a new estimate for the year 2008 for the country studied. The country reports cover the period between 2000 and 2007 and the last year for which data or estimates were available when the study was finalised in 2009, notably in some countries 2007 and in other countries 2008. This quantitative analysis is complemented by a critical review of qualitative studies and by interviews with key informants with a view to exploring the pathways into and out of undocumented status in each country. It is noted that the non-registered nature of irregular migration makes any quantification difficult and always produces estimates rather than hard data.

The Hellenic Foundation for European and Foreign Policy (ELIAMEP) is the coordinating institution of the CLANDESTINO consortium. CLANDESTINO Partners include the International Centre for Migration Policy Development (ICMPD) in Vienna, the Hamburg Institute of Economics (HWWI), the Centre for International Relations (CIR) in Warsaw, the COMPAS research centre at the University of Oxford, and the Platform of International Cooperation on Undocumented Migrants (PICUM) in Brussels.

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Introduction

1. Global context

Undocumented (hereinafter also irregular or illegal) migration still remains one of the major challenges the developed world faces in the area of international migration at the beginning of the 21st century. Only in Europe, according to various sources, at least half a million of irregular migrants cross its borders each year, of them 300 thousand may enter the informal economy. Then, some 8 to 10 million undocumented migrants probably live on the continent in total (see more about these data in CoE, 2007; World Bank, 2006; OSCE – IOM – ILO, 2006; GCIM, 2005; Jandl, 2004).

However, the quantitative aspect represents just one dimension of the issue. Several qualitative negative phenomena are related to undocumented migrants as well. They are, for example: poor conditions on the route, bad treatment by smugglers, trafficking in people, the non-legal status in destination countries, low incorporation in protection programmes, clandestine employment with exploitive and dangerous work conditions, lower wages, weak access to basic social, institutional, legal and other services, adverse perception/xenophobic sentiments by the autochthonous population, criticism in the media, excessive long-term psychological pressure, etc. That is why irregular migrants are an extremely vulnerable group within all categories of migrants and in all the population generally. On the other side, undocumented migration causes fostering the shadow economy and informal labour markets in destination countries, the loss of tax revenues and other payments to the State, security threats, potential antagonistic relations between the host country and the country of origin, social conflicts, integration problems, political repercussions, etc.

At present, we also witness the transformation of undocumented migration processes, the constant modification of irregular migration channels and flows, the redefinition of approaches and policies to tackle illegal migration, the lack of common positions at the international level. The relevance and complexity of irregular migration is evident. For this reason, it globally deserves due attention from the side of international geopolitical entities, governments, inter- and non-governmental organisations, and other significant actors in their activities and initiatives. Likewise, undocumented migration needs comprehensive and thorough research conducted by the qualified scientific community and the exchange of respective information and best practises.

2. Slovak context

Irregular immigration in the country – under the conditions of a State with hermetically closed and protected borders – was hardly imaginable before 1989. Since the collapse of communism in that year, the Slovak Republic has undergone many deep changes, notably in economic, social, political, cultural, demographic and other areas, including the domain of international migration. This brings about a multitude of consequences for the country and attracts (before neglected) attention to the entry, departure, presence, activities and integration of migrants to/from/in the territory of Slovakia.

However, migration issues in the country are in principle still – despite their growing importance – at the periphery of societal dialogue and very seldom analysed (cf. Divinský, 2007a; Divinský, 2005a). This concerns also undocumented migration though, from the practical viewpoint, the phenomenon had to be officially more or less addressed in two phases – before the country's accession to the Union and quite recently, with the preparations for the country's accession to the Schengen zone. Thus, many of the major achievements in this field were reached owing to Slovakia's international commitments and after strong criticism rather than due to a systematic, holistic and well deliberate approach, as will be demonstrated later.

In this way, progress has been visible in the adoption of legal norms regarding the smuggling of migrants, trafficking in human beings, the entry and stay of foreigners, clandestine work, the protection of borders and the like. Similarly, the institutional sphere related to undocumented migration has been developed considerably in Slovakia over past years. International cooperation has partly been improved too. However, *a more comprehensive view of the topic is still missing and many shortcomings are noticeable* here. This is especially the case within the strategic and conceptional areas. No in-depth study, evaluation or prognosis of impacts of irregular migration on Slovak society have been worked out in the country up to now. The lack of reliable, complete and well structured data on or estimates of undocumented migrants is apparent and much aggravates the position of, e.g., decision-makers, practitioners and researchers. No tools to resolve potential irregular migration in the future have been discussed/outlined by competent State institutions. The issue has been left to – de facto – police authorities and a wider social debate is absent. In this Slovakia differs from most of the other EU Member States with longer migration traditions and/or better understanding the significance of the phenomenon.

The Slovak Republic cannot be particularly proud of research on irregular migration in the country. *There has not been published any monograph on the topic yet* and the number of experts occupying themselves – though at least marginally – with undocumented migrants is extremely limited. For this reasons, it is high time to start to examine the whole heterogeneity of irregular migration in Slovakia, with all its causes, forms, manifestations, implications, trends, prospects, policies, etc. The project CLANDESTINO offers a great opportunity for the country to substantially fill a gap in the given field and thus to broaden and deepen hitherto knowledge, to lay the foundations for later research activities as well as to create a set of recommendations in order to improve the current situation.

3. Methodological remarks

In accordance with the overall project methodology, this Country Report encompasses standard methods of obtaining, processing, interpreting and presenting data from various sources and literature, mainly of a migration (plus demographic and legal) nature and of domestic provenience. Thus, basically, *information and data used originate from Slovak statistical and statistics-providing authorities*. No less significant were existing legal norms and documents pertaining to the subject. Only a few articles, studies, analyses, evaluations and reports (from various organisations or individuals) mentioning – among others – undocumented migration and its components in the country appeared to be of benefit.

However, in case of the absence of important data (unfortunately not seldom in the area of irregular migration in Slovakia) *submitting requests for additional information from respective Slovak institutions* (Bureau of Border and Aliens Police, Migration Office, Slovak Ministry of Labour, Social Affairs and Family, Slovak Academy of Sciences, Infostat¹, Comenius University, International Organization for Migration in the country, and others) was absolutely inevitable and worthwhile. This was completed by conducting a *limited series of interviews with representatives of the above institutions*.

In the course of elaborating the Slovak Country Report, several quite specific issues emerged, e.g., those related to the stocks and structures of irregularly staying migrants in Slovakia. Since required data/estimates were mostly missing, we tried to solve this

¹ An organisation established by the Statistical Office of the Slovak Republic.

shortcoming *with the aid of a quick, brief survey*. It included 4 simple questions² and was carried out via email or telephone with 58 individuals, of which 39 were willing to respond.³ They came from relevant ministries⁴ and some other central State institutions, prominent universities and think tanks, Slovak Academy of Sciences, statistical institutions, non-governmental organisations working in the field, International Organization for Migration in Slovakia, and the media. The survey greatly helped us in analysing the situation in the country.

In general, one of the cardinal methodological inconsistencies and resultant problems within migration in the Slovak Republic resides in different time points since when data for single migration characteristics have been available. As shown in Parts I and II, some of them have been produced from the establishment of Slovakia (1993), some since the turn of the centuries, some from the year of the country's accession to the EU (2004) and finally some have been collected only recently. Owing to this fact, chronological orders in tables below cannot be identical and are often not fully comparable.

Perhaps even more importantly, as stressed above, we much feel in Slovakia the shortage of complex and detailed data to construct quantitative and qualitative indicators needed for a thorough evaluation. (Moreover, there still remains a number of essential statistical and other information that is not generated in the country at all yet – for instance, *data on stocks*.) We used in this Report so many indicators and data as possible; however, their insufficient number may influence the extent and utilisation of the entire work.

It was also necessary to bear in mind the other countries involved and the comparative dimension of the project. For this reason, a relatively unified international terminology of irregular migration and ways of data presentation have been applied.

In line with the Project guidelines, the *Slovak Country Report* has been divided into *Introduction, the three main Parts, and References*. The principal parts are further divided into texts of a lower hierarchical level – according to their thematic orientation and logical premises of the work.

² Regarding estimates of: the total number of undocumented migrants residing currently in the country; the share of economically active persons among them; the most represented professions as well as nationalities of irregular migrants in Slovakia.

³ Id est, over 2/3 of addressed persons – a better result than expected.

⁴ Ministry of Interior and Ministry of Labour, Social Affairs and Family of the Slovak Republic.

Part I: Setting the frame

1. The regular migration framework

1.1 Demographic background in Slovakia

As regards the size of its population, the Slovak Republic belongs to the lesser Member States in the European Union (1.1% of the total EU-27 population) being the least both among the Central European countries and the CLANDESTINO countries.

The population of Slovakia has undergone substantial changes since 1990. It obviously modifies its behaviour towards patterns typical of West-European populations. However, it still retains some peculiarities. As of the end of 2007, the number of inhabitants in Slovakia reached 5,400,998 (Statistical Office of the Slovak Republic on-line data).

As illustrated in Table 1, the fundamental trend in the given period has been the *stagnation of population*. At the beginning of the new millennium, the number of live births in the country markedly fell and natural increase became even negative⁵; at present it is slightly above zero. Since the death rate is stable, the main reason for that is a dramatic decrease of fertility. For example, the total fertility rate in Slovakia dropped from 1.43 in 1997 to 1.25 in 2007. Its value for 2006 (1.24) was the lowest in the entire EU (Eurostat on-line data) and one of the lowest in Europe as a whole (UN, 2007). A major role in this phenomenon has been played by postponed births from the 1990's, and recent social and economic reforms in the country (Divinský, 2007a).

Slovakia is also confronted with *intensive and accelerating population ageing*. In 1997-2007, the proportion of persons aged 0-14 in the overall population has considerably decreased – from 21.1% in 1997 to 15.7% in 2007 (Table 1) – which is regarded as a very negative trend. Thus, the share of children has come to its historical minimum. The country's population at productive age (15-64) is comparatively numerous constituting currently more than 72% of the total, with a rising trend. Within 2003-2006, it was the highest share in the whole European Union (Divinský, 2007a). The proportion of the elderly in Slovakia constantly modestly increases; it achieves a maximum from the historical perspective at present. Due to outlined development, the ageing index grew alarmingly in the past decade and the mean age too (from 35 to 38).

Table 1 Development of elementary population indicators in Slovakia in 1997-2007

Year / Indicator	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
End-year population ^a	5,387.6	5,393.4	5,398.6	5,402.5	5,378.9	5,379.2	5,380.1	5,384.8	5,389.2	5,393.6	5,401.0
Natur. increase	6,987	4,426	3,821	2,427	-844	-691	-517	1,895	955	603	568
in ‰	1.30	0.82	0.71	0.45	-0.16	-0.13	-0.10	0.35	0.18	0.11	0.10
Net migration	1,731	1,306	1,454	1,463	1,012	901	1,409	2,874	3,403	3,854	6,793
in ‰	0.32	0.24	0.27	0.27	0.19	0.17	0.26	0.53	0.63	0.71	1.26
Total increase	8,718	5,732	5,275	3,890	168	210	892	4,769	4,358	4,457	7,361
in ‰	1.62	1.06	0.98	0.72	0.03	0.04	0.17	0.89	0.81	0.83	1.36
Age 0-14, in %	21.1	20.4	19.8	19.2	18.7	18.1	17.6	17.1	16.6	16.1	15.7
Age 15-64, in %	67.7	68.3	68.8	69.3	69.9	70.4	70.9	71.3	71.7	72.0	72.3
Age 65+, in %	11.2	11.3	11.4	11.5	11.4	11.5	11.5	11.6	11.7	11.9	12.0
Ageing index ^b	53.40	55.39	57.53	59.78	60.84	63.20	65.68	68.12	70.74	73.47	76.00
Economic dependency ratio ^c	47.67	46.51	45.36	44.20	43.08	42.01	41.01	40.23	39.54	38.89	38.37

⁵ In 2001-2003, Slovakia recorded the natural decrease of population for the first time in the post-war period.

^a = in thousands; ^b = calculated as a percentage of population aged 65+ to that aged 0-14; ^c = calculated as a percentage of populations aged 0-14 plus 65+ to that aged 15-64

Source: Statistical Office of the Slovak Republic on-line data

1.2 Role of migration for population development in the country

From the viewpoint of modern history (the last three centuries), Slovakia was an *emigration rather than an immigration country*. Emigration was then one of the typical attributes of population development. It had primarily economic and social roots but in many periods evident religious, national and political ones too (for more details see Divinský, 2007d; Divinský, 2004a). Immigration until 1989 was almost inappreciable with no societal consequences. Slovak society by then only little knew about the comprehensive character of the issue.

At the beginning of the 1990's, the migration situation in the Slovak Republic started to alter radically and migration patterns existing until then were broken. The exchange of persons between the Slovak and Czech Republics (once dominant) decreased in favour of rising migration flows from and to other countries. During the past 15 years, Slovakia also experienced before unknown phenomena: firstly large-scale irregular immigration and asylum migration, later dynamic legal immigration and corresponding integration challenges. The Slovak Republic officially became a transit country, beginning to slowly transform into an immigration one recently.

Migration, particularly immigration, has increasing importance also for the demographic development of the country. Stagnation or even decline in the autochthonous population (as manifested in Table 1) has been counterbalanced by official net migration. Its values were positive – though rather low – until 2004; however, it was ever able to secure the total increase of population in Slovakia. *Since 2004, the accession of the country to the European Union has caused the intensification of immigration and its figures have grown considerably* (Table 2).

