Boris Divinský

Active Civic Participation of Immigrants in Slovakia

POLITIS – a European research project

Project information
POLITIS is short for a research project with the full title: Building Europe with New Citizens? An Inquiry into the Civic Participation of Naturalised Citizens and Foreign Residents in 25 Countries. The European Commission funds the project that mainly seeks to improve our understanding of different factors that promote or inhibit active civic participation of immigrants. A unique project construction is developed that includes workshops with foreign-born students who are recruited as discussants and interviewers. National experts in all 25 EU countries have prepared country reports on the contextual conditions and state of research concerning civic participation of immigrants. These reports can be downloaded from www.uni-oldenburg.de/politis-europe

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International Coordination and Contact
POLITIS
Interdisciplinary Center for Education and Communication in Migration Processes (IBKM)
Carl von Ossietzky Universität Oldenburg
Ammerländer Heerstr. 114-118/ Postbox 2503
26111 Oldenburg
dita.vogel@uni-oldenburg.de

Partner Organisations:
Hellenic Foundation of European and Foreign Policy (Eliamep)
Athens
www.eliamep.gr

Robert Schuman Centre for Advanced Studies
European University Institute (EUI)
Florence
www.ieu.it/RSCAS

Churches’ Commission of Migrants in Europe (CCME)
Brussels
http://www.cec-kek.org/content/ccme.shtml
Abstract:

In the presented Country Report for Slovakia, we have tried to assess the active civic participation of foreigners. This issue has never been evaluated yet in the country and the issues of international migration as a whole are still little examined. Thus the specific question of civic participation has to be seen on the background of this fact.

The first part of the Report analyses development in immigration, State migration policy, attitudes to migrants and basic conditions to their stay in Slovakia. At the beginning of the 1990’s, migration trends in Slovakia started to radically alter. Slovakia began to transform from an emigration country into an immigration one. A set of fundamentally new phenomena appeared in Slovakia and practically found relevant actors in the country unprepared. The Report demonstrates that the country has been witnessing a shocking and unexpected growth of especially asylum seekers and illegal migrants in the recent years. Their ratio to the number of native inhabitants belongs to the highest one in Europe. On the contrary, the category of foreigners with a stay permit (temporary or permanent) – accounting for over 22,000 persons and thus the most numerous group of non-natives – represents only 0.4% of the total population in the country and faces stagnation.

In the next part, the State migration policy of Slovakia is evaluated. First, previous policy being in force until the beginning of 2005 is described. Its origin dates back to 1993, therefore it was rather insufficient and little coinciding with the recent situation in the country. From the institutional and integration aspects, a specialised authority dealing with the matters of foreigners as well as adequate integration policies for them are extremely missing in the country. Then, the freshly approved Conception of migration policy of the Slovak Republic in its general version is characterised more in detail outlining its positives and negatives. At the end of this part, some essential ideas to improve the quality of the Conception - being further developed by respective Ministries by June 2005 - are provided.

Another text section is focused on the concrete current fundamental legal norms regulating the matters of entry, stay and departure of foreigners as well as asylum matters in the country. The content of both laws is shortly depicted, the typologies of main categories of foreigners with a permit to stay and persons in the asylum procedure are defined and impacts of both laws on the active civic participation of foreigners presented.

As further shown, just a little attention has been paid to immigration hitherto. And it concerns particularly the issue of the active civic participation of immigrants. As indicated in the Report, public opinion in the country is mostly unfavourable to migrants; there are obvious forms of at least xenophobia against migrants, sometimes multiplied by their social exclusion or discrimination. The working of the media in this area is insufficient, incompetent and superficial. Questions of immigration are not considered important and attractive; the topic is seen as marginal. Politicians in Slovakia deal with immigration matters only exceptionally.

Therefore, the most discussed topics in the public with relation to immigration are formed by such as the rising flows and numbers of asylum applicants, the apprehension of illegal migrants, the smuggling and trafficking of migrants, the protection of the eastern Slovak border, developments in European migration or asylum policies and immigrants in the EU. On the other side, topics as the successful integration of foreigners into society, their everyday life and problems, fight against discrimination and racism, activities of foreigners’ associations, activities of NGO’s and IGO’s in this field etc. are sensibly neglected or absent in Slovakia, including that of their active civic participation.

The overall setting in view of foreigners in Slovakia may be defined as medium-developed; is ensured by a complex of various laws, mostly harmonised with those in the EU over the recent period. The rights of foreigners are thus guaranteed but just to a certain degree. The rights to liberty, privacy, conscience, religion and faith, the freedom of
expression, the right to petition, assemble, associate, membership in organisations are not restricted, but the electoral right into the national parliament is not granted. In some groups of immigrants (illegal migrants, asylum seekers), the free movement of persons, membership in political parties and the right to work are partly limited or even prohibited at all. The Report shows the respective state in all groups of foreigners in a synoptic table. Accordingly, there still may be found reserves to improve the situation in the country.

The second part of the Report first briefly evaluates the general level of civic participation in Slovak society emphasising its developed state. Then the Report analyses literature sources on the active civic participation of foreigners and brings examples of most prominent foreigners’ associations and their members in Slovakia.

This part is not so extensive and rich in data as expected. The reasons rest on a fact that due to a short history of international migration and a minimum of institutions dealing with particular topics of the process, the number of experts focusing on the topic is quite scanty. As was proved, there exists only one large scientific output (book) on migration in Slovakia, not specially examining the question of civic participation. It is symptomatic that it was written even in English as no domestic institution was interested in supporting research resulting in a Slovak publication. Only now another book on impacts of international migration on society in the country is being prepared in Slovak. Studies in Slovak are limited in number too (merely one) and not directly referring to the civic participation of foreigners.

The number of immigrants’ associations in Slovakia is modestly on increase. Activities of 6 of them were characterised in detail (Association of Afghans, Islamic Foundation, General Association of Muslim Students, Association PLOP Slovakia-Association of Portuguese speaking third-world countries, Association of Russians, Cultural Association of the Bulgarians and their Friends) and their representatives named. However, it has to be stressed that they are basically not too known in the public, only within their narrower or wider surrounding and organisation itself. Besides, several further foreigners’ organisations should operate in the country but they are either enclosed with few official relations to the public or not functional for various reasons at present. In connection with these associations, though legally there are not obstacles for them, much greater support from the State and self-government is needed and expected for the future.

The third part of the Report provides a concluding picture on civic activities of foreigners in Slovakia. The part summarises the main fields of activities of immigrants’ associations (dominantly having ethnic-cultural nature, merely one association is exactly of a religious character). A more active civic participation will probably be another step. Then, the most active ethnic groups in the country are identified and other questions answered. The fact that the relative degree of active civic participation of immigrants is in Slovakia much lower than that of the majority population suggests that the position of foreigners in society is actually less stable, with more restrictions, less support and also the level of their self-awareness is less expressed at present.

In this context, the Report mentions the issues of particular interest, which for Slovakia means: next development of State migration policy, allocation of more financial means from the budget, realisation of institutional transformations, information and education of the public, correct assessment of international migration, deeper international cooperation within European structures with emphasis on the active civic participation of aliens.

Migration research in general is not performed on a regular, deep and comprehensive basis, is not institutionalised and is done rather to particular, one-shot order. That is why just a few research workers started to carry out this kind of research partly and merely one person full-time. Relevant authorities should therefore judge priorities and find the necessary amount of money to create a basic framework for the research of migration and to support it in Slovakia much more intensively.
The *Annex* to the Report brings lists of research institutions dealing with the relevant topic, which is in the case of the Slovak Republic not only the active civic participation of immigrants, but migration issues as a whole. As indicated, it is not easy to identify leading universities, university departments or research institutes and scholars in the field of immigration, not to say about the civic participation of foreigners. In contrast, research in the field of civic participation in the country is well developed, represented and quite successful.
Table of Contents:

Abstract 4
Part I: Understanding the Conditions for Immigrant Participation 8
Part I.1 Key events and demographic developments in the migration history of Slovakia
Table 1. Numbers of foreigners with a stay permit in Slovakia by country of origin as of December 31, 2004 17
Table 2. Development in the major groups of foreigners in Slovakia within the last 5-year period 18
Part I.2 Major issued discussed with relation to immigration 19
Part I.3 Institutional setting framing immigrant participation 21
Table 3. Synoptic overview of some basic rights and possibilities for civic participation in view of different groups of foreigners in Slovakia, as of 2005 25
Part II: Active Civic Participation of Third Countries Immigrants 28
Part II.1 Overview and review of relevant literature sources concerning the active civic participation of immigrants 28
Part II.2 Most important organisations of foreigners in the country and the most prominent immigrants active in public life 31
Part III: Expert Assessment 36
Annex: Mapping of Research Competences in the Country 40
Part I: Understanding the Conditions for Immigrant Participation

The Slovak Republic has become a Member State of the European Union since May 1, 2004. This fact brings about a multitude of consequences for the country, among others in the areas of international migration, i.e. the presence, activities and integration of foreigners on its territory. This part of the Report, divided in several subparts, attempts to shortly evaluate the overall conditions for immigrant participation in the Slovak Republic at present, critically pointing out some Slovak specificities in the field. What is the contemporary state in view of the allochtonous populations in Slovakia? What are the policies and management for the integration and civic participation of foreigners in the country?

Part I.1 Key events and demographic developments in the migration history of Slovakia

A. Development in the basic groups of foreigners over the recent period

Slovakia had always been an emigration country in its modern history. More intensive emigration movements were marked in the territory of current Slovakia during the period of last 250 years. Emigration was thus one of the typical demographic and social phenomena in the country. This emigration had chiefly social, but in many periods evident religious, national and political characters too. It was the second half of the 19th century when Slovakia witnessed the largest wave of emigration from it. (Between 1871 and 1914 around 500,000 inhabitants of the country left for the U.S.A. and almost another 350,000 persons to other regions). Emigration from Slovakia continued also within the interbellum period as well as under communism until its collapse in 1989. In fact, illegal emigrants after WW2 constituted the fourth wave of mass migration from Slovakia in its modern times. Many of them were motivated to the departure abroad by political reasons (disagreement with communist ideology and practice, political pressure, fear from persecution, impossibility of self-fulfilment etc.), but many of them were driven by economic and social reasons too.

At the beginning of the 1990’s, after the fall of communism and during the peaceful division of Czechoslovakia, migration trends in Slovakia started to radically alter. Existing migration tendencies were broken. The new societal situation introduced important changes in terms of international migration. Migration flows between the Slovak and Czech Republics (now officially deemed to be international) were still essential also during the last decade, but not to such a degree. Slovakia began to transform into an immigration country, as regards net migration.

Likewise at the same time, a set of fundamentally new phenomena appeared in Slovakia and practically found the country unprepared. Slovakia started to undergo an important change in the domain of international migration during the past 15 years and a number of problems related to it have come to the foreground. Absolutely new categories of aliens, not well known until then, passing through or living on the territory of the country emerged. But actually just a little attention was paid to this challenge arguing their low numbers.

Moreover, since the end of the 1990’s, the rapidly and unexpectedly rising numbers of illegal migrants, asylum seekers, foreigners with stay permits etc. have showed that the country underestimated the hitherto developmental trajectory and as a result it suddenly faces a lot of questions. It less depends on that many of the foreigners have been transit ones; the social, political, cultural, economic and other consequences of their entering, staying or departing refer to the Slovak society as well as migrants proper. New challenges concerning their treatment, legal status, integration, policies, public opinion etc. continuously arise. The country needs to find proper answers.

What are the cardinal events and developments in various groups of foreigners in Slovakia over the past period? Here we have to look at it in a comprehensive way and by
individual categories of foreigners because it is thus simpler to demonstrate and also the reality is much more heterogeneous. We can follow a differentiation of foreign-born persons as recommended and given in Table 2 into these main groups: people changing their permanent residence, foreigners with any kind of stay permit, persons in the asylum procedure, illegal migrants and naturalised citizens.

The first group of foreigners is defined rather legally and statistically than functionally as those crossing the frontiers of the country for various reasons and officially changing their place of permanent residence (permanent stay). The overall migration balance – net migration – of the country in the 1990’s was and still at the beginning of the 2000’s is positive (as apparent in Table 2) with a prevailing number of the emigrated from Slovakia. However, this circumstance may be also influenced by the re-emigration of persons of Slovak origin who formally register their permanent residence in Slovakia because of demand on the restitution of property, for which the permanent residence of an applicant has been an indispensable condition. Indeed, among the immigrated dominate the citizens or former citizens of Slovakia constituting some 80% of all persons. Another, more crucial factor rests on the fact that – in contradistinction to people immigrating to the country – emigrating persons de-register themselves only in a lesser part (some 5-10 per cent?) from the place of permanent residence (stay) in Slovakia. Therefore, the official figures of net migration are positive but not reliable at all, the truth is contrary. From the long-term aspect, the official figures for this indicator are decreasing, with a slight relative increase of the emigrated from the country.

The asylum seekers (and the refugees) form a large group of persons of foreign origin on the territory of Slovakia. The absolute growth of asylum seekers has really been remarkable in the country since 1992. In 2004, their number exceeded the limit of 11,000 persons for the first time and thus rose almost 120 times against 1992, while having merely 645 applicants in 1997 and 1556 in 2000. This extreme upsurge began in 2001 thus shocking authorities and the public. Such a development persists up to now. The ratio of the number of asylum seekers to the number of native inhabitants belongs to the highest in Europe. Among the countries abundant with asylum seekers in Slovakia within a longer period belong Afghanistan, India, China, Iraq, Bangladesh, Pakistan, Vietnam, and Somalia. However, recently the absolute numbers of asylum seekers from Afghanistan and Iraq markedly decrease while the number of applicants from Russia (mostly from Chechnya), Moldavia, Georgia and Armenia intensely grows. As seen in Table 2, only a minimum number of asylum applicants in Slovakia are granted asylum (and become thus foreigners with a stay permit). State authorities argue for a strict observance of laws. This circumstance is often a subject for criticism by non-governmental organisations, international institutions and migrants proper. In most cases asylum seekers escape after a certain time from the refugee camps toward western European countries not thus fulfilling the conditions of the asylum procedure.

The development in the field of illegal migration in the Slovak Republic has been not so dramatic since 1993 but still huge. During the past 15 years, Slovakia underwent several stages in the development of numbers of these migrants. A radical turning point - sudden growth happened in 1998 (in 1997 just 2821 apprehended persons against 8236 in 1998) with the top values in 2001 and 2002; the recent volumes are a bit lower. So the absolute number of official irregular migrants in the country has increased roughly for 6-7 times from 1993. Here also the ratio of apprehended irregular migrants to the number of all inhabitants in the country is practically the highest in the region of Central and Eastern Europe. This dynamics reflects a contemporary growth of migration to this part of Europe owing to migration pressure from a lot of countries, particularly in Asia. It is evident that Slovakia represents only a transit territory for irregular migrants, unequivocally in the direction to the west. The structure of countries of origin as regards these foreigners in the Slovak Republic has
moderately been modifying over recent years. In general, undocumented migration to the country is primarily of an economic character, i.e. it is made up by voluntary economic migrants – mostly from South and East Asia (India, China, Pakistan, Georgia, Bangladesh, Afghanistan), then some poor European regions (Russia – Chechnya, Moldavia, Ukraine) as well as certain African states. It is estimated by the Ministry of Interior that the number of illegal migrants who are not apprehended in the country (just passing through it illegally) is twice as high as the number of the apprehended ones. The extent of trafficking in people is probably high through Slovakia.

As for the naturalised citizens in Slovakia, their numbers were quite high in the first half of the 1990’s – over a dozen thousand persons a year. In the recent period, this figure makes a few thousand only. Firstly, this group was formed especially by ex-citizens of Czechoslovakia, later citizens of the Czech Republic, wishing to have both citizenships for economic as well as sentimental reasons. Recently, naturalised citizens of Slovakia are primarily represented by former persons with the status of foreign Slovaks (i.e. having Slovak roots), former Slovak emigrants with the lost citizenship, and only then by refugees and some foreigners with stay permits. By law, the subject of naturalisation has to fulfil the following conditions: to stay permanently in the territory of the country for at least 5 years, to command the Slovak language and not to be convicted for an intentional crime. This is much liberalised in the case of the maturity of an applicant with a citizen of Slovakia. There is no special policy of the State in favour or disfavour of any nationality in view of naturalisation.

The most numerous and significant group of foreigners in the territory of Slovakia are the so-called foreigners with a stay permit. At present, some 22,000 such persons reside in Slovakia representing thus 0.4% of the total population in the country. (Though in the international comparison this is a very low figure, they are far the largest category of all non-natives in the country.) This category of foreigners is the only one which existed in Slovakia already during the communist regime before 1989 – although to a much smaller extent – so they are not a new phenomenon in the country. Also due to this fact both their quantitative development and the structure of countries of origin are significantly dissimilar to those of asylum seekers or illegal migrants.

After a certain numerical growth in the number of foreigners with a stay permit in Slovakia since the establishment of an independent State (1993) we have witnessed their stagnation from 1998. And at the end of 2004 their number even fell by 1/4 (over 7 000 persons) in contrast to that relating to the end of 2003. There are two reasons for that: a legal one – the category of foreign Slovaks was exempt from the register of foreigners with stay permits; and, especially, a “technical” one – the register of such foreigners was revised and numerous doubly-registered cases were finally eliminated. Due to it, unfortunately, the values for individual years are now not comparable and the statistics are just crude. Reasons for ongoing stagnation in the number of foreigners in Slovakia are not unequivocal. The communities of foreign compatriots already established in the country are not so numerous and helpful as they are in the neighbouring countries. Then Slovakia is the smallest and least known country in Central Europe. Another factor may be that the country and its authorities do not signalise high willingness to grant permits to stay and work, particularly to foreigners from economically less developed countries.

In the last period, important structural changes within the category of foreigners with a permit to stay have impacts on these aliens too. Slovakia adopted a new legal norm on the stay of foreigners in 2002; other modifications were due to the accession of the country to the European Union. Some categories of stay permits and the structure of countries in view of the origin of foreigners have been changed. By law, the group of foreigners with stay permits is currently divided into categories of persons with permanent, temporary, registered, and tolerated stay permits – see Table 2. While the number of foreigners with a permanent stay
permit is relatively stable over time, that with a temporary one has decreased (probably the above mentioned doubly-registered cases). The registered stay permits were introduced for the citizens of the EU before the country’s accession to the EU; now they are being replaced by permanent ones.

Among the 10 most represented countries of origin in 2004 may naturally be found all neighbouring countries, having intensive kin and working relations to Slovakia. Thus Ukraine and the Czech Republic followed by Poland and Hungary dominate in number. The next subgroup is constituted by countries with historically formed foreign communities on the territory of Slovakia (Vietnam, Russia, Bulgaria, lately China) – their compatriots ran various businesses in the country. Lately, foreigners from some countries of the EU (Germany, Austria, Italy, United Kingdom, France) and the U.S.A obviously increase in number. They mostly carry out economic activities in the tertiary and quaternary sectors as highly-skilled managers, experts, consultants, scientists etc. The detailed overview of countries whose natives live, work and study in the Slovak Republic at the end of 2004 makes up the contents of Table 1.

When drawing a possible trajectory of the future development of international migration to Slovakia following the country’s accession to the EU, we have to take into consideration the broadest spectrum of potential factors evoking and influencing this kind of spatial movement. It is, for example, the development of migration, especially in the macro-region of Europe, Asia, Africa, then impacts of the implementation of the Schengen zone, the consequences of the Dublin Convention already effective. Significant is also a new conception of the migration policy of the Slovak Republic articulating, among others, more exact conditions for granting asylums, principles of granting the Slovak citizenship, and – primarily – policies for the integration and intensive participation of foreigners in domestic political, administrative and economic power and civic life changing also their acceptance and public opinion by the autochthonous population. The cardinal aim is to mitigate a presumable growth of undocumented migration to the territory of the Slovak Republic and, on the contrary, to support those migrants who have interest in life and work in the country in conformity with the possibilities and legal standards of Slovakia and the European Union.