Despite the fact that migration is the least predictable component of population development and depends also on other than demographic factors, it is expected that such an upward trend will continue further in the next decades and migration will substantially influence the demography of Slovakia. According to both foreign and domestic forecasts, net migration in the country should gradually increase up to 2025. Later, by the end of the forecast period (2050), maintaining the achieved level is supposed. This level may vary between 5 and 15 thousand individuals net per year (Divinský, 2007a; Eurostat, 2006a; EC, 2006; Kaczmarczyk – Okólski, 2005; Infostat, 2002).

Table 2 Volume and the significance of immigration for population development in Slovakia since 1997

Indicator / Year	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
The immigrated	2,303	2,052	2,072	2,274	2,023	2,312	2,603	4,460	5,276	5,589	8,624
The emigrated	572	746	618	811	1,011	1,411	1,194	1,586	1,873	1,735	1,831
Net migration	1,731	1,306	1,454	1,463	1,012	901	1,409	2,874	3,403	3,854	6,793
Annual change of net migr., in %	-23	-25	+11	+1	-31	-11	+56	+104	+18	+13	+76
Share of net migration in total increase, in %	19.9	22.8	27.6	37.6	602.3*	429.0*	157.9*	60.3	78.1	86.5	92.3

* = net migration was higher than total increase (i.e. natural increase was negative)

Source: Statistical Office of the Slovak Republic on-line data

1.3 Immigration as a change of permanent residence

The following text deals with immigrants moving to Slovakia and changing simultaneously the place of their permanent residence. Spatially, this is in-migration; practically, it mostly concerns longer stays (at least 12 months) of persons in the country; legally, it covers those foreigners who have been granted a permanent stay permit and non-foreigners who have registered their new residence in the country (e.g., Slovak citizens moving back from abroad).⁶ It means that not all persons crossing the borders to establish their new permanent residence in Slovakia are necessarily foreign nationals.

The highest share of the immigrated has always been represented by persons from Europe (about 80-90%). In 2007, they made up even 91.3% of the total. The proportion of migrants from Asia and America together normally constitutes 10-15% though it sensibly decreased in 2007 – immigrants from Asia then formed 4.2% and those from the Americas 3.5% out of all the immigrated. Numbers and shares of immigrants from Africa, Australia and Oceania are in the long term absolutely negligible – around 1-2% (ŠÚ SR, 1994-2008).

For a longer time, Slovakia has traditionally been a destination country notably for *persons from Central and South-eastern Europe*. Their share within in-migration is still crucial, but decreased from 77 to 66% over 2000-2007 and it seems that such a trend will continue. Within the top 10 nationalities, one may find mainly the Czechs, Romanians, Poles, Hungarians, Bulgarians, Ukrainians; the share of persons from Serbia, Macedonia, Croatia or Russia has been falling (ibidem). In 2007, the immigrated from the Czech Republic lost their numerical superiority for the first time in history, and markedly (Table 3). In general, migration from this country to Slovakia shows a dramatic decline – while the Czechs accounted for 56% of the total in 2000, in 2007 it was only 14%. From the very beginning, the cardinal reason for immigration from the Czech Republic was return migration because of demand on the restitution of property. Currently, it is primarily labour migration and the reunification of family. Despite the outlined latest drop, the Czech Republic remains the most important immigration country for Slovakia.

Since the beginning of the 3rd millennium, the number of persons moving annually to Slovakia from “old” EU Member States has remarkably multiplied – *namely 12 times*: from 170 persons in 2000 (7.5% of the total) to 2,045 individuals in 2007 (24%). Among them, the most numerous have been the Germans, Austrians, Italians, Britons and French, with labour activities being the principal reason to immigrate. On the whole, *persons from all EU countries formed 84% of the immigrated to Slovakia in 2007* (ŠÚ SR, 1994-2008).

The immigrated from Asia – especially from Vietnam, China and South Korea – have substantially enlarged the communities of their countrymen in Slovakia over recent years. The share of immigrants from the mentioned countries rose from 0.6% in 2000 up to 2.9% in 2007 (in other words, from 13 to 247 persons – ibidem). Their activities will be depicted later. Comparatively not negligible are also immigrants from the U.S.A. and Canada (3.2% of the total in 2007), within which one may find chiefly erstwhile Slovaks returning from emigration (Divinský, 2007a).

Until 2004 inclusive, the greater part of the immigrated to Slovakia (usually 70 to 80%) were constituted by Slovak citizens coming back home after a longer or shorter stay abroad. Only from 2005, citizens of the Union having no origin in the country have prevailed. In 2007, persons with Slovak citizenship formed merely 16% of the total – an enormous fall within three years.

⁶ According to Act No. 253/1998 on Reporting the residence of citizens of the Slovak Republic and on the Register of inhabitants, with later amendments.

As regards some other structures of the immigrated to Slovakia, the ratio of men and women has relatively quickly been changed from an almost equal value in 2000 to 69 : 31 in 2007. Then, the age category 20-34 clearly dominates among the immigrated (nearly 44% out of the total). Both facts suggest the increasing role of labour immigration in the country. More than half of the immigrated (53%) have completed secondary education in 2007. Another characteristic trend is gradual equalising the numbers of single immigrants and of those being married, while the latter unambiguously predominated some 5-6 years ago (ŠÚ SR, 1994-2008).

From a regional perspective, most of the immigrated – almost $\frac{1}{4}$ – settled in the territory of the Bratislava region in the period 2000-2007, though its significance is very slowly decreasing. The shares of other regions are developing disproportionately. Higher numbers of the immigrated have been evident in the regions of Trnava, Nitra and Trenčín, i.e. in those to which considerable foreign investment was directed and where larger activities of foreign companies took place. On the contrary, the regions of Žilina, Košice, Banská Bystrica and Prešov have been in this respect little attractive in the long term. Bratislava itself – as the capital – has a special position in the country with the average annual number of the immigrated reaching 400 to 1,500 persons (cf. Divinský, 2007a; Divinský, 2007b; ŠÚ SR, 1994-2008).

Table 3 Most important countries of previous residence of the immigrated to Slovakia since 2000

2000		2002		2004		2006		2007	
Country	Number of immigrated	Country	Number of immigrated	Country	Number of immigrated	Country	Number of immigrated	Country	Number of immigrated
Czech Rep.	1,268	Czech Rep.	749	Czech Rep.	987	Czech Rep.	1,164	Romania	2,465
Ukraine	161	Serbia	217	Ukraine	335	Germany	674	Czech Rep.	1,178
U.S.A.	108	Ukraine	148	Germany	333	Poland	644	Germany	733
Germany	74	U.S.A.	123	Romania	325	Hungary	342	Hungary	570
Canada	73	Vietnam	122	Serbia	276	Austria	317	Bulgaria	520
Serbia	66	Germany	86	Vietnam	260	Ukraine	306	Poland	418
Russia	56	Canada	71	Poland	216	U.K.	203	Austria	298
Romania	49	Austria	64	Austria	193	Italy	173	Ukraine	280
Switzerland	39	Russia	63	U.S.A.	149	U.S.A.	162	Italy	240
Austria	37	Macedonia	63	China	123	Vietnam	155	U.K.	233

Source: ŠÚ SR, 1994-2008

1.4 Immigrant communities in Slovakia and their socio-economic attributes

The largest group out of all categories of immigrants in the country is constituted by foreigners (foreign residents, foreign citizens, foreign nationals) holding a residence permit. They are also the most important migrants for the country; their activities have perceptible impact on autochthonous society.

These foreigners are legally defined as non-citizens of the Slovak Republic⁷ granted the right to reside in the country on the basis of a permit. Residence permits are granted by authorities of the Ministry of Interior that also registers foreign nationals in the Register of Foreigners. Foreign citizens holding a (permanent, temporary or tolerated) residence permit are subject to special conditions while staying in the territory of Slovakia.

By the Bureau of Border and Aliens Police, as of the end of 2007, the stock of foreigners living, working or studying in the country accounted for 41,214 persons (Table 4).

⁷ Act No. 48/2002 on the Stay of foreigners with later amendments.

*This number thus made up 0.76% of the overall population in Slovakia at that time.*⁸ In an international comparison, it is a very low figure – the lowest proportion of foreign residents in the entire European Union (Eurostat on-line data; Eurostat, 2006b) and one of the lowest shares in all Europe (cf. Salt, 2006). This fact may be evaluated negatively from the demographic as well as economic viewpoints.

From a long-term aspect, one may distinguish several stages in the quantitative development of foreign citizens with a permit to stay in the country (Table 4). At first rapid growth in 1993-1998, then stagnation in 1999-2003, even a surprising sharp fall in 2004 (but this was caused by the elimination of numerous, before doubly-registered, cases). Since 2005, the number of immigrants has increased remarkably as a reaction to Slovakia's accession to the EU and much simpler conditions for the movement of persons from the Union and their family members in the country (see also Table 5). *Recent developments explicitly demonstrate the significance of Slovakia's accession to the Union for the growth of the number/share of foreign citizens* and also reflect the attractiveness of the country (particularly of its economy) for them.

Table 4 Development in the total number of foreign citizens with a permit to stay in Slovakia since 1993

Year	1993	1994	1995	1996	1997	1998	1999	2000
Number	11,006	16,946	21,909	21,482	26,424	28,415	29,498	28,801
Year	2001	2002	2003	2004	2005	2006	2007	2008*
Number	29,418	29,505	29,219	22,108	25,635	32,153	41,214	47,196

* = as of June 30th

Source: Bureau of Border and Aliens Police

Table 5 Newly issued residence permits (annual inflows) for foreign nationals in Slovakia in 2000-2008

Year	2000	2001	2002	2003	2004	2005	2006	2007	2008*
Number	4,622	4,723	4,799	4,574	8,081	11,299	12,631	15,142	8,226

* = as of June 30th

Source: Bureau of Border and Aliens Police

As regards the most important countries of origin of foreigners holding a residence permit in Slovakia, these are shown in Table 6 and discussed below.

The leading nationality – the Czechs – dominate in number reaching 14.5% out of all foreign residents in the country and followed by the Poles and Ukrainians, partly Hungarians. On the whole, *nationals of neighbouring countries logically belong to the most numerous* as these people have had close kin and working relations in Slovakia for a long time already. Immigrants from these countries are primarily employed or doing business in various sectors of the economy. However, for a good part of them, family creation/reunification means also a significant reason to reside in the country (Divinský, 2007d). The Ukrainians are mostly employed as low-skilled workers in construction, manufacturing, forestry, etc. The Poles, Ukrainians and Hungarians usually come from regions adjacent to Slovakia.

Another group is represented by *persons from the countries with historically developed communities in Slovakia and/or with their own, not scanty, Slovak minority* (Romania, Serbia/Yugoslavia, Russia, Bulgaria, Croatia). They work, study and form families

⁸ In mid-2008, the share of foreigners in the total population achieved 0.87%.

in Slovakia and gradually join their national minorities in the country (cf. Divinský, 2007b). Immigrant communities from the above mentioned countries are well integrated into Slovak society.

Rising inflows of *foreigners from certain Asian countries constitute practically a new trend in Slovakia*. Though the Vietnamese have existed in the country for some decades already, the Chinese community is relatively recent and very dynamic. Economically, both these nationalities act mostly as small entrepreneurs, retailers, vendors, wholesale importers of cheap goods from their mother countries and operators of typical restaurants. On the contrary, the South Koreans quickly expanding (merely 36 persons in 2003, but 1,137 in 2007) work as top managers and highly-skilled employees in one of the huge new car factories in the country aspiring to play a crucial role in Europe's car industry (Divinský, 2007d). All Asian communities are rather isolated and their contacts with majority society are limited.

As already accentuated, *foreign nationals from "old" EU countries (mostly the Germans, Austrians, French, Italians, Britons, Dutch, Spaniards and Belgians) have been the fastest-growing immigrant group* in Slovakia since 2004. In 2007, they accounted for 21.8% in the total stock of foreigners compared to 9.8% in 2003 (Bureau of Border and Aliens Police). These foreigners carry out economic activities mainly in the tertiary and quaternary sectors as highly-skilled experts, representatives, advisers, lecturers, researchers and so on, though their participation in managements of (industrial) companies in the country is not negligible either. Especially the French have markedly increased in number for this reason in the very last years; they build another large car factory in Slovakia. The creation/reunification of family is rare in this category of foreigners – their work is usually of a temporary nature (Divinský, 2007a).

Altogether, the number of EU citizens as a whole in the country's immigrant stock rose from 10,803 in 2004 to 25,892 in 2007, i.e. by 140%. They thus then formed 63% of the total.

Table 6 Top 30 immigrant communities in Slovakia at the end of 2007

Country	Number	Country	Number	Country	Number
Czech Republic	5,958	China	1,205	Spain	272
Poland	4,011	South Korea	1,137	Norway	222
Ukraine	3,833	France	1,136	Belgium	213
Romania	3,013	Bulgaria	984	Denmark	189
Germany	2,883	Italy	968	Turkey	177
Hungary	2,713	United Kingdom	950	Greece	170
Serbia/Yugoslavia	1,795	U.S.A.	769	Israel	162
Austria	1,473	Croatia	333	Japan	159
Vietnam	1,452	The Netherlands	315	Switzerland	148
Russia	1,366	Macedonia	303	Sweden	147

Source: Bureau of Border and Aliens Police

In view of the geographical distribution of residence permit holders in the Slovak Republic, the majority of them are concentrated in the *regions of Bratislava and Košice* (out of the 8 administrative Slovak regions). In 2007, some 30% of foreign nationals lived in the former, over 12% in the latter (Bureau of Border and Aliens Police). The spatial distribution of foreigners in the country apparently mirrors the concentration of labour and business opportunities, advanced infrastructure, existing educational facilities as well as housing possibilities (Divinský, 2007d; Divinský, 2005a).

As for *demographic and social characteristics of immigrant populations*, Slovakia faces the grave problem that not many indicators are observed and/or accessible. According to data from the Bureau of Border and Aliens Police, almost two-thirds of foreign nationals with a permit to stay are men. In addition, their share among the immigrants has practically been on a steady increase (Table 7) as labour migration to the country grows. Then, children (persons aged 0-14) constitute less than 6%, persons at productive age make up 89%, and the elderly (those aged over 65) represent more than 5% within the 2007 end-year total of foreigners. Their largest age categories are those of 25-29 and 30-34; these usually comprise a quarter of the overall foreign population in the country in other years too.

Regrettably, other data on foreign nationals (with the exception of the types of stay, purposes of stay, countries of birth – all by countries of origin or administrative regions) are not recorded in the Slovak Republic. For instance, we much lack statistics on their professional background, occupation⁹, education¹⁰, family status, mother tongue, religion, etc. Such a situation is no longer sustainable.

Table 7 Sex and age structures of legal migrants in Slovakia in 2003-2008, data in %

Indicator / Year	2003	2004	2005	2006	2007	2008*
Men	56.3	55.8	58.1	60.0	63.1	64.4
Women	43.7	44.2	41.9	40.0	36.9	35.6
Aged 0-14	3.7	6.1	5.8	6.0	5.7	5.5
Aged 15-64	88.8	86.4	87.0	87.7	89.0	89.5
Aged 65+	7.5	7.5	7.2	6.3	5.3	5.0

* = as of June 30th

Source: Bureau of Border and Aliens Police and own calculations

1.5 Naturalising immigrants in the country

The institute of naturalisation has been used in Slovakia more often than one might expect. Since the country's birth, several trends in the phenomenon have been evident. After the split of Czecho-Slovakia, citizenships of the Slovak Republic were above all granted to citizens of the Czech Republic. This was then advantageous for them especially because of property restitution and acquiring the estates – otherwise not permitted for the non-Slovak citizens at that time. However, only a minimal part of the Czechs with newly gained Slovak citizenship actually moved to Slovakia or lived there for a longer time (cf. Divinský, 2004a).

The Czechs represented the largest group among those naturalised until 2004 (Table 8). Since the accession of Slovakia to the EU, they have been replaced by the Ukrainians and even competing with the Serbs and Romanians as for the numbers. This fact reflects the current structure of immigrant communities/the immigrated who are – with the latter three nationalities – substantially formed by individuals of Slovak descent. They are interested in becoming Slovak citizens mainly for socio-economic reasons (e.g., better access to the labour market, schools, and the like).

In 2003-2004, the most intensive growth of citizenships was apparent with immigrants coming from Asia (Vietnam, China) and doing business in Slovakia. But they soon dramatically decreased in number as a result of considerable tightening the conditions for

⁹ Here, some data are – to a limited extent – provided by the Ministry of Labour, Social Affairs and Family.

¹⁰ By OECD (2005), foreigners in the country are more educated than natives. 19% of the former have completed a tertiary level of education in comparison with 11% of the autochthonous population.

granting Slovak citizenship, which affected notably this group of immigrants.¹¹ Re-emigrants (with the exception of those from the U.S.A.) as well as refugees constitute the least numerous groups of persons granted Slovak citizenship. Here, economic reasons are a less significant motivation to apply for it.

Only a few parameters on naturalised persons are observed in Slovakia – namely their sex and age structures – which is deemed a major shortcoming in this area. According to information from the Administrative Section of the Ministry of Interior, males only slightly dominate over females in the total. The most frequent age category among the naturalised during 2003-2006 was that of 35-39 (approximately 14% of the total), followed by those of 30-34 and 25-29 (Divinský, 2007b).

For a longer time already, the Slovak Republic has been extremely lacking a clear attitude to the naturalisation of foreign citizens. *National naturalisation policy has not been articulated so far* although naturalisation as such is for the country an important instrument of how to fully integrate immigrants and to administratively increase the size of population. Such a policy should comprise a comprehensive strategy of granting Slovak citizenship into the future, including defining the preferred categories of applicants on the basis of selected attributes (e.g., the level of education/skills, the knowledge of language, the country of origin, age, etc.) – of course, in line with respective EU legal norms and initiatives.

Table 8 Number of naturalised persons in Slovakia in 2001-2007 together and by top 7 countries of origin

Country / Year	2001	2002	2003	2004	2005	2006	2007
Total number	2,122	3,484	4,047	4,016	1,537	1,050	1,475
Czech Republic	1,715	2,106	940	775	175	120	157
Ukraine	79	120	264	549	510	374	702
Serbia/Yugoslavia	40	256	454	506	202	71	112
Romania	15	99	477	442	241	145	101
Vietnam	16	113	425	619	48	40	62
USA	66	187	151	136	68	70	107
China	2	33	493	200	6	5	4

Source: Administrative Section of the MoI

2. The irregular migration discourses and policies

2.1 Undocumented migration within general migration management

Immediately after the birth of the country in 1993, the Government passed the *Principles of the Migration Policy of the Slovak Republic* by its Resolution No. 846/1993. This document consisted of a mere 10 short and very sketchy paragraphs. The 10th – last – of them explicitly addressed the area of irregular migration emphasising that one of the country's tasks is "The implementation of stricter regime, control and technical measures preventing from undesirable migration".¹²

¹¹ Act No. 40/1993 on the Citizenship of the Slovak Republic, amended in 2005 and 2007 (Acts No. 265/2005 and No. 344/2007, respectively). In general, owing to these legal measures, the naturalisation procedure was made more difficult and the number of naturalised persons in Slovakia has markedly fallen since 2005. This trend is subject to criticism by some non-governmental institutions defending the human rights of immigrants (more in Divinský, 2007f).

¹² With an additional commentary: "The Slovak Republic creates effective control mechanisms within the aliens police activities with the aim to detect unauthorised stays of foreigners, their illegal enterprise and employment. It is required to make the protection of the Slovak borders stricter in order

The above mentioned Principles became a fundamental and only general guideline for migration management in Slovakia for many next years – until early 2005 (cf. Divinský, 2005a). They reflected objective reality in the country at the time of their origin, the beginning of the 1990's. Practical forms, methods and approaches in migration management were long derived entirely from this document. However, since the beginning of the 3rd millennium, it was increasingly evident that the provisions of the Principles were becoming obsolete and no longer corresponding to the contemporary situation in the country, the region of Central Europe, or Europe as a whole – thus being an obstacle to further development. Likewise, the then legal norms pertaining to the stay of aliens in Slovakia (with some articles regarding undocumented migrants)¹³ were rather formal and superficial (Divinský, 2007e).

As will be illustrated in Part II, at the turn of the centuries, undocumented migration in the Slovak Republic radically changed its dynamics. For example, in 2001-2002 the country faced an extraordinarily high quantitative growth of apprehended irregular migrants and a boom in their smuggling. In comparison with 1993, the numbers of undocumented migrants in both years were 7 times higher. This sudden shocking development and resulting qualitative challenges/demands found relevant actors – both State as well as non-State ones – in the country de facto unprepared. The accelerating problems of undocumented migration were not solved in a prompt, effective and adequate manner.

Though the official attitude of the State to irregular migration was negative, the high permeability of the Slovak territory (only a little part of the estimated number of irregular migrants was apprehended – see below) aroused suspicion whether it was partly not intentional inertia by competent authorities. Because when using a stricter approach, the majority of apprehended migrants would have loaded the asylum system of the country (Divinský, 2007f).

In this way, the absence of a *modern, comprehensive and balanced migration policy of the State* was already long considered one of the gravest problems within migration management in Slovakia. Despite the plans, responsible institutions did not manage to prepare such a universal framework to deal with immigration before the country's accession to the European Union. It was only at the beginning of 2005, when the Government passed the *Conception of the Migration Policy of the Slovak Republic* (Government Resolution No. 11/2005). The Conception outlines the elementary starting points, defines the particular policies and determines the tools to reach the set goals.

This principal strategic document has been drawn up in a very general form and has therefore several serious shortcomings (described in detail in, e.g., Divinský, 2007b; Divinský, 2005c). However, issues related to irregular migration are basically well addressed in the Conception. Not only is in it the hitherto development of undocumented migration in the country shortly summarised, but also one of the essential policies – named *Policy in the area of prevention of and fight against illegal migration* – is devoted to this topic.

It has been stressed in the Conception that undocumented migration is a negative phenomenon, often accompanied by others like smuggling, organised crime and trafficking. For this reason, it is inevitable to improve the protection of State borders, to combat smuggling more effectively and to punish smugglers more severely, to intensify the monitoring of refugee camps, to closer cooperate with relevant EU authorities and countries of origin, to apply common EU visa policy more flexibly, to implement the readmission and

to eliminate the illegal crossing of the green border, to establish closer cooperation with neighbouring countries as for the exchange of information on smuggling with possibility to join a European information system.”

¹³ Act No. 73/1995 on the Stay of foreigners, with later amendments by Acts No. 70/1997 and No. 69/2000.

expulsion of irregular migrants more thoroughly, to increase the number of assisted voluntary returns, etc.

2.2 Recent measures to fight against undocumented migration

After 2000, due to a) external political factors (commitments and duties of Slovakia in connection with the country's accession to the EU and the Schengen zone), b) alarming quantitative growth, as well as c) increasing possibilities to fund/support respective activities and projects, undocumented migration – before a little important, if not neglected, theme – became more discussed among the experts and competent actors in the country. As a consequence, some positive conceptional, legal, institutional and budgetary changes took place in the field.

Primarily, the Government started to pay greater attention to tackle irregular migration. In this context, one of the most significant tasks was to strengthen the protection of State borders and thus to suppress the smuggling of migrants through the Slovak territory. Therefore, already in 2001, the Government passed the *Schengen Action Plan*, in 2002 the *Strategy for completing the protection of the State border of Schengen type* and in 2007 it was the *National plan for managing the protection of State borders of the Slovak Republic*.¹⁴ Especially the first document – updated on an annual basis in 2002-2008 – represents a rich, structured instrumentarium consisting of scheduled legal, economic, personnel, material and technical measures to gradually adopt the Schengen acquis, to improve the protection of State borders and to combat undocumented migration.

There have been several tools helping to accomplish these goals, chiefly financial ones. A decrease in the number of transiting irregular migrants in Slovakia has been made possible with the help of domestic, but particularly of EU financial support – for example, PHARE, the Transition Facility, the Schengen Transitional Fund, the External Borders Fund, the European Refugee Fund, the European Return Fund, etc. These funds are used for the modernisation of border crossing infrastructure, monitoring, signalling, communication and security technology, new transport means, education and training courses, logistics, exchange of information and similar purposes thus reducing the extent of irregular migration in the country. Thanks to funding, the Schengen Information System(s), Eurodac, systems SIRENE, VIS/VISION or FADO could be put into operation too.

From the institutional viewpoint, the main actor in restricting undocumented migration in Slovakia is the *Bureau of Border and Aliens Police of the Ministry of Interior*. Recently, it has undergone considerable transformations. In April 2002, a specialised agency within the Bureau was established – the *National Unit for Combating Illegal Migration*. It has been designated for the fight against smuggling all over the Slovak territory and against cross-border organised crime including the most dangerous groups of smugglers/traffickers (see in detail NUCIM, 2008; Divinský, 2005a). Then, since the beginning of 2003, only professional border police staff (not also those in compulsory military service as before) has protected the State borders. Territorially, an absolutely new Border Police Headquarters (in the Sobrance town) was established for the exposed region of Eastern Slovakia in 2004 to face the high pressure of irregular migration from Ukraine more effectively. Departments of the border and aliens police were substantially re-organised several times in the course of 2003-2007 too. Over the past years as well, the aliens police intensified the checking of foreigners in Slovakia to react to rising numbers of illegally residing/working immigrants in the country. In 2007, following recommendations by EU experts, the Bureau of Border and Aliens Police became

¹⁴ Government Resolutions No. 836/2001, 835/2002 and 465/2007, respectively.

an independent authority within the Ministry of Interior (before it was subordinate to the Police Force Presidium).

Progress has been well apparent in the legal sphere too in the pre-accession and post-accession periods. As a result of commitments within the JHA area, the *Slovak Republic was obliged to pass/transpose a multitude of legal standards*, among them those referring to (irregular) migration. For instance, entirely new legal norms altering conditions for the entry and stay of immigrants in the country (Act No. 48/2002 on the Stay of foreigners and its later amendments), improving the asylum procedure (Act No. 480/2002 on Asylum with later amendments), specifying the protection of borders (Act No. 477/2003 on State border protection), curbing clandestine employment (Act No. 82/2005 on Illegal work and illegal employment and Act No. 125/2006 on Labour inspection), then Act No. 500/2004 on Reporting the residence of citizens, Act No. 342/2007 amending some legal norms in connection with the accession of Slovakia to the Schengen zone and other significant laws were adopted (more in Divinský, 2007a; Divinský, 2005a; Divinský, 2005c). Moreover, the new Slovak Penal Code (Act No. 300/2005) radically toughened punishments associated with undocumented migration (for Slovak nationals or organisers from abroad). Thus, sentences for the smuggling of migrants (i.e. § 355) may reach up to 25 years in the gravest cases and sentences for abetting migrants to stay unlawfully in the country or to gain therein illegal employment (i.e. § 356) may extend to 8 years.¹⁵

Despite the presented facts, the situation was far from being ideal. During 2006, the *EU Schengen Evaluation Commission* visited Slovakia several times to examine the preparedness of the country for its accession to Schengen. In this context, the Commission had as many as 168 critical remarks; this total raised serious doubts about the capability of Slovakia to enter the Schengen area by the end of 2007, with the subsequent fatal consequences (cf. Divinský, 2007b). Some of the indicated shortcomings directly influenced undocumented migration – for example, a discrepancy between the numbers of apprehended irregular migrants and of those being readmitted/expelled, then the low quality, reliability and comparability of data on irregular migration, still high inflows of irregular migrants across the Slovak-Ukrainian border as well as related cross-border criminality, an excessive number of visas issued directly at border crossings, deficiencies in the visa procedure in some embassies abroad (especially in Ukraine and Serbia), etc.¹⁶ Immediately, the regime of revisits (re-evaluations) had to be introduced and a great number of various measures quickly adopted to remove/remedy the given shortcomings until the end of 2007.