B. State migration policy – the recent past, current state and its future

The absence of consistent, effective and balanced migration/integration policy of the State seemed to be the biggest problem in Slovakia until recently (the beginning of 2005) because such a policy usually creates a general framework for the treatment and incorporation of foreigners into society. Actually, after the establishment of the Slovak Republic in 1993, the Slovak Government passed Principles of the Migration Policy of the Slovak Republic (by its Resolution No. 846/1993). These Principles reflected an objective reality at that time. The practical forms and methods of implementing migration policy in the country – almost exclusively the integration of refugees – were derived from it. But almost twelve years elapsed since the adoption of the Principles; hence, it is natural that their provisions were rather obsolete and less coinciding with the contemporary situation in the country or Central Europe, especially within last 4-5 years. In addition, by many experts and NGOs, State migration policy based on these Principles was not realised in a pro-immigration way, though no quota system has ever been introduced in the Slovak Republic in terms of foreigners.

Some State institutions in Slovakia claim that there is a considerable endeavour to constitute satisfactory conditions for the economically productive part of foreigners and to create barriers to the influx of questionable migrants, coming legally or not. But it is controversial and inexact to define and divide them ahead who are who. Some other central organisations in the country express an opinion that coordination among all parties involved
in this area is not sufficient. On the other side, there are strong feelings – more or less warranted - from the side of NGOs that Slovak State migration policy is not much resounding and the public is little informed about it. Progress is apparent in the formation and harmonisation with the EU of legal norms for the stay and movement of foreigners or for the granting of asylum in the very last years. However, State migration policy should comprise an elaborate set of various instruments, not only the preparation of legal norms, whatever important, topical and broad they are.

As far as the integration of foreigners with a permit to stay in Slovakia is concerned, there had been no topical framework or practical approaches for the process in the country until the beginning of 2005, when the new migration policy of Slovakia was approved. There was only a document forming legal space for the integration of persons with the refugee status or of asylum seekers with a high chance to be granted asylum in Slovakia. It is called Comprehensive solution of the integration process of foreigners with the recognised status of refugee into society. This document – still in force – was adopted by the Government Resolution No. 105/1996 in 1996, therefore is of an incomplete and rather obsolete character once again. The integration of foreigners alone in practice was thus until the beginning of 2005 chaotical, without any stricter rules, in fact formally and institutionally non-existing. A comprehensive approach here was apparently absent, though very urgent.

From the institutional aspect, Slovakia much misses an authority – official State organisation dealing fully with the matters of foreigners on the parliamentary or governmental level. At present, the issues referring to foreigners in the country should theoretically be in competence of the vice-premier for European matters, human rights and minorities or the parliamentary Committee for human rights, minorities and women position. This state is entirely non-systemic. The integration problems of foreigners are not solved sufficiently and effectively, rather just registered. Slovakia extremely needs a specialised autonomous body like, for example, the Czech Committee for the rights of foreigners or similar authorities in Member States of the EU, which provide a wide, comprehensive basis for the solution of living and working problems of foreigners in the country. Yet, a Migration Information Centre established by responsible State organisations and/or international organisations - rendering also assistance and information to all categories of foreigners on the territory of Slovakia - is still absent, though its operation has been planned a longer time ago already. This could be a contributory tool too in the process of foreigner’s integration into Slovak society.

Situation was significantly changed at the beginning of 2005. The Slovak Ministry of Interior finally elaborated and presented the new, so expected Conception of migration policy of the Slovak Republic and submitted it to expert discussion. After the process of reviewing, evaluating and completing by addressed competent State authorities, self-government bodies, NGOs, IGOs and other relevant actors, the Conception was passed by the Government in its Resolution No. 11/2005. The Conception is still in a general form only, i.e. not developed by individual Ministries further into their fields. This should be done by the Ministries of Foreign Affairs, Interior, Justice, Labour and Social Affairs, Health, and Education by the end of June 2005. However, there is already now apparent a large qualitative shift in the philosophy and wording of the Conception against the old Principles. As a fundamental strategic document, it reflects the ongoing process of unifying migration and asylum policy in the Member States of the EU. It incorporates existing regulations, directives and recommendations of the EU and tries to be also in congruity with the Hague program.

Of course, the Conception in the general form is not perfect and several relevant remarks have already been made to it in order to improve its contents developed further by the aforesaid government departments. For example, the matters of foreigners’ integration with stay permits need to be incorporated deeper in it, i.e. their education, activities at a local level,
the participation of foreigners in domestic political, administrative and economic life, associating and active work of their organisations, informing the media, etc. (The Conception was elaborated by the Migration Office responsible merely for the asylum procedure in Slovakia, therefore the questions related to asylum and irregular migration are overemphasised in it.) It is also necessary to more accentuate the equality of chances for migrants and the inadmissibility of their discrimination. The complex of issues resulting from the employment and enterprise of aliens on the Slovak labour market, then the education and informing of Slovak children at schools about foreigners in the country as well as the fight against xenophobia in society should more resound there.

Despite that all, the current framework version of the Conception of migration policy of the Slovak Republic represents a modern and comprehensive general instrumentarium in the treatment of aliens on the territory of Slovakia to achieve conditions being standard in some neighbouring countries of Central Europe, or even the EU as a whole. Only in this way it is possible to gradually mitigate a presumable growth of irregular migration to the territory of the Slovak Republic and, on the contrary, to effectively support those foreigners who have interest in life and work in the country in accordance with the possibilities and legal standards of Slovakia and the European Union.

C. Fundamental legal norms regulating the stay of foreigners and asylum matters in Slovakia

Besides a general scheme of immigration and integration policies in Slovakia, two concrete legal norms regulating the matters of entry, stay and departure of foreigners as well as asylum matters should be mentioned and described more in detail here. Both have been effective since 2002 and were already partly amended in association with the harmonisation of Slovak laws with those valid in the European Union during the process of the country’s admission to the EU. Both laws represent now relatively advanced tools (at least in comparison with the preceding state) to solve the respective issues.

The principal, most significant law defining the conditions for entry, stay and departure of foreigners is formed in the country by Act No. 48/2002 on Stay of Foreigners, in the later wordings. Thus the (not only) foreigners living with a permit in the territory of Slovakia are primarily a subject to this Act that restricts some their important rights, especially to free movement, but also others. The substance of the Act is presented briefly below:

The field of the official entry of foreigners into the territory of Slovakia.
The Act accents that the entry is possible only with a travel document and a visa of the Slovak Republic or with a travel document and a stay permit. A visa is not required if it is stipulated by an international treaty by which the Slovak Republic is bound, or by the Government of the Slovak Republic.

This Act also states that it is not possible to deny entry to a foreigner who during the border control asked for refugee status in the territory of the Slovak Republic, who asked for the provision of temporary shelter in the territory of the Slovak Republic, whom a temporary shelter in the territory of the Slovak Republic was granted, or for whom the travel document for foreigners has been issued. By these regulations the recent Act No. 48/2002 on Stay of Foreigners approaches similar laws in the countries of the European Union and thus constitutes an important qualitative shift in legal norms of Slovakia.

The application for permitting the stay of foreigners in Slovakia for these purposes may be submitted either at the Slovak mission in the country, which issued his/her passport, or under certain conditions also at the police in Slovakia. However, work permits, trade
licenses to do business or the confirmations of study in Slovakia in principle precede the granting of a long-term visa and stay permit.

The field of the official stay of foreigners in the territory of Slovakia.

This Act distinguishes three essential forms of the stay of foreigners in Slovakia: temporary stay (within it also registered stay), permanent stay and tolerated stay. The previous Act on Stay of Aliens No. 73/1995 recognised the categories of permanent stay and long-term stay merely, as given in Part I.1 and Table 2.

A permit for temporary stay entitles the foreigner to stay in the territory of the Slovak Republic and to travel abroad during the time, for which the police issued that permit (at most one year, with more than one repeating possible). A permit for temporary stay is bound to one purpose only. Usually, the following purposes are considered - business activities, employment, studies, activity according to special programmes, or family reunification.

A permit for temporary stay for the purpose of business activity may be granted to a foreigner by the police, based on a trade license provided by the respective department of a district office in the country. A permit for temporary stay for the purpose of employment may be granted to a foreigner by the police on the basis on an employment permit granted by a labour office in the country, unless otherwise determined by an international treaty. A permit for temporary stay for the purpose of studies may be granted to a foreigner who attends any elementary or secondary school, or studies at a university. A permit for temporary stay for the purpose of activities in the framework of specific programmes may be granted to a foreigner for research, scientific, lecturer activities, or if it is necessary, for meeting the commitment of the Slovak Republic entailed from an international treaty.

A temporary stay permit for the purpose of family reunification may be granted by the police to a foreigner: who is the spouse of a foreigner holding a permit for temporary or permanent stay (if the marriage lasts at least for one year); who is a minor child of foreigners holding a permit for temporary stay or of a foreigner having a permit for temporary stay and who cares for the child based on the law or a decision of the respective authority; or who is a single parent depending upon the care of a citizen of the Slovak Republic with permanent residence in the territory of the Slovak Republic or upon the care of a foreigner with a permanent stay permit.

A foreigner who has been granted one kind of a permit for temporary stay must not execute other activities.

As already mentioned a foreigner who is a citizen of a member country of the parties to the European Association Treaty is, based on registration, entitled to a registered stay permit for the maximum of one year. This category is currently finishing, because the citizens of EAT become now a permanent stay permit since April 1, 2004. A registered stay permit was granted for the purpose of executing economic activities, employment, employment pursuant to a special regulation, or the execution of activity of a pre-accession advisor in the framework of the integration procedure of the Slovak Republic into the EU. The procedure of deciding on registered stay permits was much shortened, liberalised and de-formalised. The police had to decide on registration within 14 days following the acceptation of an application and with fewer documents submitted than for the other modalities of temporary stay. It was also a way to make the country attractive for economically active persons from the Western European countries.

A permanent stay permit entitles a foreigner to stay in the territory of the Slovak Republic, to travel abroad and back during the time, for which the police granted this permit, unless otherwise given by law. The police may grant a permanent stay permit for the first time for three years. After the end of this period the police may, following an application, grant a permanent stay permit for an indefinite period of time – this kind of permanent stay permits is called the next permit.
The purposes for granting the first permanent stay permit are primarily the family reunification, followed by employment activities. The first permanent stay permits are also granted to refugees. The police grant the next permit to a foreigner, who has been granted the first permit. At deciding upon granting the next permit the police consider the public interest (chiefly the security viewpoints), whether the foreigner’s entrepreneurial activity is a contribution to the economy of the country. The police also regard the situation and development on the Slovak labour market and public health, foreigner’s personal and family circumstances, his/her financial situation, the duration of foreigner’s hitherto and presumed stay in Slovakia as well as the degree of his/her integration into society.

By the Act, the last category of stay permits in the Slovak Republic is a tolerated stay permit. The police grant a permit for tolerated stay to a foreigner if there is a hindrance for his/her administrative expulsion; who has been granted temporary shelter; or if his/her leaving the country is not possible and there is no reason for detention.

During the duration of a tolerated stay permit, the foreigner is not allowed to execute business activities nor enter into any employment relations. Upon request of the foreigner who has been granted a tolerated stay permit, the police may - after the expiration of the first three years from granting tolerated stay - grant a permit for temporary stay for the purpose of employment.

The field of the official return, detention and expulsion of foreigners in the territory of Slovakia
In conformity with the Act, the police are entitled to take a foreigner who illegally enters or unlawfully stays in the territory of the Slovak Republic, into detention. Such a foreigner may be taken into detention for a time inevitably needed, but at maximum for 180 days. The foreigner taken into detention may lodge an appeal against the decision on detention at the court within 15 days following the delivery of this decision. Lodging an appeal has no suspense effect. There are two detention centres for illegal migrants in the country – Medved'ov in the west and Sečovce in the east. If the illegal migrant does not ask for asylum in Slovakia, he/she is usually sent back to the country of origin or the third country within the readmission agreements.

At the end of 2004, 20 readmission agreements with 18 countries were in operation. A revision of existing agreements that do not comply with universal international recommendations in the area is being carried out.

The expulsion of a foreigner is in Slovakia executed on the exactly adduced grounds. There are two fundamental forms of expulsion – the administrative one and the judicial one. The administrative expulsion is a decision of the police on the termination of foreigner’s stay, setting both the conditions for him/her to leave the country and the duration of prohibited entry. A mass expulsion of foreigners on the basis of one decision is inadmissible in the Slovak Republic. The police administratively expel the foreigner and determine the duration of prohibited entry for ten years, five years, or one to five years according to the character and gravity of a delict committed.

Then, the court may – if it is needed for the safety of persons or property or in other public interest – inflict judicial expulsion on a person who is not a citizen of the Slovak Republic due to his/her involvement in serious criminal offences. A person with the status of refugee may not be judicially expelled from Slovakia. Judicial expulsion from the territory of the country may be inflicted separately, or besides another punishment. This expulsion is valid forever, so a foreigner once sentenced to judicial expulsion may never return to the territory of the Slovak Republic.

The law on foreigners in the Slovak Republic underwent a considerable development during 2003-2004 in association of the country’s accession to the EU. The aim of these transformations was to implement legally binding acts of the EU into Slovak legal norms. For
example, the Act No. 606/2003 implies in its provisions 9 significant Directives of the EU, referring to the free movement of foreigners. The most important changes are: the facilitation of granting visa to foreigners, the multiplication of reasons to grant a temporary stay permit, automatic granting a permanent stay permit to the citizens of the EU and the ban to mass expulsion of foreigners based on one decision.

National Council of the Slovak Republic Act No. 480/2002 on Asylum in later wordings regulates the asylum matters in the country. The Act defines the asylum procedure, stipulates the procedure for granting a temporary shelter, provides the rights and obligations of the asylum seekers, persons granted asylum, foreigners seeking temporary shelter and de facto refugees, defines the powers of public authorities in the realm of asylum and temporary shelter, provides the integration of persons granted asylum into society, and regulates stay in asylum facilities.

According to this Act, the status of refugee is granted to a foreigner – applicant who has the well-founded fear of being persecuted on the grounds of race, ethnic origin or religion, for reasons of expressing certain political opinions or belonging to a certain social group in the country of his/her nationality or, in the case of a stateless person, in the country of his/her residence and because of this fear he/she cannot or does not want to return to that country.

An asylum seeker may request asylum at any time whether his/her stay is legal or illegal. So there is no difference between the migrants who applied for asylum after a legal entry, and those applying for asylum as irregular migrants. The principle of non-refoulement is clearly pronounced in the Act. After the positive decision on granting asylum, a refugee enjoys in the Slovak Republic fundamental human rights and liberties guaranteed by the Constitution and has the same rights and duties as Slovak citizens, unless these are explicitly granted only to them.

Significant changes happened in relation to the country’s accession to the EU, implementing thus legally binding acts of the EU into Slovak legal norms on asylum (606/2003, 207/2004, 1/2005). They are, for instance, the granting of temporary shelter because of family reunification, issuing a written instruction on rights and duties in the respective language, the possibility to conduct the asylum procedure in a detention facility, the approach of children of asylum applicants to elementary and secondary education on the same conditions as for natives, the establishment of a special children’ home for unaccompanied minors, etc.

As far as the civic participation of asylum seekers in the Slovak Republic is concerned, this is ambiguous. The asylum applicants are, of course, not deprived of certain elementary human rights as personal integrity, human dignity, privacy, the freedom of thinking, conscience, religion and faith, expression and information and the like. On the other side, their free movement is limited; they are mostly obliged to stay in refugee camps, unless authorities decide otherwise. They can be members of immigrants’ associations, if their statutes allow it. However, the asylum applicants cannot be members of the political parties since this right is attributed only to the Slovak citizens.

The asylum seekers in Slovakia must not enter into any employment relation or a similar labour relation or do business. This provision has been much criticised by non-governmental organisations as well as migrants proper for a long time. A significant change, therefore, has happened since February 1, 2005 by the adoption of Act No. 1/2005 that an asylum seeker is warranted to enter into an employment relation, if his/her application for asylum is not decided in the period of one year from the beginning of the asylum procedure.
Table 1. Numbers of foreigners with a stay permit in Slovakia by country of origin as of December 31, 2004

<table>
<thead>
<tr>
<th>Country</th>
<th>Number</th>
</tr>
</thead>
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<tr>
<td>Afghanistan</td>
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<td>Singapore</td>
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<td>Other countries</td>
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</table>

TOTAL of foreigners 22 108

TOTAL number of inhabitants in Slovakia 5 382 178*

* = as of mid-2004
Table 2. Development in the major groups of foreigners in Slovakia within the last 5-year period

<table>
<thead>
<tr>
<th>Category / Year</th>
<th>2000</th>
<th>2001</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
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<tbody>
<tr>
<td><strong>People changing their permanent residence (flows)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>the emigrated</td>
<td>811</td>
<td>1011</td>
<td>1411</td>
<td>1194</td>
<td>675**</td>
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<td>the immigrated</td>
<td>2274</td>
<td>2023</td>
<td>2312</td>
<td>2603</td>
<td>1772**</td>
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<tr>
<td>net migration</td>
<td>1463</td>
<td>1012</td>
<td>901</td>
<td>1409</td>
<td>1097**</td>
</tr>
<tr>
<td><strong>Foreigners with stay permits (stocks)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>permanent stay p.</td>
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<td>17287</td>
<td>17108</td>
<td>17008</td>
<td>17003</td>
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<tr>
<td>temporary stay p.</td>
<td>0 (+11391*)</td>
<td>0 (+12131*)</td>
<td>6716(+4617*)</td>
<td>7577(+2928*)</td>
<td>4517</td>
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<td>1050</td>
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<td>total</td>
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<td>29505</td>
<td>29219</td>
<td>22108</td>
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<td><strong>People in the asylum procedure (flows)</strong></td>
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<td>309</td>
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<td>18</td>
<td>20</td>
<td>11</td>
<td>15</td>
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<td><strong>Apprehended illegal migrants (flows)</strong></td>
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<td><strong>Total number of inhabitants in Slovakia (stocks)</strong></td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>no. of persons</td>
<td>5 402 547</td>
<td>5 378 951</td>
<td>5 379 161</td>
<td>5 380 053</td>
<td>5 382 178**</td>
</tr>
</tbody>
</table>

* = the category of so-called long-term stay permits, valid from the previous legal norm, expiring in 2002 and 2003
** = as of mid-2004
Part I.2 Major issues discussed with relation to immigration

A. The working of the media and its consequences on public opinion.

This matter refers extremely to the public opinion of immigrants in Slovakia. In view of the perception of and public opinion on migrants in the country, the situation is not positive. There are evident forms of at least xenophobia against migrants, sometimes multiplied by their social exclusion or discrimination in the country. Public opinion is mostly not favourable to migrants in the country. For example, almost 3/4 of respondents of one survey agreed with the statement that refugees are costly to the Slovak Republic, 63% think that refugees contribute to the growth of criminality in Slovakia and 60% are convinced that refugees bring various diseases. Half the respondents have opinion that refugees should be sent back to the country of origin or to another country. Though this survey concerned mainly refugees, it brought quite representative results, since most of the Slovak native inhabitants practically do not differ between the single groups of migrants – illegal migrants, asylum seekers, refugees, foreigners with stay permits etc. They prevalently consider all categories of foreign migrants to be one group.

One of the greatest reasons of this situation is the working of the media in the country. Xenophobia and discrimination are then a natural reflection of pictures seen mostly in the media. Often just negative examples are illustrated by the media – the positive cases, e.g. about the successful integration of aliens into society, are seldom shown. The migration matters are not sufficiently presented by the media, so the public cannot change its reasoning and has been not prepared to a recent larger movement of persons from abroad. Discrimination thus much issues out of the lack of information.

Generally, the fundamental failures within the operation of the media in Slovakia in connection with immigration issues may be as follows:

1. insufficient to infrequent informing by the media on migration issues, on the life, activities and problems of foreigners, their integration and interrelations with the majority population;
2. incompetent and inerudite approaches of journalists in the area of international migration, their ignorant and amateurishly views;
3. attempts at a superficial way of informing in these issues;
4. accent on tendentiously demonstrated negative phenomena, few positive examples from the activities of foreigners in the country.