2.3 Regularisation as an unknown phenomenon

Until now, *no regularisation programmes for undocumented migrants in the territory of the Slovak Republic have ever been considered*, discussed or even implemented. This fact logically reflects quite low numbers of apprehended or estimated foreign citizens working and/or residing in an irregular way in the country at present (as will be shown in Part II). Such a state has hitherto simply ruled out any deliberations on and preparing plans for the regularisation of immigrants.

Nevertheless, there are certain factors changing prospects for the future. The improving situation in the Slovak economy, current development on the labour market with growing labour demand, the ageing of the Slovak labour force (with its forecasted dramatic decrease) and – above all – expected rising inflows of immigrants (Divinský, 2007a) will

¹⁵ Though, merely one person was convicted for the latter crime in Slovakia up to now, according to National Unit for Combating Illegal Migration officials.

¹⁶ See more in supplementary documents to the Government Resolution No. 264/2007 (Action plan to secure the accession of the Slovak Republic to the Schengen zone).

most likely lead to the gradual acceptance (and application too) of regularisation as one of the tools to address undocumented migration in the country in the next decades.

2.4 Perception of irregular migration in political discussions, the media and the public

As was already accentuated, migration questions – including undocumented migration – are generally still at the periphery of societal dialogue in Slovakia. There exists no particular *political authority for the matters of immigrants* (e.g., a parliamentary or governmental committee, interdepartmental commission or special plenipotentiary, as is the case in many countries) to back up the issue politically at a high level, representatively, with competencies to act. With the exception of international commitments concerning the country's accession to the Union and Schengen zone, Slovak political elites failed to form their clear opinion on undocumented migration to a larger extent. Since the phenomenon is not considered significant, there is no political will and therefore agenda to treat it systematically, seriously and unbiasedly within single political parties in Slovakia. Thus, irregular migration has been only rarely a subject of political debate in the country and if it has been, rather from the negative viewpoint (Divinský, 2007a; Divinský, 2005a).

Likewise, the *operation of the Slovak media* in reporting on undocumented migration cannot be deemed very positive either. Firstly, information on this kind of migration is given just occasionally. The topic is not regarded as interesting, that is why a few Slovak journalists occupy themselves with it (mostly in a marginal and sporadic manner). Then, if irregular migration is covered, it is seldom with a degree of experience and competence – rather it is superficially with various terminological and content mistakes. Deeper analyses of causes, forms and consequences of irregular migration, studies of relevant background documents, more extensive comments, etc. are lacking. Finally, quite frequently only negative dimensions of undocumented migration in the country are mentioned by the Slovak media since they are believed to be more attractive for readers/viewers.

Thus, most commonly, the *following themes associated with undocumented migration* are presented in the Slovak media (see more in Divinský, 2007a; Divinský, 2007d; Gallová-Kriglerová, 2006; Divinský, 2005c): excessive numbers of transiting irregular migrants and their apprehensions at the borders or in the interior of the country; the smuggling of migrants and activities of traffickers; the difficult protection of the eastern Slovak border as a Schengen border and cross-border crime here; illegal employment and enterprise by irregular migrants in the country; their alleged contribution to the unemployment rate and fiscal burden on the State budget; the purported high involvement of irregular migrants in crime in the country; the potential spread of infectious diseases by these migrants. A true characterisation of irregular migration, its major attributes, developments and challenges is seldom depicted and, thus, readers/viewers in Slovakia get a distorted picture of reality.

Products of the media referring to undocumented migration in the country logically largely influence *attitudes of the public to this phenomenon*. As a result, the perception of irregular migrants by the autochthonous population is the least positive within all categories of immigrants. Xenophobia, distrust towards and prejudices against irregular migrants are well pronounced in Slovakia. In addition, this is sometimes accompanied by the discrimination of undocumented migrants, especially those employed illegally. They, as a rather vulnerable group, have often to accept strongly underestimated wages and poor labour conditions (cf. Divinský, 2007a). Nevertheless, in general, attitudes of the public to irregular migrants – owing to an increasing sum of information – have slowly been improving over the recent period.

2.5 Definition of undocumented migration based on its main components

The term *undocumented (irregular) migration* has been slightly re-defined in the Slovak Republic over the past decade.

Firstly, the literal translation of the given term(s) is not applied in the country – relevant actors and institutions, documents, experts and academics, the media and the public still widely use the expression *illegal migration*¹⁷, despite its clear negative connotation. One of the reasons is that the literally translated terms *undocumented* or *irregular migration* into Slovak sound much artificially. But there is a more substantial problem in the country in view of international migration; its whole terminology is now only created.

Until the accession of Slovakia to the Union, irregular migrants were considered persons who – on various grounds – entered or left the territory of the Slovak Republic illegally, or who stayed in the country without authorisation. This definition was in compliance with Acts No. 73/1995 and No. 48/2002 on the Stay of foreigners (cf. Balga, 1997; BBAP, 2001; Divinský, 2004a). It is at least interesting that the former kind of undocumented migration then concerned not only foreigners, but also nationals of Slovakia. As a result, those Slovak citizens who were apprehended in crossing a border to or from the country unlawfully (even by chance – e.g., getting lost when hiking), were recorded too as irregular migrants in statistics (see Table 19 and Table 20 below).

Since 2004, the concept of undocumented migration has been specified. It may be shortly understood as “*The crossing of the State border or the stay of a person in the territory of the Slovak Republic being at variance with international agreements and legal norms of the country*” (cf. BBAP, 2007). For the needs of practice, both fundamental components of irregular migration are defined further in detail.

Thus, the migration of transiting irregular migrants (the so-called illegal crossing) involves: “*Cases when foreigners (including EU/EEA nationals) cross the State border of Slovakia in an unlawful way irrespective of the direction of movement.*” In this context, also foreigners returned to Slovakia under readmission agreements are taken into account. Slovak citizens are here not counted among the undocumented migrants any more.

The second component of irregular migration implies the so-called illegally residing foreigners in the country, i.e. “*Cases when foreign nationals stay in the Slovak Republic in contradiction with valid legislation regardless of the fact whether they entered the Slovak territory legally or not.*” In practice, these cases include persons apprehended in the interior of the country as well as those foreigners whose illegal residence status is discovered only at a border checkpoint upon their exit from the country (see more in BBAP, 2008; BBAP, 2007). In principle, nationals of EA/EEA do not belong to this category of undocumented migration.

An explanatory note on illegal work and business activities by foreigners: they also represent a form of unauthorised stay in the Slovak Republic. By law, the foreigner *works illegally* in the country if he/she does not hold a temporary residence permit for the purpose of employment and/or a work permit, if so required by special regulation (Act No. 82/2005 on Illegal work and illegal employment).

¹⁷ Id est, “*nelegálna migrácia*” in Slovak.

Part II: Data on and estimates of the total size and composition of the irregular migrant population in Slovakia

1. Most relevant studies on the topic

As was emphasised in Introduction, the Slovak Republic is not a country producing a multitude of analytical outputs on undocumented migration. The opposite – reflecting the underestimation of not only this phenomenon, but international migration as a whole within the academic community as well as entire Slovak society – is true. *No book, report or separate study on irregular migration in the country have been issued until now.* Texts on the subject are very sporadic and mostly arose as indirect, marginal and occasional by-products within larger publications.

Only a few Slovak authors have dealt with undocumented migration. From the scientific viewpoint, its several aspects were characterised in some works by the author of this Report – namely in books (Divinský, 2007a; Divinský, 2005a; Divinský, 2004a), reports (Divinský, 2007b; Divinský, 2007c; Divinský, 2005c), book chapters (Divinský, 2008; Divinský, 2007d; Divinský, 2006a; Divinský, 2005b) or articles/short contributions (Divinský, 2007f; Divinský, 2006b; Divinský, 2005d; Divinský, 2004b). However, it has to be sincerely said that none of these works focused solely on irregular migration. This migration was always conceived as one of the components of international migration, therefore its state, trends and attributes were presented only to the extent of a chapter or several paragraphs.

It is also the case of other researchers/experts who partly discussed certain issues of undocumented migration in Slovakia; the respective texts are not large as well. In this context, the following authors may be mentioned: Szalai (forthcoming), Thurzo (2007a), Thurzo (2007b), Mišina (2006), Jurčová (2005), Samson – Duleba (2005), UNHCR et al. (2004), Duleba (2004), Csámpai – Haládik (2002), Duleba (2003), Jurčová (2002), Duleba (2001), Očenášová (2001), APZ (2000), or Balga (1997).

Analyses and evaluations of experts are based to a great degree on elementary and publicly accessible statistics pertaining to irregular migration in the country. These are represented especially by a series of yearbooks by the Bureau of Border and Aliens Police (BBAP, 2001-2008), some publications about Slovak population development elaborated by Infostat¹⁸, or overviews compiled by the Statistical Office of the Slovak Republic (e.g., ŠÚ SR, 2007; ŠÚ SR, 2006).

Works by foreign authors dealing – though fragmentarily – with undocumented migration in Slovakia are very rare (e.g., a series of yearbooks on illegal migration, human smuggling and trafficking in Central and Eastern Europe by ICMPD, 2001-2008; Jandl, 2007; Pribytkova – Gromovs, 2007; Jandl – Kraler, 2006; IOM, 2005; IOM, 2004; Biffl, 2004; Mitryayeva, 2003; Laczko – Stacher – von Koppenfels, 2002; WIIW, 2000; IOM et ICMPD, 1999; ICMPD, 1997).

2. Estimates, data and expert assessments on stocks

2.1 Estimating the probable stock of undocumented migrants in the country

As stressed in Introduction, the *data on stocks of irregular migrants in Slovakia are practically not collected/generated/provided* by any institution. This fact may be considered one of the gravest methodological problems and much aggravates conducting research on the topic. That is why we have to be satisfied with rough estimates with a high potential risk of error. In addition, these estimates vary to a large extent. We have also to realise that Slovakia

¹⁸ More precisely, its Demographic Research Centre, <http://www.infostat.sk/vdc/en/>.

has still been more a transit than a destination country for undocumented migrants (though this has begun to change after Slovakia's accession to the Union – see text passages below).

In general, the estimates of irregularly residing foreigners in Slovakia range from *several thousands to several dozens of thousands* (Divinský, 2008). Some sources give quite a low number of these persons in the country (World Bank, 2006 – at most 8 thousand; however, this figure was for 1998). Our older estimation was more or less similar (Divinský, 2004a).

Other experts admit much higher stocks of irregularly staying migrants in Slovakia. For example, Balko¹⁹ offered an estimate of 15-35 thousand such persons, Vráblová (2001) argued that the number of immigrants working illegally is higher than that of working legally in the country. A group of experts (AUREX, 2002) freely estimated the number of non-registered foreign nationals in Slovakia at 20 to 40 thousand. The latter value was also estimated by the International Organization for Migration in the country (IOM, 2006). Duleba (2004) derived the potential stock of irregular migrants – over 42 thousand – as a proportional figure of all estimated unlawfully employed persons in the country (both domestic and foreign ones) according to the citizenship of those being discovered by labour inspection. In a territorial review, OECD (2003) estimated the number of illegally residing/working individuals (not only migrants from abroad?) solely in the Slovak capital at 20 to 40 thousand.

As shown, these sketchy speculations rather than calculations are largely insufficient to paint a realistic picture of the probable stock of undocumented migrants staying in Slovakia. For this reason, we *addressed the respondents in the already characterised survey*. The dispersion of values in responses was very wide – from 0 to 200,000 (seasonally, in summer, even 300,000) persons. However, both extreme values were represented only once. Other responses may be found in an interval much closer to the supposed state. As a rule, central State institutions tended to minimise the number of immigrants living in Slovakia irregularly in 2007 – giving the values lesser than 10 thousand persons, while the statisticians, most researchers and NGO's estimated this number to be (much) higher.

Officials of the Bureau of Border and Aliens Police (as the main actor in combating undocumented migration in Slovakia) either refused to express their estimates of the respective stock within the survey, or provided quite low figures – at the level of (a) few thousands. But it is interesting that the same institution presented higher estimates of that stock in its older contributions to ICMPD's *Yearbooks on illegal migration, human smuggling and trafficking in Central and Eastern Europe*. Thus by the Bureau, already in 2000, 2001 and 2002, the estimated total numbers of resident illegal migrants in the country exceeded 10 thousand – namely 12,500; 12,900; and 10,500 persons, respectively (no data for other years available – see ICMPD, 2001-2008).