Ad 1. The subject of immigration and resulting topics are seldom given in the media. First, a few years ago, when the numbers of foreigners in the country were rather low, it was not an interesting subject for journalists and readers. Certain inertia persists in this way at present too. Questions of immigration are not considered important and attractive; the topic is seen as marginal. Therefore a few journalists deal with this issue; if they do, so only in a part-time, marginal and sporadic manner.

There is no specialised news or journal dealing with the issues of immigration in the country; nor in a partial way.

Ad 2. Since journalists are not well educated and erudite in the problem, their works are of a similar character and level. They often publish on the issue on a certain concrete occasion, but not systematically. Neither journalists differ among the individual categories of foreigners on the territory of Slovakia and make also further methodological and other mistakes. No representative of the media is specialised in the matter of international migration in the country. In this context, it is understandable that such attitudes and incompetent reporting have natural negative impacts on immigrants.

Ad 3. Journalists often prefer to present relevant migration themes quite superficially, which results from preceding Points. A usual manner is to provide the reader with quite a short, raw
piece of information with a few theses, just like a press agency. If a larger reportage is prepared, a deeper analysis of causes and consequences, associations with other relative topics, a study of significant documents and materials, well-informed comments and the like are commonly absent; on the contrary, citing authorities out of the context and other unprofessionalisms are done, so the reader/viewer gets a distorted, partial picture.

**Ad 4.** Too often negative and even inaccurate pictures connected with immigration and foreigners are demonstrated in the Slovak media instead of true and positive examples. These topics are rather favourite by the media: excessive numbers of illegal migrants or asylum seekers crowding the country, the relation of trafficking and migrants, the dirty appearance of some foreigners, the potential danger from transmitted illnesses of migrants, the criminality of foreigners, a higher competition on the limited domestic labour market, the fiscal burden on the State budget, the refusal of building further refugee camps, the fear of foreigners, etc. On the other side, explicitly positive messages like the successful integration of foreigners into society, their working in various spheres of societal life, contributions to national economy, cultural enrichment, demographic impacts, the role of personal contacts and friendships, activities of non-governmental organisations, foreigners’ associations etc. are provided by the media quite seldom.

Specifying, **these topics are most discussed** in the Slovak media with relation to immigration (not exact order):

- apprehension of illegal migrants either on the border, or in the interior of the country (relatively frequent topics since 2001 on);
- smuggling and trafficking of migrants, fight against traffickers (relatively frequent topics since 2001 on);
- protection of the eastern Slovak border as a Schengen border, problems with the penetration of migrants through it to the country (relatively frequent topics since 2002-3 on);
- rising flows and numbers of asylum applicants, their placement to refugee camps, problems with the Slovak asylum system and asylum procedure (frequent topics since 2003 on);
- campaign and petitions by natives against the locating new refugee camps in their cities and communes (relatively frequent topic since 2004 on);
- developments in European migration and asylum policies, immigrants and foreigners in the European Union, probable next development of immigration, using Eurofonds etc. (relatively frequent topic since 2004 on);
- personal statements of selected persons with asylum granted now having a permanent stay permit in the country, their current situation and activities - gender specific [women] (sporadically since 2004 on);
- employment and enterprising of foreigners, their position on the labour market, property issues in view of foreigners in Slovakia (sporadically since 2003 on);
- legal aspects, especially regarding controversial amendments of laws on foreigners and migrants (marginally since 2004 on);
- perception of migrants by natives, public opinion about foreigners, xenophobia, fear of criminality, health situation, habits of foreigners (marginally since 2003 on).

The **topics absent in discussion** by the media have been, for example:

- pictures from the everyday life of foreigners in Slovakia; their successful integration into society; their role in economy, culture, or social sphere; personal contacts and friendships between natives and foreigners; mixed couples and families; activities of non-governmental and international organisations dealing with foreigners; activities of foreigners’ associations; general grounds for migration and types of migrants; causes and risks of illegal migration; picture from the life of asylum seeker in refugee camps; substance and fight against discrimination and racism; and many others.
B. The involvement of politicians and political parties in a debate referring to immigrants and foreigners in the country.

At present, politicians in the Slovak Republic deal with the immigration matters only exceptionally and to a minimum degree. As already said, there is no special authority for the issues of foreigners on the ground of the Slovak Parliament or Government and no other institution has relevant political competencies. The problems referring to foreigners in the country should theoretically be under the jurisdiction of the vice-premier for European matters, human rights and minorities or the parliamentary Committee for human rights, minorities and women position. But since the matters are considered entirely marginal, there is no mechanism, political will and therefore agenda to deal with them regularly, systematically and seriously enough, on a well-founded level.

The proposals of new laws on asylum or the stay of foreigners in the country are submitted by the Ministry of Interior of the Slovak Republic. Then, roughly once a year, in a very specific case, a hearing of the head of the UNHCR mission in Slovakia before members of the Committee for human rights, minorities and women position takes place (in 2003 on a vision of Slovak asylum policy after the accession of the country to the EU; 2004 on the problem of establishing special asylum facilities for the aggressive or inadaptable applicants).

Out of the parties in the governmental coalition, the KDH (Christian Democrats) recently designated 4 crucial problems in the whole Slovak society of this time (end of November 2004). Among others, it is the decrease of the autochthonous population and the inflow of immigrants to the country. “The KDH does not see a solution of the decreasing native population in receiving a higher number of immigrants. It is inadmissible for the KDH to increase the numbers of accepted immigrants, if they are not able to integrate themselves in the life of society [though such a problem did not appear actually].”

In this association, interesting could be the fact that the Christian Democrats have two important posts in the Slovak Government – Minister of Interior and Minister of Justice of the Slovak Republic.

All the other governmental (in fact non-governmental too) parties do not engage in issues related to immigration and foreigners in Slovakia.

Individually, the situation is even worse. Politicians do not articulate their opinions regarding these matters, do not express themselves against social exclusion or discrimination of foreigners and racism, little attention is paid to activate sources to solve arising problems. That is why it may be stated that a public political debate on the issues concerning foreigners and their life in Slovakia (perhaps with the exception of illegal migrants and asylum seekers) does practically not exist in the country.

Part I.3 Institutional setting framing immigrant participation

Legal conditions framing the stay and activities of immigrants in Slovakia.

The important legal norms, most influencing the life and activities of immigrants and foreigners in the Slovak Republic, may be divided into the domestic as well as international ones.

A. At present, the most significant domestic laws are as follows:


National Council of the Slovak Republic Act No. 365/2004 Antidiscrimination Act;
National Council of the Slovak Republic Act No. 48/2002 on Stay of Foreigners (as amended by later legal norms No. 408/2002 and 606/2003);
National Council of the Slovak Republic Act No. 480/2002 on Asylum (as amended by later legal norms No. 606/2003, 207/2004 and 1/2005);
National Council of the Slovak Republic Act No. 387/1996 on Employment (as amended by later legal norms No. 453/2003 and 5/2004);
Czecho-Slovak Federal Assembly Act No. 455/1991 on Trade Law in updated wording as Act No. 106/2002 (as amended by later legal norm No. 347/2004);
Czecho-Slovak Federal Assembly Act No. 29/1984 on System of elementary and secondary schools (as amended by later legal norms No. 408/2002 and 207/2004) as well as National Council of the Slovak Republic Act No. 131/2002 on Universities (as amended by later legal norm No. 528/2003);
Slovak National Council Act No. 40/1993 on Citizenship of the Slovak Republic (as amended by later legal norm No. 70/1997);

The Constitution of the country states that the foreign nationals enjoy in the Slovak Republic the same cardinal human rights and liberties as the Slovak citizens, unless such rights are explicitly granted only to the native citizens (Clause 52). Thus, for example, the foreigners have the rights to life, liberty, personal integrity, human dignity, privacy, free movement, stay on the territory of the country (under certain conditions) and free departure from the country, the right to property, work and enterprise (under certain conditions), strike, the freedom of thinking, conscience, religion and faith, the freedom of expression and information, the right to petition, assemble, associate, the right of asylum or diplomatic protection and other elementary human rights. A foreign national can be deported only in cases specified by law (Clause 23).

By the Constitution again, the foreigners have also the electoral right, but only those with a permanent stay permit and the persons with granted asylum in the territory of Slovakia (Clause 30). It means that the electoral right is not attributed to the foreigners with a temporary or tolerated stay permit in the country (and absolutely not to the other groups of aliens, as the asylum seekers or apprehended illegal migrants).

However, the right to vote and to be voted applies merely to the authorities of local and regional self-government. The foreigners in Slovakia are not allowed to vote or to be voted into the National Council of the Slovak Republic (i.e. the parliament); this possibility is given them after granting Slovak citizenship only. Analogically, the foreigners in Slovakia have no right to be engaged in the activities or members of political parties; this right have only the citizens of the country (Article 3, Act on Political Parties and Political Movements No. 85/2005).

The Slovak Republic grants asylum to foreign nationals persecuted for upholding political rights and liberties. Asylum may be denied to those who acted at variance with basic human rights and liberties (Clause 53).
Certain economic, social and cultural rights (for instance, the right to work and doing business, the right to perform certain occupations and activities, the right to engage in entrepreneurial or other gainful activities, the right to social care and the like) may be regulated or limited by law for the foreign nationals (Clause 35).

So, in general, the Constitution of the Slovak Republic grants the almost identical rights to the group of foreigners with a permanent stay permit and the group of foreigners with the status of refugee in the country as to the natives – with the exception of the electoral right into the national parliament, membership in the political parties, some property acquisition, etc. Their rights to liberty, privacy, conscience, religion and faith, the freedom of expression and information, the right to petition, assemble, associate, membership in organisations, and all the others are not restricted. The rights of other groups of foreigners – particularly the foreigners with temporary and tolerated stay permits as well as the asylum seekers – are partly restricted, especially the rights to free movement, the right to stay in and free departure from the country and the right to work.

The naturalised citizens are considered the citizens of Slovakia with the very same rights, i.e. also the right to vote and be voted into the national parliament or membership in the political parties; no limitations in their civic participation.

The illegal migrants, who do not ask for asylum, are the most restricted group of foreigners in the country; they are usually even limited to freely move (are in detention centres until the date of deportation), as will be shown below. We may not say in view of this category about possibilities of their civic participation at all.

In 2004, the Slovak Republic – after a long and stormy public discussion – passed an entirely new antidiscrimination law, effective since July 1, 2004. The Antidiscrimination Act No. 365/2004 is based on basic philosophy that the discrimination of persons because of their gender, racial, national or ethnic origin, denomination or belief, age, sex orientation, handicap, marital and family status, skin colour, language, political or other persuasion, trade union activities, national or social origin, property, descent or other position is forbidden.

This provision concerns implicitly migrants and foreigners in the country too, so any their discrimination is forbidden by law. However, the Clause 4 of this Act says that it does not refer to different treatment resulting from the conditions of entry and stay of foreigners on the territory of Slovakia including that treatment which is specified by special regulations.

The fundamental law defining the conditions of entry, stay and departure of foreigners in the country is represented by Act No. 48/2002 on Stay of Foreigners being in force since 2002. This Act regulates and, of course, restricts too some important rights of foreigners living with a permit to stay in the territory of Slovakia. This Act differs three essential forms of the stay of foreigners in Slovakia: temporary stay, permanent stay and tolerated stay.

A permit for temporary stay is bound to one purpose only (a foreigner who has been granted one kind of a permit for temporary stay must not execute other activities). Usually, the following purposes are considered - business activities, employment, studies, activity according to special programmes, or family reunification. Foreigners with a temporary stay permit are deprived of several essential right as characterised above and demonstrated in Table 3.

A permanent stay permit entitles a foreigner to stay in the territory of the Slovak Republic, to travel abroad and back during the time, for which the police granted this permit, unless otherwise given by law. The purpose for granting a permanent stay permit is primarily the family reunification. A foreigner staying in Slovakia with a permanent stay permit has larger rights then that with a temporary stay permit: He/she may perform several activities
simultaneously, may work without a labour permit, and may vote/be voted into the authorities of local and regional self-government as given above.

The last category of stays of foreigners in Slovakia is formed by a **tolerated stay** permit. Such a foreigner is not allowed to execute business activities nor enter into any employment relations; also some other his/her rights are limited.

The technical-statistical side of the stay of foreigners in Slovakia is reflected in National Council of the Slovak Republic Act **No. 253/1998 (500/2004) on Reporting the Stay of Citizens**. This legal norm defines the so-called Register of Population. The Register contains data on, among others, the foreigners with stay permits in Slovakia as well as the foreigners with asylum granted in the country (i.e. refugees), always in the extent given in a personal document about the stay of a foreigner issued by special law.

National Council of the Slovak Republic Act **No. 480/2002 on Asylum** in later wordings regulates the asylum matters in the country. The Act stipulates all the questions given already in Part I.1. By the Act, an asylum seeker may request asylum at any time be his/her stay legal or not. So there is no difference between the migrants who applied for asylum after a legal entry, and those applying for asylum as irregular migrants. The principle of **non-refoulement** is clearly pronounced in the Act.

The asylum applicants are not deprived of elementary human rights but their free movement is limited; they are mostly obliged to stay in refugee camps, unless authorities decide otherwise. They can be members of immigrants’ associations, if their statutes allow it. However, the asylum applicants cannot be members of the political parties since this right is attributed only to the Slovak citizens. They must not enter into any employment relation or a similar labour relation or do business in Slovakia.

After the positive decision on granting asylum, a refugee enjoys in the Slovak Republic fundamental human rights and liberties guaranteed by the Constitution and has the same rights and duties as Slovak citizens, unless these are explicitly granted only to them.

What is the juridical situation in Slovakia, as regards the employment and doing business by foreigners? This is rather complicated, individual categories of aliens have different rights and restrictions. The fundamental legal norms dealing with the issue are Act **No. 387/1996 on Employment** and **No. 455/1991 on Trade Law** (with later amendments). They as well as the Act **No. 48/2002 on Stay of Foreigners** defines exactly under which conditions the foreigners may or may not work in Slovakia.

A foreigner who has been granted a permit for **temporary stay** for the purpose of business activity must not enter into an employment or a similar labour relation. On the other side, a foreigner who has been granted a permit for temporary stay for the purpose of employment must not in turn execute business activities. A permit for temporary stay for the purpose of activities in the framework of particular programmes may be granted to those aliens performing, e.g., scientific research, lecturing and similar activities, or others. A foreigner who has been granted a permit for temporary stay for the purpose of studies may not enter into an employment or enterprise at all. The same is valid of a foreigner who has been granted a temporary stay permit for the purpose of the reunification of family.

A foreigner with a **registered stay** permit is entitled to work in Slovakia on strict conditions if executing economic activities, employment, or the activity of a pre-accession advisor in the framework of the integration procedure of Slovakia into the EU.

A foreigner with a **permanent stay** permit in the territory of Slovakia is allowed to work on the Slovak labour market without a permit, not taking into account the primary purpose of his/her stay in the country.
As for a foreigner with a permit for tolerated stay, he/she is not allowed to execute business activities and enter into an employment relation or similar labour relation.

In terms of the asylum seekers in Slovakia, they must not enter into any employment relation or a similar labour relation or do business. But, they may enter into an employment relation, if his/her application for asylum is not decided in the period of one year from the beginning of the asylum procedure.

Persons with the granted status of refugee may enter into an employment relation without a permit.

The irregular migrants have absolutely no right to work in the territory of the country. The naturalised citizens have the same rights as natives.

Within this framework, it is evident that an employer who has the seat in the territory of Slovakia may employ a foreigner with a temporary stay permit after he/she has been granted a work permit by the relevant labour office to a concrete purpose, or if a foreigner is granted a permanent stay permit or the refugee status (or in case of an asylum seeker after one year of his stay within the procedure in the country).

A permit to work is issued by the corresponding labour office for a given period, at most for the period of 1 year. The application for an employment permit may be submitted repeatedly, but always refers to the same person only.

Summarising a legal background for the foreigners in Slovakia to engage in civic participation, the following table may bring an interesting picture:

Table 3. Synoptic overview of some basic rights and possibilities for civic participation in view of different groups of foreigners in Slovakia, as of 2005

<table>
<thead>
<tr>
<th>Group of foreigners</th>
<th>free movement</th>
<th>right of self-organisation and associating</th>
<th>electoral right</th>
<th>membership in political parties</th>
<th>right to work</th>
</tr>
</thead>
<tbody>
<tr>
<td>naturalised citizens</td>
<td>no limits</td>
<td>no limits</td>
<td>no limits</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>permanent stay permit</td>
<td>few limits</td>
<td>no limits</td>
<td>yes, not to Parliament</td>
<td>no</td>
<td>yes, no permit</td>
</tr>
<tr>
<td>temporary (registered) stay permit</td>
<td>few limits</td>
<td>no limits</td>
<td>no</td>
<td>no</td>
<td>yes, limited permit</td>
</tr>
<tr>
<td>refugees (temporary shelter)</td>
<td>few limits</td>
<td>no limits</td>
<td>yes, not to Parliament</td>
<td>no</td>
<td>yes, no permit</td>
</tr>
<tr>
<td>asylum seekers</td>
<td>limited</td>
<td>limited</td>
<td>no</td>
<td>no</td>
<td>no, yes after 1 year of stay</td>
</tr>
<tr>
<td>illegal migrants</td>
<td>much limited</td>
<td>much limited</td>
<td>no</td>
<td>no</td>
<td>no</td>
</tr>
</tbody>
</table>

B. Among the significant international conventions that recently came into force in the Slovak Republic and influencing the civic participation of foreigners belong these:
- **Convention on the Participation of Foreigners in Public Life at Local Level** was approved by the Slovak Government in its resolution No. 621/2004 and the Slovak Parliament expressed its agreement on September 22, 2004.

    It is considered to be an important document deepening the integration of foreigners, mostly with stay permits, in the country. Also in Slovakia, the Convention helps ensure the freedom of expression, assembling and associating of foreigners, their right to vote and to be voted at the local level, and to establish consultative bodies dealing with the integration of foreigners into society.

    At present, it is too early to evaluate the effects of the Convention in Slovakia, it is in operation just a few months and rather it provides just space to adequate realisation of integration processes in practice. It will be necessary to assess its application and functioning during 2005.

- **European Agreement on the Abolition of Visas for Refugees** was approved by the Slovak Government in its resolution No. 1028/2003. Consequently, it was signed by the Slovak side on June 3, 2004.

    This Agreement is already effective in Slovakia and facilitates the movement and stay of persons with the granted status of refugees abroad. The refugees from Slovakia thus may travel to 20 countries in Europe for the period up to three months without visa. Though the number of those who utilise this legal norm in practice is not high – since the number of refugees in Slovakia is quite low – the contribution of the Agreement is apparent and its future promising.

    There are still next legal norms to be carefully judged and adopted soon by the Slovak Republic, potentially influencing significantly the life of foreigners in the country:
    - **European Convention on the Legal Status of Migrant Workers**
    - **European Agreement on Transfer of Responsibility for Refugees**

**Special, non-legal encouraging conditions.**

    In principle, there are no special regulations or measures to encourage the individual groups of foreigners as to their civic participation in the Slovak Republic.

    As already mentioned, there are several factors for this state:
    1. **low numbers of foreigners**, in comparison with the neighbouring countries and with the domestic population (see Table 2.)
    2. there is **no particular concentration** of foreigners in the country, perhaps with the exception of Bratislava and its region
    3. as already said, the foreigners with a permanent stay permit and the persons granted asylum in the territory of Slovakia have the electoral right, but this applies merely to the organs of local and regional self-government. This is exercised without any problems in the place of their permanent residence in a passive manner, not actively; foreigners do not stand as a candidate because their chance to succeed in self-government elections is practically zero. In addition, the more important right to vote/be voted into the national parliament is not granted to foreigners in the country. Owing to it, the participation of migrants particularly in **political life is nonexistent.**

    As most of the non-natives of Slovakia are not allowed to vote into the National Council, the participation of migrants on the political scene does not exist. There are no **lobbies or groups acting for their benefit.** As a consequence, there are no political entities
defending the rights of migrants. The participation of migrants proper on the political scene of Slovakia is thus a question of the more remote future.