Taking all recent developments, relevant factors and above mentioned estimates too into account, we are of the opinion that the *stock of undocumented migrants staying in the Slovak Republic as of the end of 2007 reached 15 to 20 thousand*. The share of these persons thus constituted approximately *0.3 to 0.4% of the overall country's population*. The figure does not represent a significant volume – yet. However, it will certainly be more momentous in the years to come when Slovakia is expected to continue in economic advancement and to become increasingly attractive for irregular migrants as well (cf. Divinský, 2007a).

Geographically, most of the undocumented foreign nationals naturally incline to concentrate in Bratislava and other big cities of the country. Not only are in them labour opportunities and satisfactory housing much more available, but also greater anonymity facilitating the movement of migrants is ensured here (ibidem; Divinský, 2004a).

¹⁹ http://www.fsev.tnuni.sk/fileadmin/kvs_files/Danovnictvo/17.ppt.

Because of the lack of other information, detailed expert analyses of the phenomenon are unconditionally required, also from a comparative viewpoint.

2.2 Gender and age compositions of the stock of irregular migrants

Up to now, no estimates of the gender and age structures of undocumented migrants in Slovakia exist as for their stock. However, data on these characteristics relating to flows of irregular migrants to the country allow us to make a very free estimate. Applying the figures in Table 18 for the period 2004-2008, we may assume that *around* $\frac{3}{4}$ of migrants residing unlawfully in Slovakia at present are men.

As regards the age structure of undocumented migrants in the country, we suppose that most of them are *at working age* (since the overwhelming part of them are economically active as stated below). Over 90-95% of irregularly staying immigrants in Slovakia are believed to be at the age of 15-64. Their age structure is thus determined by demands of the domestic labour market.

2.3 Nationality composition of undocumented migrants – stocks

There are no data at all on this parameter in Slovakia. We found only a few expert assessments in the scientific literature. For instance, according to Duleba (2004), it is possible to guess that the number of irregularly staying Ukrainians – as the largest such group in the country – is almost 40 thousand persons. A somewhat higher figure – about 45 thousand undocumented Ukrainians in Slovakia – results from a study elaborated by ICPS (2003). Karpachova (2003) refers to 60 thousand, while Pozniak (2007) informs about 50 thousand Ukrainian citizens working irregularly in Slovakia in the mid-2000's – both figures are estimations of the Ukrainian embassy and the Ukrainian Ministry of Foreign Affairs, respectively. Szalai (forthcoming), surprisingly, estimates the number of Ukrainian nationals working illegally in the country at one thousand merely. As for non-registered Vietnamese immigrants living in Slovakia, Williams – Baláž (2005) give their approximate number at 5.8 thousand (figure is based on internal reports from the Vietnamese community in the country). All these estimates seem to be highly imprecise; most of them might be overrated to a great degree.

Generally, when identifying the contemporary structure of undocumented migrants in Slovakia by nationalities/countries of origin, we may partly start from several presuppositions. They are as follows: the flows of apprehended irregular migrants (primarily of those residing unlawfully), the size of long-established immigrant communities in the territory of the country (legal migration), the number of work permits issued for foreign citizens, and apprehended illegally employed migrants in Slovakia (see Table 9).

Considering all these presuppositions as well as empirical information obtained through the interviews with competent officials and from respondents in the survey (cf. also Divinský, 2008; Divinský, 2007a; Divinský, 2004a), we may come to the conclusion that most of the migrants staying (working) illegally in Slovakia are represented by persons from the *three main source regions*. Thus, they are especially citizens of former Soviet republics (Ukrainians, Moldavians, Russians, Georgians), migrants from some Asian countries (Vietnam, China, India, Pakistan, Bangladesh) and Balkan nationals (Kosovars, Albanians, Serbs). A minor number of irregular migrants may come from Africa too.

The Ukrainians are believed to prevail among the undocumented migrants in Slovakia, making up over 50% of their stock. At the current state of knowledge, however, it is impossible to responsibly specify the numbers/shares for particular nationalities.

Table 9 Number of apprehended illegally employed foreigners in Slovakia in 2004-2007 together and by top 5 countries of origin

2004		2005		2006		2007	
112		627		379		204	
Country	Number	Country	Number	Country	Number	Country	Number
n/a	n/a	Vietnam	200	Vietnam	80	Ukraine	69
n/a	n/a	Romania	82	Afghanistan	70	Vietnam	27
n/a	n/a	South Korea	64	Romania	56	China	26
n/a	n/a	Ukraine	50	Ukraine	50	South Korea	26
n/a	n/a	China	23	India	27	Malaysia	16

Source: Bureau of Border and Aliens Police

2.4 Economic sector composition

Another serious shortcoming in the fields of statistics, practice and research pertaining to undocumented migration in the Slovak Republic is an almost complete lack of information on economic activities of irregular migrants. By law, they have no right to be employed or to do business in the country. Therefore, no respective data are collected; there exist just a few free estimates.

According to our opinion and by most experts participating in the survey, the total number of economically active undocumented migrants in Slovakia is supposed to correspond basically to the overall number of unlawfully staying migrants in the country, i.e. to above estimated 15-20 thousand persons. *More accurately, the absolute majority (90-95%) of irregularly staying migrants in Slovakia at present (end of 2007) are most likely economically active.* Out of them, some 80-90% are employed/working in any form, the remainder looks for a job.²⁰

Migrants, residing unlawfully for other reasons in the country, are very rare. Only few undocumented migrants – mainly women and children – may like to live in Slovakia without being economically active (e.g., with their legally staying family members). The illegal study of foreign nationals in the country is de facto impossible.

As the Slovak Republic became a member of the EU and its economy is thriving following radical economic reforms, the stock of migrants – notably of third country nationals – working in the country in an irregular way is expected to substantially grow (Divinský, 2008; Divinský, 2007b).

In view of the presumed most frequent working positions of undocumented migrants in Slovakia, we can lean on empirical facts, media reports as well as assumptions/estimates/information we received within the conducted interviews and survey. They all corroborate that irregular migrants in the country are, above all, *involved in economic branches with a need for low-skilled labour* (and a high proportion of physical, seasonal and spasmodic work). These persons may thus be found chiefly in the *building industry; followed by retail, food and other services; to a lesser degree also in manufacturing, auxiliary works, and agriculture.*

There are obvious some specificities by nationality of illegally working migrants in Slovakia. For example, Ukrainians and Moldavians are mostly active in the building industry, manufacturing, auxiliary works in forestry and agriculture; Asian nationalities dominate catering, retail trade and services; irregularly staying Balkan nationals are often various

²⁰ Compare with all 2,398,300 legally employed persons at the end of 2007, by the Labour Force Survey. Thus, the proportion of illegally working foreigners in the Slovak Republic little exceeds 0.5% of the official labour force.

entrepreneurs (for more details see Szalai, forthcoming; Divinský, 2008; Divinský, 2007a; Divinský, 2004a).

Estimating the contribution of undocumented migrants to the Slovak economy is extremely difficult owing to the mentioned absence of any studies, surveys or data. But as the stock of economically active irregular migrants is generally very low in the country, such a contribution is negligible so far.

2.5 Relations between irregular migration and asylum migration

Correlation between undocumented migration and asylum migration is quite close in Slovakia (Table 10). However, the latter has only smaller impact on the former; it is rather the opposite mechanism that strongly manifests itself. *Id est*, the extent and character of irregular migration directly and largely influence major attributes of asylum migration (its scale, single structures and relevant countries of origin).

According to practical experience as well as several studies (e.g., Divinský, 2007b; Divinský, 2007c; Divinský, 2005a; BBAP, 2001-2008; MoI, 2001-2008; MO, 2005-2008; etc.), asylum seekers enter the territory of Slovakia firstly as transiting irregular migrants, but after apprehension by the police they often immediately apply for asylum not to be removed from the country. In this way, (almost) all asylum seekers in the Slovak Republic have come from among the undocumented migrants. The institute of asylum is very frequently misused in the country as a means to legalise the stay of transiting irregular migrants. This allows them to retry to cross the border towards old EU Member States after a while (Divinský, 2007d; Divinský, 2006a; Duleba, 2001).

Effects of asylum migration on undocumented migration are secondary. *Part of asylum applicants – after breaking the asylum procedure – are apprehended when crossing the western Slovak border without permission and thus they become irregular migrants again.* Unfortunately, there are neither sufficient data on, nor expert estimates of the phenomenon. We have found just two-three partial figures. By the Bureau of Border and Aliens Police (BBAP, 2003), 40% of those who tried to pass through the Slovak-Austrian border unlawfully during 2002 did it repeatedly. Similarly in 2003, the police registered 47% of repeated attempts by asylum seekers to cross the border illegally in the direction from Slovakia to Austria and Czech Republic (BBAP, 2004; cf. ICMPD, 2001-2008). Data/estimates for other years and other border sections are not known.

On the basis of the given figures, the extent of so-called repeated undocumented migration and the role of asylum migration (more precisely, of asylum seekers) within it may be *considerable* in the country. However, the existing data are too fragmentary to draw any conclusions. This issue therefore needs a systematic collection of data and thorough research.

On the other side, the influence of recognised refugees (or persons granted subsidiary protection) on irregular migration in Slovakia has always been minimal due to their low stocks/flows (see Table 10).

Table 10 Relation between undocumented migration and elementary asylum migration characteristics in Slovakia over 2000-2008

Year / Flows of:	2000	2001	2002	2003	2004	2005	2006	2007	2008*
Irregular migrants	6,062	15,548	15,235	12,493	10,946	8,049	7,620	6,761	1,184
Asylum seekers	1,556	8,151	9,743	10,358	11,395	3,549	2,849	2,642	419
Recognised	11	18	20	11	15	25	8	14	3

refugees									
Stocks[#] of:									
Refugees	195	187	179	192	83	83	88	87	89
Those granted subsidiary protection	--	--	--	--	--	--	--	52	78

* = as of June 30th; # = at the end of the period

Source: Bureau of Border and Aliens Police; Migration Office

3. Estimates, data and expert assessments on flows

3.1 Developmental trajectory in the total flows

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, character and quality of necessary data*. They are dominantly gathered and presented by the Bureau of Border and Aliens Police. However, though these data are quite rich for some indicators, for others they may be incomplete or even missing.

Since 1993, the country has undergone several, principally different, stages in the quantitative development of irregular migration. As illustrated in Table 11, the first stage is delimited by the years 1993 and 1997. The rate of undocumented migration was then minimal and stable – migrants crossed the country's borders or stayed in its territory in an unlawful manner to a limited degree (?) only.

A radical turning point came in 1998 and subsequent years, when Slovakia became one of the favoured routes for the transit of irregular migrants from the east to the west of Europe. Undocumented migration in the country boomed in 2001-2002 with over 15 thousand apprehended migrants per year, which was 7 times more than in 1993. At the beginning of the third millennium, the Slovak Republic was thus established at the European scene of undocumented migration as an *important regional transit corridor* (east-west) or even a crossroad of key smuggling routes (from Ukraine/Russia and from the Balkans to Austria/the EU and to the Czech Republic) (Divinský, 2007b; Divinský 2005a; cf. Jandl, 2007; Duleba, 2001).

As a result of this developmental trajectory, the ratio of apprehended migrants crossing borders irregularly to the overall population in the country was then in Slovakia almost the highest in the region of Central and Eastern Europe (even the maximum one within the Visegrád-4 countries during 2001-2004 – own calculation based on data by ICMPD, 2001-2008).

It this context, it has to be underlined that the respective numbers of apprehended irregular migrants were estimated *to make up merely ¼ to ⅓ out of all irregular migrants* transiting the Slovak territory in the given years (Divinský, 2005a and Divinský, 2004a on the grounds of statements by top officials of the Ministry of Interior; compare with similar estimates for CEE countries by ICMPD, 2001-2008; Laczko – Stacher – von Koppenfels, 2002; Laczko, 2000; IOM et ICMPD, 1999; etc.).

Depicted development in the flows of irregular migrants to Slovakia from 1998 had more external as well as internal reasons. The former were represented, e.g., by the unstable situation in the Balkans, weak economic performance and social problems in certain Eastern European and Asian countries, but primarily by the accumulation of irregular migrants in Ukraine, the existence of several channels for illegal migration across this country and the poor protection of Ukrainian borders by Ukrainian border guards (Pribytkova – Gromovs,

2007; ICPS et IPA, 2006; Hudak – Herrberg – Solonenko, 2004; ICPS, 2003).²¹ Furthermore, in 2000 the Ukrainian government took a decision on the termination of the readmission agreement with Slovakia; this meant a serious step back in controlling the movement of irregular migrants (cf. BBAP, 2003; Duleba, 2001).

The internal causes of the growing number of undocumented migrants in Slovakia since 1998 were no less significant. Competent authorities to combat the phenomenon were at first evidently surprised by unexpected development and unprepared to react in an effective and consistent way. Therefore, the permeability of the Slovak territory – particularly for transiting irregular migrants – remained high for a longer time. Also the protection of the mountainous eastern Slovak border was quite complicated and costly. Then, a well-functioning network of smugglers/traffickers quickly proliferated throughout the country (more in Divinský, 2007c; NUCIM, 2005; Divinský, 2004a).

Since the accession of the Slovak Republic to the European Union in 2004, trends in undocumented migration in the country have been substantially changing. As shown in Table 11, the *flow of irregular migrants decreased markedly in 2004-2007* – the 2007 value is by 38% lower than the 2004 value. As already outlined, this is a reflection of the stricter realisation of reforms in border management related to extending the Schengen zone, the more active suppression of smuggling gangs, the application of the Dublin Regulation (with Eurodac), the better operation of the aliens police searching more intensively for unlawfully residing/working migrants inside the country, but also of principal turnover in implementing the readmission agreement between Slovakia and Ukraine since 2005 (Divinský, 2007f; Divinský, 2006b).²² Finally, routes of undocumented migrants heading to Europe have modified too over the latest years, challenging more Mediterranean countries.

Table 11 Dynamics in the flows of apprehended undocumented migrants (those transiting and those staying irregularly together) in Slovakia over 1993-2008

Year	1993	1994	1995	1996	1997	1998	1999	2000
Number	2,182	1,900	2,786	3,329	2,821	8,236	8,050	6,062
Year	2001	2002	2003	2004	2005	2006	2007	2008*
Number	15,548	15,235	12,493	10,946	8,049	7,620	6,761	1,184

* = as of June 30th

Source: Bureau of Border and Aliens Police

3.2 Undocumented migration by both fundamental components

Development described until now pertains to undocumented migration as a whole in Slovakia during 1993-2008. Although emphasis has always been laid more on migrants crossing borders unlawfully (i.e. those “transiting”) than on those staying irregularly in the country, the figures demonstrated in Table 11 include both components. It is so because the Bureau of Border and Aliens Police did not distinguish between the two groups and did not provide data for them separately until 2003 inclusive. This is another considerable methodological shortcoming in the field of irregular migration in Slovakia.

Data from Table 12 suggest a new situation. One may see that the *number of apprehended transiting irregular migrants in the country fell by almost 60% in 2004-2007*. However, this number has been diminishing not only absolutely, thus mirroring the better

²¹ Out of 4 main routes of irregular migrants through Ukraine, 3 ended partly or fully at the Ukrainian-Slovak border (cf. Hudak – Herrberg – Solonenko, 2004).

²² While only 25% of irregular migrants coming from Ukraine could be sent back in 2004, it was already 72% in 2005 (BBAP, 2006).

protection of State borders and a general downward trend in view of undocumented migration. It has been declining also relatively – and at a rapid pace; currently (mid-2008) the share of transiting irregular migrants is even less than half of all apprehended.

On the other side, it is right the second component of irregular migration, which has quickly come to the foreground since Slovakia's accession to the EU. The proportion of migrants having violated legal conditions for stay/work in the country has obviously been growing and already (mid-2008) predominates in the total. *It means that the Slovak Republic is perceived by irregular migrants not merely as a transit country but is still more attractive as a destination country too* (cf. Divinský, 2008; Divinský, 2007b). This is an important finding – though not much discussed so far – and especially with regard to expected larger inflows of low-skilled labour migrants from countries east of Slovakia in future years. In any case, the respective authorities should already now improve measures to detect undocumented migrants, make procedures for return migration more effective as well as broaden cooperation with and assistance to countries of origin.

Table 12 Numbers and the ratio of apprehended unlawfully transiting and staying migrants in Slovakia since 2004

Year	2004	%	2005	%	2006	%	2007	%	2008*	%
Those transiting	8,334	76.1	5,178	64.3	4,129	54.2	3,405	50.4	523	44.2
Those staying	2,612	23.9	2,871	35.7	3,491	45.8	3,356	49.6	661	55.8
Total number	10,946	100.0	8,049	100.0	7,620	100.0	6,761	100.0	1,184	100.0

* = as of June 30th

Source: Bureau of Border and Aliens Police and own calculations

3.3 Border-related flows of undocumented migrants

Irregular migrants using the country to transit are naturally apprehended upon both entering and exiting its territory. As was mentioned above, at the end of the 20th century Slovakia became one of the most favourite corridors for undocumented migrants transiting from the east to the west of Europe (notably to countries such as Germany, Austria, United Kingdom, France, Benelux, some Nordic ones). This determines the mutual ratio between irregular migrants entering the Slovak Republic and those leaving it at the particular borders. The dominant flow of migrants in the country in the direction east-west has already long been manifested by the following fact (cf. Divinský, 2007c; Pribytkova – Gromovs, 2007; Divinský, 2004b; Duleba, 2001): the overwhelming majority of undocumented migrants are apprehended *after entering Slovakia from Ukraine* (almost no opposite movement) and, on the contrary, *when leaving Slovakia for Austria* (analogically, with only a slight reverse movement) (see Table 13 and Map).

In this context, a more detailed and long-term view concerning the development of irregular migrant flows across the individual State border sections can be quite interesting (Table 14). Here, one may find significant temporal and spatial peculiarities. Although the absolute number of transiting undocumented migrants has fallen over the recent period, the *share of those coming to Slovakia from Ukraine has gradually increased*. For instance, in 2000 this proportion constituted 24%, in 2004 40% and in 2007 as much as 49% out of the total. This is a result of three factors: a constant high flow of irregular migrants from Ukraine, a decrease in the relative number of migrants apprehended at the borders with other countries as well as (perhaps a little paradoxically, but logically) a more vigorous and effective fight against smuggling at the Slovak-Ukrainian border.

On the other side, the *share of irregular migrants apprehended at the Slovak-Czech border remarkably dropped*. While in 2000 it accounted for 36% of the total, in 2004 it was

20% and in 2007 merely 4%. The situation in this border section radically changed in the past 3-4 years; until 2004 transiting undocumented migrants evidently abused an above-standard lenient border regime between the two countries but strict measures taken then minimised their flows here (Divinský, 2007b; Divinský, 2005a). From 2000, the proportions of persons illegally crossing Slovakia's borders *with Hungary and Poland have declined several times too* (thus achieving only 3 and 2%, respectively, of the total in 2007).

The share of migrants passing unlawfully through the *Slovak-Austrian border has since 2001 been oscillating always between 30 and 40% of the overall number of apprehended transiting migrants in the country*. Austria undoubtedly represents for these persons the most attractive destination/the best basis for further transfer out of all neighbours of the Slovak Republic (which was not the case until 2000 – Table 14).

The outlined facts reflect not only the character and trends in the border-related flows of transiting irregular migrants in the country, but also suggest that Slovakia apparently became a buffer zone between more westerly countries of the European Union and some of the world's regions massively generating (undocumented) migrants to Europe.

Table 13 Apprehended irregular migrants in Slovakia during 2000-2007 by both directions and by single State borders

Border / Year	2000		2001		2002		2003	
Flow in direction	from	to	from	to	from	to	from	to
Austria	11	1,223	68	6,015	538	5,755	348	3,560
Czech Republic	128	2,062	158	3,940	9	3,974	22	2,108
Hungary	310	118	1,486	217	1,747	52	304	69
Poland	342	395	348	400	298	463	247	352
Ukraine	1,448	25	1,931	14	2,391	8	5,468	15
airports*	--	--	784	187	--	--	--	--
Border / Year	2004		2005		2006		2007	
Flow in direction	from	to	from	to	from	to	from	to
Austria	41	2,852	10	2,002	4	1,306	1	1,346
Czech Republic	149	1,522	15	113	2	83	15	126
Hungary	68	63	36	54	21	123	68	42
Poland	146	123	322	30	207	30	66	16
Ukraine	3,352	15	2,554	32	2,308	11	1,674	10
airports	--	3	2	8	4	30	5	36

* = figures for 2001 denote persons apprehended in the country's interior (no airports)

Note: the figures for 2000-2003 cover irregular migrants both transiting and staying in the country, the figures since 2004 on include only those transiting

Source: Bureau of Border and Aliens Police

Table 14 Apprehended irregular migrants in Slovakia over 1993-2008 by single State borders

Border / Year	1993	1994	1995	1996	1997	1998	1999	2000
Austria	309	163	155	220	665	504	1,402	1,234
Czech Rep.	--	380	631	1,622	926	5,247	3,485	2,190
Hungary	1,038	567	893	497	561	1,270	606	428
Poland	744	715	1,015	755	564	843	802	737
Ukraine	91	66	92	235	105	365	1,662	1,473
airports**	--	--	--	--	--	7	93	--

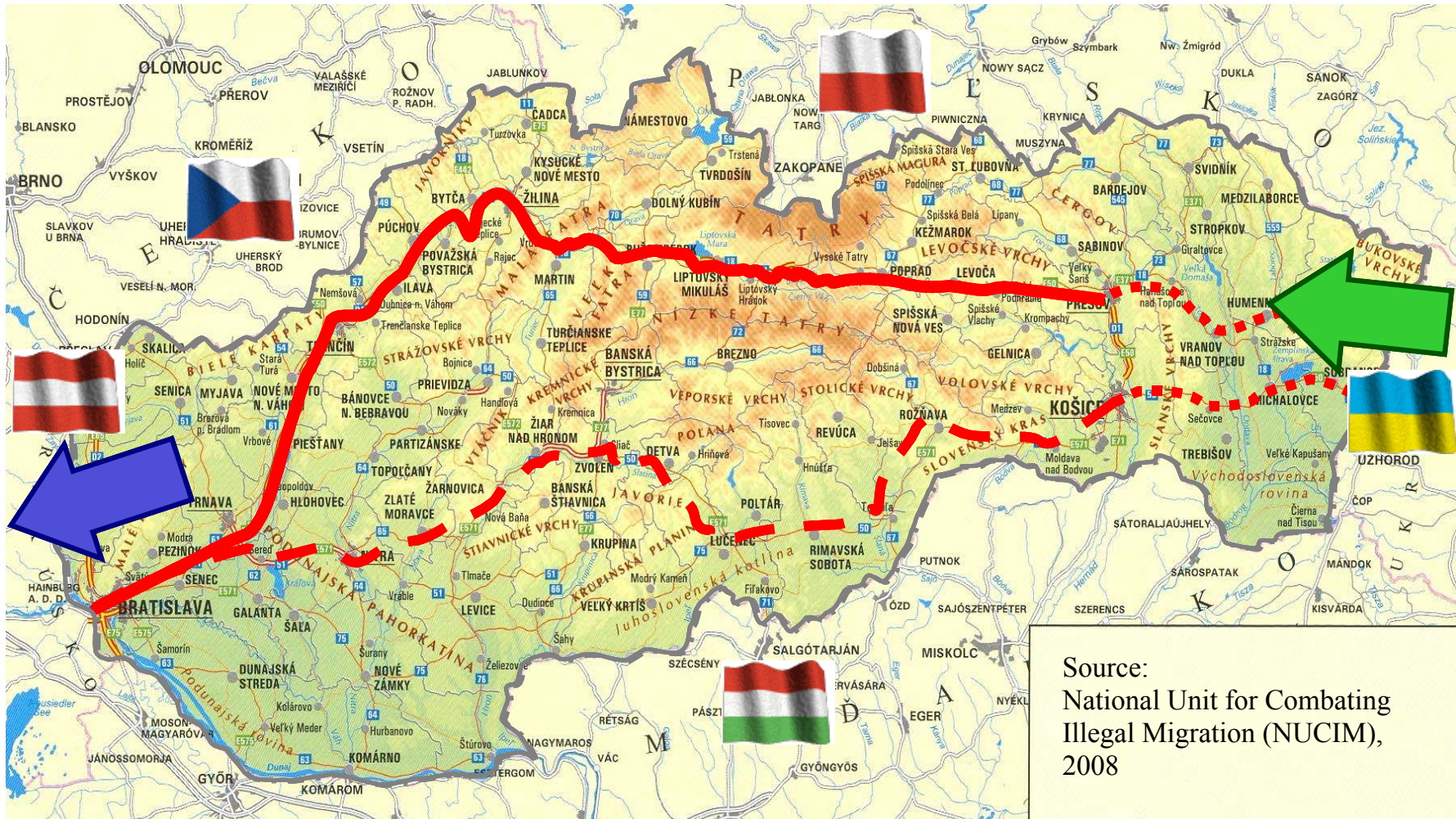
Border / Year	2001	2002	2003	2004	2005	2006	2007	2008*
Austria	6,083	6,293	3,908	2,893	2,012	1,310	1,347	20
Czech Rep.	4,098	3,983	2,130	1,671	128	85	141	2
Hungary	1,703	1,799	373	131	90	144	110	1
Poland	748	761	599	269	352	237	82	33
Ukraine	1,945	2,399	5,483	3,367	2,586	2,319	1,684	464
airports**	971	--	--	3	10	34	41	3

* = as of June 30th, ** = figures for 1998, 1999 and 2001 denote persons apprehended in the country's interior (no airports)

Note: the figures for 1993-2003 cover irregular migrants both transiting and staying in the country, the figures since 2004 on include only those transiting

Source: Bureau of Border and Aliens Police

Map Main routes of transiting irregular migrants across the Slovak Republic



3.4 Mechanisms of illegal crossing the Slovak borders and territory

The ways of how transiting undocumented migrants try to pass through the Slovak borders/territory – in whatever direction (to or from the country) – are quite diverse. *They are as follows* (cf. BBAP, 2001-2008; NUCIM, 2008; ICMPD, 2001-2008):

- the illegal crossing of the so-called green/blue State border outside a border checkpoint (with or without a valid travel document) as well as through a border checkpoint at the closing time. This may be arranged with the assistance of smugglers (most of the cases) or carried out individually by migrants.
- the illegal crossing of the State border (or transiting the country's territory) in a hide-out of transport means (e.g., car, coach, minibus, lorry, pick-ups, taxi, train, boat and the like). Here, the crossing and transit are usually organised by a smuggling group.
- the illegal crossing of the State border with a false/altered travel document at a border checkpoint (or transiting the country's territory in this way) or with an authentic document used by another person.