As shown above, by law, merely the naturalised citizens in the country may be members of the political parties, which is also a limiting measure.

Likewise, there are no foreigners/immigrants committees in the Slovak Republic in the political sense, i.e. working together with/by/for the Parliament, or the Government, or individual Ministries and the like, i.e. with the State administration.

According to my personal investigation, there are few subsidies to ethnic-cultural-religious associations of foreigners in Slovakia. Sometimes, the central governmental organisations (Ministry of Foreign Affairs or Ministry of Culture, for example) provide certain ethnic associations (not all) with assistance in the form of contributing to their activities, granting the publications of respective foreigners` journals or paying for other expenses. But a certain evident unofficial selection is made here; preference is given to the organisations of foreigners from Europe, less or nothing is provided to the organisations from Asia or Africa.

The possibility to establish migrants’ associations and to perform respective activities is defined by law and this topic will be outlined in the below chapters. But to date, it seems that these activities represent all concerning migrants from the aspect of civic life.

As described above in the Part I.2, no special multi-spectral campaigns regarding e.g. public awareness are carried out or organised in the country by the State, politicians, the media, self-government. Actions in this field are accidental, much limited, little known. Mostly some non-governmental organisations advocate interests of certain target groups of foreigners/immigrants, however it has no character of wide public campaigns.

The potential immigrants willing to come to the country legally are not limited by restrictive measures – if the other conditions for entry, stay and work are fulfilled – since no quota system exists in the Slovak Republic in terms of them.
Part II: Active Civic Participation of Third Countries Immigrants

There are almost 30,000 various civic organisations in Slovakia, which is not little for such a smaller country as Slovakia. Of course, not all focus on the civic participation of people, but their proportion is not low and their activities obviously resound in society. All areas of civic participation are well represented. However, this was not true some 10 years ago. The third sector and engagement of inhabitants grew extremely in Slovakia also partly as a reflection to Mečiar’s Government and its deeds. Thus its behaviour in the half of the 1990’s provoked a rapid reaction and led to establishing third-sector institutions advocating, among others, civic participation and the rights of citizens in Slovakia. Institutionally, they execute activities mostly in the form of foundations, civic associations, clubs, societies, think-tanks, etc. These organisations absorbed a good deal of well-founded and active persons from various environments. Nowadays they represent an inevitable creative element in society.

It is maybe therefore curious that activities of immigrants are so limited. But as was expressed in the preceding textual parts for several times, this has good reasons. Among the most significant are as follows: no long history of international migration and resulting low numbers (absolute and relative) of foreigners in the country, the character of the country – Slovakia has been basically a transient country for migrants until recently so they deemed it as a provisional stop, no particular concentration of foreigners in the country, attitudes of competent State and local-government authorities - restrictions to grant more liberally permits to stay or the status of refugee to immigrants, the only recent harmonisation of Slovak legal norms with those of the EU in respective areas of immigration and asylum, the prevailing negative public opinion of the native population about foreigners and the high degree of xenophobia, certain restrictions for immigrants to operate actively in society – labour, electoral, political limitations (see Table 3, for instance), disinterest in the issues by the media, politicians and common people, etc.

This all may discourage the immigrants to work more actively in the field of the civic participation in the Slovak Republic. As a result, this is not much an issue of studies and research yet and therefore Part II part cannot be so extensive and rich in data as expected or as probably compared to other Reports. However, a few sources of information may be mentioned here.

Part II.1 Overview and review of relevant literature sources concerning the active civic participation of immigrants

Publications in English:

It is the first comprehensive research of issues related to international migration in Slovakia, published under the International Organisation for Migration. Part of a common project from the European Commission entitled Sharing experience: Trends on Migration in Selected Applicant Countries and Lessons Learned from New Countries of Immigration in the EU and Austria. Situation and data are as of 2002-2003, published in 2004.

The basic objective of this project was to perform applied research in selected 6 Central-European Accession Countries to investigate migration trends and their implications to the social sphere. Geographically, the project focuses on Poland, the Czech Republic, Slovenia, Slovakia, Romania, and Bulgaria. In addition, the project also included sharing information with the “new countries of immigration” (Italy, Portugal and Greece) in the EU and Austria as a comparative measure.
Migration trends in Slovakia were thus examined for the aim of a better understanding of the current social situation and in view of preparing a set of final recommendations. The study of migration situation and trends comprises the definition, analysis, evaluation, prognosis and comparison of components as the scale of migration, types of movement (e.g. labour, forced, illegal, family migrations), push and pull factors, contemporary and expected trends in migration, immigration and refugee policy, integration policies and practices, examples of initiatives – “best practices”, social situation of migrants as for education, health, housing and other spheres in the individual selected countries. Then, the recommendations on how to address these issues were formulated.

As to the civic participation of immigrants in Slovakia, the author deals with these questions
- DIRECTLY in Chapter 6. Integration policies and practices, made - among others - of Subchapters:
  6.6 Participation of migrants in civic and political life
  6.5 Freedom of religion
and partly in 4.2.6 Cultural contribution of migrants to Slovak society, 6.2 Legal framework for integration, 6.4 Integration in practice and 6.7 Best practices in the treatment of migrants.
- INDIRECTLY, cardinal preconditions for immigrants and foreigners in the country to stay, work etc. are presented and evaluated in Chapters and Subchapters:
  3.4 Labour market in the Slovak Republic for foreigners
  3.5 Attractiveness of the asylum system in Slovakia for migrants
  5. Migration policy, legislation and procedures

Main findings of the publication with regard to the active civic participation of foreigners. Within the relevant textual parts (mainly Chapter 6), the book first enumerates the essential rights and freedoms for the foreigners in Slovakia by the Constitution accentuating the electoral right and its limitations. The author comes to a conclusion that the immigrants have restrained possibilities for the participation on the political scene of Slovakia (as of mid-2003). The electoral right as regards the authorities of self-government is without any doubt much positive. On the other side, the impossibility to vote/be voted into the national parliament and the non-existence of parties or lobbies defending the interests of migrants in the country may be seen as negative factors in the process of their integration.

Also according to the author, there exists a potential to develop this realm more dynamically. Hitherto integration policy and practices in Slovakia react rather to the preceding numbers and demands of immigrants from the period several years ago than to current reality. In addition, the integration of foreigners is still based and executed through the adopted Government Resolution No. 105/1996 Comprehensive solution of the integration process of foreigners with the recognised status of refugee into society from 1996, which is too obsolete, insufficient and limited (concerns merely the refugees), namely in the areas of social cheap housing, employment, social and psychological care and education of non-natives in Slovakia.

Another finding resides in the fact that the possibility to establish migrants’ associations and to execute activities is satisfactorily defined by Slovak laws. No obstacles are posed to immigrants in this field from the side of the State or self-government; moreover, some of the associations are occasionally financially supported. But to date, these activities represent almost all concerning migrants from the aspect of civic life.

Then, it was also found out that despite the proclaimed constitutional freedom of religion, the Muslim community in the country is deprived of the right to operate an own larger cultural centre with a mosque. In respect to a higher number of foreigners from Muslim countries and their biggest concentration in Bratislava, the existence of a little mosque would
Several attempts were already initiated to obtain a building permit for it, but without success. Self-government authorities refuse; they evidently have fear from such a facility on the territory of the city.

It was also proved in the book that the degree of immigrants’ participation in, for example, the managements of enterprises, institutions, societies, work collectives and so on is indiscernible. A cardinal reason is that this has no tradition in Slovakia, another lies in the higher level of xenophobia in the country. The society is not prepared for that yet.

Among the positive attributes is considered a fact that from the legal viewpoint all persons granted asylum obtain a permanent stay permit and mostly Slovak citizenship after the next five years. This succession – not common in more developed countries in Europe - can be denoted as the successful culmination of the integration process in Slovakia.

The characterised publication is downloadable on:
http://www.iom.int/DOCUMENTS/PUBLICATION/EN/IOM_V_SK.pdf or
http://www.iom.int/iomwebsite/Publication/ServletSearchPublication?event=detail&id=3076

Publications in Slovak:
A study by Divinský - Divinský, Boris (2005): Zahraničná migrácia [International migration]. In Kollár, M. – Mesežnikov, G.: Slovensko 2004 - Súhrná správa o stave spoločnosti, Inštitút pre verejné otázky, Bratislava, 996 p. - makes a part of annual evaluations within the series Slovakia – A Global Report on the State of Society. This is a quite appreciated, high-quality, comprehensive series of publications in the country, edited by a prominent Slovak think-tank in Bratislava. Authors represent a wide spectrum of expert, scholars and practitioners, from all the country and societal areas (www.ivo.sk).

The chapter on international migration in the 2005 edition is the first in the history of this series. Divinský generally deals with all basic components of international migration in Slovakia – officially immigrated persons, undocumented migration, asylum topics, foreigners with a stay permit and recent changes in the migration policy of the State. However, some paragraphs are devoted to issues associated with immigrant participation – the characterisation of free movement of persons with the single categories of foreigners, rights of asylum seekers, the presentation of new legal norms harmonised with the EU laws, etc.

But primarily the last chapter of the study – focused on Slovak migration policy in the European context - may inform the reader about currently prepared transformations in the position of foreigners in the country. Here, the new Conception of the State migration policy is presented and its positives and negatives evaluated. This is in fact the first public presentation of the Conception in literature since it has been submitted at the end of 2004 – a few days before the study completion. The general version of the document was approved by the Government at the beginning of 2005 and is now developed by respective Ministries.

The Divinský’s study fulfils two objectives: information and criticism with proposals. First, the study informs about the philosophy, contents and structure of the new Conception. For example, among the elementary starting principles of the document belong: the support of legal migration, active cooperation with the EU, the prohibition of discriminating the foreigners, the principle of lawfulness etc. The Conception further formulates the cardinal spheres to develop activities; among them, e.g., the social integration of immigrants and the prevention of xenophobia and racial intolerance may be found. One of the important steps by the Conception is to establish an Immigration and Naturalisation Office in the country by 2008.