Operations of smuggling gangs are very well prepared in advance. Forms of smuggling are permanently advancing. Smugglers work highly professionally and conspiratorially, are equipped with modern traffic, communication and technical means, monitor the surveillance of borders and other activities of the police, largely collaborate with foreign counterparts. Likewise, part of the local population, self-government authorities and the police are involved in the smuggling of migrants (NUCIM, 2008; MoI, 2001-2008; Divinský, 2007b; Divinský, 2004a; Duleba, 2001). However, the *situation in curbing the phenomenon has evidently been improving over recent years*, primarily in connection with the country's commitments concerning its accession to the Schengen zone.

For some data on and trends in smuggling in the Slovak Republic see Table 15 and Table 16.

Table 15 Basic characteristics related to the smuggling of migrants in Slovakia in 1997-2007

Year	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
Documented cases of smuggling	34	60	60	87	143	140	117	134	82	120	134
Number of detained smugglers	42	92	94	118	242	228	225	322	249	305	278
Number of migrants apprehended in documented cases	264	1,394	2,566	2,428	1,900	1,799	1,569	2,779	2,956	2,716	1,966

Source: Bureau of Border and Aliens Police; NUCIM, 2008; NUCIM, 2005; MoI, 2001-2008; ICMPD, 2001-2008

Table 16 Top 5 citizenships of detained smugglers in Slovakia over 1997-2007 with the ratio of native and foreign smugglers

1997-2000		2001		2002		2003	
Country	%	Country	%	Country	%	Country	%
Slovakia	90	Slovakia	92	Slovakia	91	Slovakia	88
Czech Rep.	10	Czech Rep.	8	Ukraine	9	Ukraine	12
Yugoslavia		Ukraine		Czech Rep.			
Hungary		Vietnam		Yugoslavia		Poland	
Armenia		Turkey		China		Vietnam	
others		others		others		others	
2004		2005		2006		2007	
Country	%	Country	%	Country	%	Country	%

Slovakia	84	Slovakia	68	Slovakia	64	Slovakia	68
Czech Rep.	16	Ukraine	32	Ukraine	36	Ukraine	32
China		Poland		India		Czech Rep.	
Poland		Pakistan		Vietnam		Moldavia	
Russia		India		Hungary		India	
others		others		others		others	

Source: Bureau of Border and Aliens Police and own calculations

The ways of counterfeiting and misusing the travel documents by irregular migrants are quite varied too in the country. They are specified in Table 17. As shown in it, particularly the use of completely forged documents and the replacement of pages in otherwise valid documents are on a steady rise in Slovakia. In 2007, both offences constituted over 2/3 out of all cases of the forgery and misuse of travel documents by irregular migrants in the country.

Table 17 Cases of the forgery and misuse of travel documents detected in Slovakia during 2000-2007

Method of forging / Year	2000	2001	2002	2003	2004	2005	2006	2007
Replacement of the photo in the document	200	174	65	147	407	153	179	167
Overwritten data	6	14	33	1	52	28	4	2
Replacement of pages in the document	2	10	84	97	93	141	146	229
Misused/stolen document	67	30	32	25	61	15	42	90
Completely false document	16	27	11	15	28	30	53	343
False visa, false stamp and other ways	46	13	24	8	39	10	5	15
Total	337	268	249	293	680	377	429	846

Source: Bureau of Border and Aliens Police

3.5 Gender (age) composition of flows of irregular migrants

Data on the gender composition of undocumented migrant flows in the Slovak Republic are rather limited. Firstly, they have been generated only from 2004. Secondly, these data are methodologically inhomogeneous: those for 2004-2006 do not cover children (i.e. persons aged 0-14), but those offered since 2007 on do. As illustrated in Table 18, *men unambiguously prevail over women* but their share in the total has been practically stable in the given period.

No more comprehensive or reliable information on/reference to the age structure of flows of irregular migrants in Slovakia may be found. There are a very few, fragmentary, data. They are provided quite sporadically (in some recent years only), sometimes for all undocumented migrants-sometimes for those transiting merely, and children are normally defined as persons aged 0-14 but sometimes as those aged 0-18. Data available suggest that the proportion of irregular minors might vary between 4 and 10%; no conclusions can be drawn about the share of the elderly in the flows.

Table 18 Sex structure of apprehended undocumented migrants (both main categories) in Slovakia since 2004

Year	2004 [#]		2005 [#]		2006 [#]		2007		2008*	
	Number	%	Number	%	Number	%	Number	%	Number	%
Men	8,502	83.2	5,748	79.5	5,730	78.5	5,434	80.4	938	79.2

Women	1,716	16.8	1,483	20.5	1,568	21.5	1,327	19.6	246	20.8
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= without children aged 0-14; * = as of June 30th

Source: Bureau of Border and Aliens Police and own calculations

3.6 Nationality composition of irregular migrants – flows

As regards the structure of the most significant countries of origin of apprehended undocumented migrants in Slovakia (both components – those irregularly transiting and those irregularly staying – together), it is demonstrated in Table 19. This structure has modified over recent years in line with global trends. Until 1998-1999, Balkan nationals (notably citizens of former Yugoslavia and Romania) played a key role among the irregular migrants apprehended in the country.

After this time point, refugees originating from Afghanistan, Iraq and Sri Lanka came to the foreground. Afghanistan produced the most intensive flow of undocumented migrants in Slovakia during four years consecutively – 1999-2002. In 2001, it was even 40% out of the overall number (BBAP, 2000-2003). In both mentioned periods, undocumented migrants in the country were constituted chiefly by *persons fleeing from wars and persecution*.

However, already since 1999, *economic migrants increasingly appeared among the apprehended irregular migrants*. Initially, they were coming from the most populous Asian countries such as India, China, Pakistan, Bangladesh or Vietnam.²³ From 2003 on, a new trend has begun to manifest itself in the Slovak Republic, namely a relatively sudden upsurge of undocumented migration from former Soviet republics: Russia (actually Chechnya), Moldavia, Ukraine, Armenia, and Georgia. Migration inflows from these five States quickly became so enormous that they clearly dominated the countries of origin of irregular migrants in 2005-2007. In 2006, for example, nationals of the given republics formed as many as 60% of all undocumented migrants apprehended in Slovakia (both components together) (Divinský, 2007b; cf. Divinský, 2004b).

It may be summarised that the structure of irregular migrants by their nationalities has undergone dynamic development in the country over the past decade. In the 1990's, migrants illegally penetrating into the territory of Slovakia were forced to leave their home countries mainly because of wars, armed conflicts, political instability, ethnic violence and other forms of persecution. These persons usually came from the Balkans, Afghanistan and Iraq. At the beginning of the 21st century, countries of origin as well as motivations to migrate sensibly changed. Voluntary economic migrants – heading across Slovakia to Western European countries for labour – became the largest group within undocumented migrants. Firstly, citizens of South and South-east Asian countries prevailed in their flows. At present, *persons from the region of Eastern Europe* – from countries with a lower living standard and greater economic problems – *evidently dominate in this category of migrants* (cf. MoI, 2001-2008; Divinský, 2008).

Table 19 Most important countries of origin of apprehended undocumented migrants (those transiting and staying irregularly together) in Slovakia over 1998-2007

1998		1999		2000		2001		2002	
Country	Number	Country	Number	Country	Number	Country	Number	Country	Number
Yugoslavia	3,578	Afghanistan	2,003	Afghanistan	1,199	Afghanistan	6,121	Afghanistan	2,788
Afghanistan	1,049	Romania	1,055	India	1,090	India	2,460	China	2,436
Romania	638	Yugoslavia	873	Romania	939	Iraq	1,497	India	2,432
Slovakia	361	Sri Lanka	842	Sri Lanka	490	Romania	928	Iraq	1,654

²³ Citizens of India were even the most numerous among the apprehended undocumented migrants in 2004, making up 1/5 of the total.

Iraq	359	India	641	China	413	Vietnam	637	Bangladesh	1,305
2003		2004		2005		2006		2007	
Country	Number	Country	Number	Country	Number	Country	Number	Country	Number
Russia	3,046	India	2,179	Russia	1,654	Moldavia	1,855	Ukraine	1,733
India	1,519	Russia	2,151	Moldavia	1,415	Ukraine	1,326	Moldavia	1,163
China	1,320	China	1,459	Ukraine	1,045	India	1,185	Pakistan	990
Armenia	996	Moldavia	1,076	India	970	Russia	732	India	931
Moldavia	818	Georgia	950	China	581	Pakistan	407	Russia	441

Source: Bureau of Border and Aliens Police

Just for illustration, the next two tables show updated data (as of mid-2008) on flows of irregular migrants in Slovakia by nationality in both fundamental components of undocumented migration. As was already stressed, this differentiation has been provided by the competent authorities merely from 2004. As presented in Table 20 and Table 21, there are *only small distinctions between migrants transiting irregularly and those staying unlawfully* in Slovakia in terms of their countries of origin.

Table 20 Top 10 countries of origin of apprehended transiting undocumented migrants in Slovakia since 2004

2004		2005		2006		2007		2008*	
Country	Number	Country	Number	Country	Number	Country	Number	Country	Number
Russia	1,921	Russia	1,278	Moldavia	1,251	Moldavia	903	Moldavia	181
India	1,295	Moldavia	1,126	Russia	544	Ukraine	524	Pakistan	72
China	993	India	582	India	464	Pakistan	459	Russia	61
Moldavia	941	China	435	China	317	India	322	Georgia	53
Georgia	828	Georgia	356	Ukraine	264	Russia	307	Bangladesh	30
Pakistan	445	Pakistan	192	Pakistan	233	Georgia	264	India	29
Afghanistan	280	Vietnam	136	Georgia	221	Iraq	90	China	27
Slovakia	185	Ukraine	122	Iraq	198	Bangladesh	87	Ukraine	18
Bangladesh	184	Bangladesh	122	Bangladesh	188	China	80	Afghanistan	15
Poland	177	Palestine	107	Palestine	114	Afghanistan	57	Armenia	6

* = as of June 30th

Source: Bureau of Border and Aliens Police

Table 21 Top 10 countries of origin of apprehended migrants staying irregularly in Slovakia since 2004

2004		2005		2006		2007		2008*	
Country	Number	Country	Number	Country	Number	Country	Number	Country	Number
India	884	Ukraine	923	Ukraine	1,062	Ukraine	1,209	Ukraine	335
China	466	India	388	India	721	India	609	Moldavia	54
Russia	230	Russia	376	Moldavia	604	Pakistan	531	Russia	51
Bangladesh	176	Moldavia	289	Russia	188	Moldavia	260	India	47
Pakistan	169	Bangladesh	184	Pakistan	174	Russia	134	Pakistan	25
Moldavia	135	China	146	Bangladesh	166	Bangladesh	87	South Korea	23
Georgia	122	Georgia	139	Iraq	123	Iraq	86	China	19
Ukraine	116	Pakistan	130	China	79	China	76	Vietnam	19
Afghanistan	70	Afghanistan	68	Georgia	75	Georgia	61	Bangladesh	16
Turkey	33	Palestine	52	Palestine	44	Vietnam	47	Georgia	8

* = as of June 30th

Source: Bureau of Border and Aliens Police

3.7 Return of undocumented migrants from Slovakia

Apprehended irregular migrants who do not apply for asylum in the country usually enter the return procedure. This may be compulsory in the form of removals (including readmissions) or voluntary in the form of assisted voluntary returns. The former is carried out by the police itself, the latter is realised by the police jointly with the International Organization for Migration in the country.

It is logical that the most important countries of origin of removed (expelled) migrants in Slovakia closely correlate with those of apprehended undocumented migrants. At present, they are especially Ukraine, Moldavia, Russian Federation, India, China, Georgia, Pakistan, Serbia, Vietnam, or Turkey; earlier it was also Romania, Afghanistan, or Iraq. The developmental trend in the number of removed irregular migrants has practically been stabilised over the recent period in Slovakia though figures for individual years can vary largely (Table 22).

The majority of migrants have been removed from the country *under the existing readmission agreements*. These persons are mostly handed over to Ukrainian authorities.²⁴ In 2007, the Slovak Republic had 25 readmission agreements in effect. Out of that, 21 are bilateral and 4 concluded between the European Union and third countries.²⁵ This legal system and infrastructure available for the detention of irregular immigrants are considered more or less satisfactory by the Government.

However, Slovakia still faces certain difficulties in the return of undocumented migrants. The expulsion procedure is often unenforceable because the country of origin may refuse to accept its migrant back. In other cases, discovering the migrant's identity is either impossible or time-consuming. The delayed issuance of new travel documents can also result in the failure of removals. Moreover, the Act No. 48/2002 on the Stay of foreigners allows to detain irregular migrants for no longer than 180 days, then they have to be released (cf. Divinský, 2007c).

Table 22 Numbers of removed migrants (including those readmitted from the country) in Slovakia in 2000-2007

Year	2000	2001	2002	2003	2004	2005	2006	2007
Number of those removed	2,967	2,680	1,206	1,490	2,718	2,686	2,711	2,462
Number of those readmitted	2,453	2,011	709	1,231	1,041	2,011	1,711	1,236

Source: ICMPD, 2001-2008; Bureau of Border and Aliens Police

Assisted voluntary returns (AVR) of undocumented migrants are much rarer in Slovakia but also relatively significant. They form a simpler, more effective and more humane solution for both migrants and respective institutions. As demonstrated in Table 23, from a long-term perspective, there is obvious an *upward trend in the number of AVR from Slovakia*, notably from 2003 on. At the same time, the structure of destination countries has

²⁴ For instance, in 2004-2007, undocumented migrants handed over to Ukraine represented as much as 82 to 99% of the total (BBAP, 2005-2008).

²⁵ With the following subjects: Ukraine, Poland, Slovenia, Croatia, Bulgaria, France, Italy, Spain, Macedonia, Serbia/Yugoslavia, Benelux, Austria, Czech Republic, Hungary, Germany, Sweden, Norway, Romania, Vietnam, Swiss Confederation, Bosnia and Herzegovina as well as Albania, Sri Lanka, Hong Kong, Macao, respectively. Further readmission agreements with Moldavia, Greece, Lebanon, Jordan, and Belarus are currently prepared or negotiated (for details, see Government Resolution No. 465/2007).

been changing too. Until the beginning of the 21st century, migrants were returned mostly to the Balkans (Kosovo, Bosnia and Herzegovina – cf. Divinský, 2004a). They were then replaced mainly by persons from China, India, Russia/Chechnya, Georgia, Armenia, or Turkey. But in the very last years, it is Moldavia that completely dominates among the AVR destinations (with almost 60% of those returned under the AVR scheme in 2007).

Table 23 Assisted voluntary returns of migrants from Slovakia during 2000-2007 and top 5 receiving countries for returned migrants in each year

Year	2000	2001	2002	2003	2004	2005	2006	2007
Number	9	46	44	104	148	119	128	153
Major countries of destination	Kosovo	Kosovo	India	China	China	China	Moldavia	Moldavia
	Sri Lanka	Armenia	China	Russia	Turkey	Russia	Turkey	China
	Latvia	Serbia	Russia	Moldavia	Armenia	Georgia	Serbia	Russia
	--	Turkey	Bulgaria	Egypt	Russia	Turkey	Russia	Iraq
	--	Russia	Moldavia	Afghanist.	Moldavia	Moldavia	Georgia	Dominican Rep.

Source: Bureau of Border and Aliens Police; IOM statistics; Divinský, 2004a

3.8 Basic demographic events

There are no records or estimates of the number of births and deaths pertaining to undocumented migrants in the Slovak Republic. Very sporadically – once or twice a year, mostly in the winter – the media report on bodies of transiting irregular migrants found by the police in the borderland. The incidents usually refer to 1 or 2 persons. In general, we estimate that *both births and deaths in this category of migrants have been quite negligible* in the country up to now.

Part III: Discussion and policy implications

1. Main research findings and cardinal challenges in the area of irregular migration in Slovakia

On the whole, migration issues are rather underestimated in the country. This is well manifested by the number/quality of respective laws and conceptions, practical policies, the related institutional sphere, research conducted, the perception of migrants, etc. Primarily, the *Slovak Republic much lacks a clearly articulated migration doctrine*, i.e. a set of elementary principles and official attitudes of the State and entire society to international migration. This doctrine could serve as a tool to identify both current and future roles of migration in the overall development of the country as well as to define fundamental points of departure for migration management. Of course, any such migration doctrine should meet not only Slovakia's interests, but also be in accordance with the ongoing processes of creating a common migration policy of the European Union.

In the context of the above facts, undocumented migration in the country is no exception. Even worse, *very little (if any) attention is obviously paid to many aspects of the phenomenon* – for example, cooperation and a mutual exchange of information among the actors concerned, effective and frequent inspections of clandestine work, the collection and provision of relevant statistical data, professional training of immigration officers and their foreign language skills, the unbiased media coverage of the topic, the optimisation of return migration procedures, collaboration with the most significant for Slovakia countries of origin of irregular migrants, a more active involvement of Slovak representatives in the international field, research on undocumented migration, considering regularisation rules for the future and so on (cf. detailed recommendations below).

As depicted in Point I.2.4, all these and other challenges result also from a *profound disinterest in irregular migration matters and from the absence of a wider, serious and open discussion in the country*. This has been typical of whole society – politicians, practitioners, the media, researchers, the public – since the very beginning. Single political parties in Slovakia either do not address undocumented migration at all, or deem it quite undesirable. Therefore, politicians have failed to express realistic opinions about it so far. It is true that the country recently took several important measures of a legal, conceptional, institutional, budgetary, personnel and technical character in order to strengthen the protection of State borders, to reduce the smuggling of migrants through the Slovak territory, to toughen punishments for their smuggling, to reform the respective institutional domain, to better ensure conditions for the entry and stay of immigrants in the country, to combat illegal employment, etc. However, most of these measures have been a consequence of *external pressures*, i.e. commitments of the country undertaken in connection with its accession to the EU and the Schengen zone.

Irregular migration is rather insufficiently discussed in the Slovak media too. Since the topic is seen as marginal, they report on it just occasionally, not systematically and seldom with a degree of competence. In addition, mostly only negative features of undocumented migration in the country are highlighted by the media, that is why readers/viewers often get a distorted picture of reality. Likewise, self-government authorities, NGO's, IGO's, churches, migrant associations and other stakeholders in the field deal with contemporary problems of irregular migration in Slovakia to a minimal extent. And finally, as was already mentioned, more thorough *research on the phenomenon does basically not exist*. All these circumstances evidently influence the perception of undocumented migrants in the country by the autochthonous population, which is full of distrust, fear or even rejection, combined with their social exclusion.

For the above reasons, it is not surprising that policy-makers and other actors face another major shortcoming in the area of irregular migration in Slovakia. It is the *amount*,

quality and availability of statistical data that are essentially required for preparing in-depth analyses, assessments or prognoses of impacts of undocumented migration on Slovak society, as well as for working out resultant general conceptions and concrete policies. As we demonstrated in this Report, during all the period since the establishment of an independent State in 1993, the accent – as regards data on irregular migration in the country – was put merely on those pertaining to migrant flows, not stocks. Thus, the latter have not been generated and one must be satisfied here with a very limited number of quite rough estimates, guesstimates to even speculations varying enormously. (This fact was proved also in a survey conducted with respondents from relevant ministries, some other central State institutions, statistical authorities, academy of sciences, universities, think tanks, non-governmental organisations, International Organization for Migration in Slovakia, and the media.)

Owing to this situation, any – real or potential – policies can utilise only (partly incomplete) data on flows, which show the volume of undocumented migration in a given year and its trends. However, at least from a viewpoint of crucial decisions, comprehensive evaluations, reliable forecasts and international comparisons, data on/more accurate estimates of the stocks of irregular migrants in the country would be of greater benefit. As said, they have not been produced since the beginning and, unfortunately, no changes in understanding the importance of this tool have occurred until now. Nor in the coming years, most likely, can a special role be expected from estimates of the scale, composition and developmental trajectory of undocumented migration in the Slovak Republic within the migration policy framework.

Nevertheless, thanks to the participation in the CLANDESTINO project, we were able to make *several pioneering findings in research on (irregular) migration in the country.* Among others, it is possible to freely determine the stock of migrants staying unlawfully in Slovakia to be 15-20 thousand (end of 2007). This constitutes 0.3 to 0.4% of the total population, which is a very low figure, particularly in an international context. However, allowing for recent upward trends, the gradual transformation of the country from transit into destination and certain external factors, one may anticipate a rapid growth in the number of migrants residing illegally in Slovakia quite soon. Besides quantitative estimates, some structures and attributes of these migrants (i.e. gender, age, nationalities, economic activity, occupations) are also discussed in the Report – basically for the first time to such an extent – arriving at significant findings.

All information, presented overviews, accompanying analyses, critical comments, personal opinions as well as submitted recommendations *are intended to better tackle the challenges of irregular migration* and thereby to enhance the level of migration management in Slovakia.

2. Major recommendations to improve the current situation in the country

After a relatively detailed evaluation of developments in the field of undocumented migration in the Slovak Republic carried out above, it is apparent that the situation is unfavourable in many areas. Therefore, fundamental changes and improvements are inevitable. One of the principal objectives of this Report is also to offer for discussion a *set of various ideas, suggestions and recommendations amending the contemporary state of irregular migration in the country*, in belief that they may become a solid platform for new approaches and policies.

The formulation of proposals stimulating the adoption of strategical, political, social, institutional, legal, technical and further measures applicable to different spheres of practice is not an easy job. On the one hand, such proposals have to be all-embracing and representative enough to cover as many issues and subjects as possible. On the other hand, recommendations

cannot be too generalised, superficial or vague because their utility value would then be minimal. At the same time, they have to be *feasible, effective, topical, comprehensive and interlinked*. Best practices and experience from abroad should also be taken into account deliberately.

It is also evident that due to the mentioned sensible underestimation of migration management as a whole in Slovakia, concrete recommendations/proposed measures for undocumented migration cannot be separated from general migration policy ones that should be realised too.

For this reason, in terms of *universal recommendations*, it seems necessary:

- to finally articulate a clear migration doctrine of the country, i.e. the official attitude of the State and entire society to migration. Or, instead, to substantially re-work and complete the existing Conception of the Migration Policy of the Slovak Republic;
- to define the position of international migration in the overall economic, social, demographic, cultural, political and security development of the country on the basis of expert and public discussion;
- to place adequate emphasis on problems of irregular migration within the complex of all migration components (labour immigration, the reunification of families, asylum migration, the integration of foreigners, study migration, naturalisation, support for Slovak expatriates, etc.);
- to allocate from the State budget and budgets of self-government authorities radically greater financial means than hitherto to deal with increasing challenges of migration in the country;
- to consider the establishment of a special governmental or parliamentary Committee for the Matters of Migrants (Foreigners) with real competencies to promote migration management in Slovakia politically and legally at a high level, professionally, systematically, and effectively.

As regards *particular regions of undocumented migration*, we recommend mainly:

- to raise interest in a larger debate on all aspects of the phenomenon in the society, media and the public in the country;
- to initiate discussion on attributes, causes and consequences of irregular migration notably on the Slovak political scene in order to incorporate the topic into agendas of political parties;
- to encourage the media in the country to work more actively, objectively and professionally in reporting on undocumented migration;
- to appeal to all stakeholders in the field to play a greater role in combating various manifestations of intolerance towards and the social exclusion of irregular immigrants in Slovakia;
- to make collaboration among the respective actors – responsible especially for protecting the borders, fighting against migrant smuggling, curbing illegal employment, reducing cross-border crime, etc. in the country – more efficient, flexible and operational;
- to simplify the mutual exchange of information among them and to support more intensively the elaboration of regular/ad hoc analyses, studies, yearbooks, evaluations, reports and further documents;
- to properly and timely implement measures (financial, organisational, technical, legal, personnel, building, transport, communication, and others) in the area of border management as stipulated in, e.g., the updated Schengen Action Plan, National plan for managing the protection of State borders of the Slovak Republic, Schengen acquis and other domestic as well as EU laws;
- to carry out more frequent and concerted inspections of clandestine work in the country by all institutions concerned (border and aliens police, labour offices, labour inspectorates, tax authorities, customs offices, employer associations and so on);

- to completely change the wording of Article 356 in the Slovak Penal Code to better meet the needs of practice (i.e. to easier prove the crime of abetting migrants to stay unlawfully in the country or to gain therein illegal employment);
- to make legal migration in Slovakia more accessible through simplifying the current complicated and lengthy procedure for granting a residence and work permit/for naturalisation;
- to consider the principles of regularisation of irregular migrants in the country and to prepare outline regularisation schemes for the future;
- to radically improve by relevant institutions the level of gathering, processing, storing and presenting the data on undocumented migration in the country; to increase their complexity, clarity, homogeneity, and availability for the final users;
- to create and publish also data on/critical estimates of the stocks of irregular migrants in the Slovak Republic for statistical, analytical and policy-making purposes;
- to enhance the compatibility of all statistical systems and databases – operated independently by various (State) institutions – providing information on undocumented migration in the country;
- to ensure better software and hardware equipment for respective departments of the Bureau of Border and Aliens Police and other organisational units of the Ministry of Interior;
- to increase the number and quality of foreign exchanges or stays, domestic training and education courses, lectures, seminars, etc. pertaining to irregular migration for the staff of the Slovak border police, immigration officers and employees in related areas;
- to substantially improve the knowledge of foreign languages most often used by undocumented migrants in the country (at least English, Russian and French) with policemen/other professionals coming into contact with these persons;
- to negotiate and to conclude without delay readmission agreements with the major source countries of migrants to Slovakia, which are lacking so far – primarily those with Moldavia, Russian Federation, China, India, Pakistan and Georgia;
- to enhance official development assistance and further (technical, consultative, expert, etc.) help to those countries that produce larger flows of irregular migrants to Slovakia (i.e. some former Soviet republics, certain South-east Asian countries, the Western Balkans);
- to raise the level of gathering information on potential risks of undocumented migration from the above mentioned countries by the Slovak diplomatic service;
- to establish a network of immigration liaison officers at Slovak consular offices abroad (which currently does not exist yet);
- to implement procedures for involuntary and voluntary return migration by competent authorities in the country (Ministry of Interior, Ministry of Foreign Affairs, IOM) more quickly, more effectively and with greater accessibility for irregular migrants;
- to encourage representatives of the State to more actively participate in international or regional institutions, fora, programmes and initiatives dealing also with issues of undocumented migration (for example, Frontex, ICMPD, Europol, Söderköping process, European Migration Network and the like);
- to prepare far more high-quality projects on irregular migration to apply for grants from EU as well as non-EU funds (e.g., Solidarity and Management of Migration Flows, Norwegian Financial Mechanism, those managed by various reputable foundations and institutions);
- to ensure greater financial, institutional and expert support for both academic and non-academic research on undocumented migration, which is completely insufficient in Slovakia at present.

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