Second, the study also brought some comments and remarks to the current contents of the Conception and proposals for its improvement. As was stressed by the author, the
document represents a significant shift forwards, to a new quality as regards the views on immigration and the position of foreigners in Slovakia. On the other side, it still implies certain shortcomings. For instance, it is necessary – among other things - to more deal with the issues of foreigners with stay permits on the territory of the country, their education, participation and activities at the local level, the associating and deeper activation of their organisations, to solve a complex of problems resulting from labour immigration, to accentuate the equality of chances for migrants and to enhance the positive working of the media. This all may lead to the better integration of foreigners and their larger and more audacious civic participation.

Part II.2 Most important organisations of foreigners in the country and the most prominent immigrants active in public life

In the following text passage, a brief characterisation of the most important immigrants’ organisations in Slovakia is provided, giving also some names of persons from them to be conceived as the most prominent ones. However, it has to be stressed that in Slovakia they are basically not known in the public, only within their narrower or wider surrounding and organisation itself.

1. Association of Afghans in Slovakia

The Association was officially registered with the Ministry of Interior of Slovakia in 1997 but they unofficially started with activities already 5 years before this year. It is an organisation on the ethnic basis. The current chairman is: Mr. Narwan, since recently, but the most known person is Mr. Mohammad Juma – former chairman. (Vice-chairman is Mr. Nasir Jalili.)

The Association consists of some 40-50 active members; some 100-150 supporting members are engaged in other forms, all over the country. Eligible members are the foreigners with permanent and temporary stay permits in Slovakia, refugees, naturalised persons in the country.

Further, the Association of Afghans in Slovakia is financed from own sources and occasionally receive support from the State – namely the Ministry of Foreign Affairs. This, for instance, pays for the rental of spaces for annual meeting - the celebration of New Year (Nawroz) the Association organises with great success in society. According to personal information, the Afghanis in Slovakia are NOT engaged in any political party in the country. They have no relations to lobby or other groups or single politicians.

Main activities of the Association: helping own natives; organising social, cultural, sport, informational and other events for Afghans as well as Slovaks. Particularly valuable is the annual celebration of New Year – Nawroz, with a large Afghani and Slovak auditorium, the media, UNHCR, experts, guests and so on.

Contact: zas@pobox.sk, narwan@chello.sk

2. Islamic Foundation in Slovakia

The Foundation was officially registered with the Ministry of Interior of Slovakia in 1999. It is a Muslim religious organisation, reportedly not established on the ethnic basis, but associating primarily, not merely, persons of Arab origin in the country (plus around 300 converted Slovaks). The Foundation’s administrator is Mr. Mohamad Safwan Hasna, since registration.
Its membership is formed by some 10-15 active members, and supporting members, all over the country. The members may be foreigners with permanent and temporary stay permits in Slovakia as well as naturalised persons in Slovakia.

The Foundation is financed exclusively from own sources, no support from the State or self-government. According to personal information, the members of the Islamic Foundation in Slovakia are NOT engaged in any political party in the country. They have no relations to lobby or other groups or single politicians.

Main activities of the Foundation are of a religious character - supporting the Islamic community in Slovakia by self-consciousness, information, worships, religious and cultural events. In addition, they operate an Internet site (relatively rich and well-structured), organise cultural activities to develop friendly relations with Slovak native citizens – such as “Islamic cultural days” (6th year in 2005), “Discover Islam”, then give lectures, interviews for the media, etc. The Foundation occasionally assists Muslim people in refugee camps throughout the country (as almost half the asylum seekers are Muslims) and cooperates with Slovak anti-racist organisations.

The Foundation has tight relations with the General Association of Muslim Students in Slovakia.

Contact: info@islamweb.sk, www.islamweb.sk

3. General Association of Muslim Students in Slovakia

This Association was officially registered with the Ministry of Interior of Slovakia in 1990. It represents an organisation on the ethnic-religion basis – has members mostly from Arab countries, primarily – not exclusively – students and former students in the country. The current chairman is Mr. El-Hadijone, another contact person Mr. Mohamad Safwan Hasna too.

The Association estimates its membership at some 100-150 active members, and others in the form of sympathisers, all over the country. As for their status in Slovakia, the members may be foreigners with permanent and temporary stay permits in Slovakia, refugees, naturalised persons of Muslim origin in the country.

According to personal information, the Association is financed exclusively from own sources - no support from the State or other sectors. They would much welcome a contribution by the State to their cultural activities. The Muslim students in Slovakia are NOT engaged in any political party in the country. They have no relations to lobby or other groups or single politicians.

Among their main activities belong: helping own members in Slovakia; supporting the Islamic community; organising various social, cultural and other events; organising cultural activities – such as “Islamic cultural days” (6th year in 2005), “Discover Islam”; giving lectures and interviews for the media. The Association occasionally assists Muslim asylum applicants in refugee camps in Slovakia.

4. Association PLOP Slovakia-Association of Portuguese speaking third-world countries

PLOP Slovakia was first officially registered as the Association PALOP with the Ministry of Interior of Slovakia in 2000, later under the current name. It is an organisation on the wider ethnic and cultural basis, for persons originating in Portuguese speaking third-world countries such as Angola, Brazil, Guinea Bissau, Mozambique and others, as well as for their Slovak friends, students of Portuguese and persons having contacts with lusophonic countries. The chairman is Mr. António Martins da Silva.
There are no limitations in membership - every physical or legal entity may become a member of PLOP Slovakia: Most of them are former citizens from countries given above and their relatives in Slovakia, all over the country. At present, the organisation has around 25 active members, some 100 passive members and up to 300 sympathisers.

The Association is financed from several sides: own sources; EU project Trialog, entrepreneurial subjects, Ministry of Foreign Affairs of the Slovak Republic, UNDP, various NGOs, and respective embassies.

There is no indication about the engagement of PLOP Slovakia members in political parties, relations to lobby or other groups or single politicians – however, it is difficult to determine, since both foreigners as well as natives are members of the Association. Naturally, natives may be members of a political party.

The Association has a large field of activities performed: spreading information on the lusophonic countries; the propagation of their cultural heritage; ensuring foreign development aid and education for them; creating an multicultural environment and that of solidarity and antidiscrimination; supporting cooperation of Slovakia with respective countries, promoting its expert and technical know-how, i.e. the transfer of knowledge and experience; organising conferences, workshops, lectures, cultural and other events; ensuring the exchange of students; publishing a journal and operating an Internet site.

Contact: info@plop.sk, www.plop.sk

5. Association of Russians in Slovakia

The Association registered itself with the Ministry of Interior of Slovakia in 1997. It has been established on the ethnic and cultural bases. Its chairman is Mr. Alexander Čumakov, since the registration, and single affiliations may be found in the cities of Bratislava, Považská Bystrica, Žilina, and Nitra.

Eligible members of the Association are Russian foreigners with permanent and temporary stay permits in Slovakia, naturalised persons of Russian origin in Slovakia, from all over the country. Estimated membership: several hundred persons.

The Association is financed from own sources on the one side, but also supported from the State, on the other side. No information about the engagement of members in political parties, relations to lobby or other groups or single politicians. They are not interested in political organising of their members.

Among their main activities belong: keeping Russian awareness and national identity; the dissemination of Russian culture and traditions; organising meetings, art, sport and cultural events; publishing; the organisation of exhibitions, conferences; cooperation with other ethnic associations in Slovakia. The Association has tight relations with the Russian Centre of Science and Culture in Bratislava.

Contact: stevia@nextra.sk, www.ruskodnes.sk/?w=cs&id=76

6. Cultural Association of the Bulgarians and Their Friends in Slovakia

This Association was officially re-registered with the Ministry of Interior of Slovakia in 2001 (operated already under communism). It is an organisation on the wider ethnic and cultural basis, more of a minority character than foreigners’ one. The leading authority is the Coordination Board of the Association in Bratislava, with Mr. Dimitar Barenški, Štefan Pačejev. They have single affiliations in Bratislava, Banská Bystrica, Košice, Levice, Nitra, Trnava, Galanta, and Martin.

Eligible members of the Association are chiefly citizens of Slovakia of Bulgarian origin (their descendants), foreigners with a permanent stay permit in the country as well as
friends of Bulgaria from among Slovaks, all over the country. Estimated membership: several hundred persons.

The Association is financed from own sources as well as regularly supported from the State. No information are available on the engagement of members in political parties, relations to lobby or other groups or single politicians – it is difficult to determine, since they are mostly citizens of Slovakia already.

This Association manifests itself by wide-ranging activities: supports Bulgarian awareness and national identity; organises the greatest Bulgarian traditional national holidays; disseminates Bulgarian culture and traditions in Slovakia; organises various meetings, sport, tourist and cultural events; publishes a journal; organises exhibitions, conferences, workshops, lectures; cooperates with authorities of State administration, local and regional self-government.

Contact: Panská 9, 811 01 Bratislava

Naturally, the list of foreigners’ associations in Slovakia is not complete; there are several further associations, societies and clubs in the country, officially registered with the Ministry of Interior. They are, for instance, these:

Association of Syrian Students in Slovakia
Association of Palestinian Students
Union of Algerian Community
Organisation of African Students in Slovakia
Congress of Association of Nigerian Students in Slovakia
Association of Students from Latin America in Slovakia
Club of Cuban Citizens Living in Slovakia
Association of Vietnamese Entrepreneurs in the Slovak Republic

and perhaps some others.

But it has to be accentuated in this place that at present these organisations are either not functional for various reasons (the passivity of the members and the board, the absence of most of the members on the territory of Slovakia etc.), or they are largely exclusive, rather enclosed with few official relations to the public, hardly accessible to people not being from a respective community…”

Besides the given names of prominent immigrants active in public life, some others should be mentioned too – those who are not institutionalised within foreigners’ associations, rather outside them.

Mr. Hamid Omed – a lawyer from the NGO Society of Goodwill People in Košice. He is an advocate of human rights of refugees in Slovakia, with special emphasis on the Eastern Slovak region. He collaborates with UNHCR Slovakia and other NGOs active in the field. He has now already the statute of naturalised person; comes originally from Afghanistan.

Contact: hamid@netkosice.sk

Mrs. Malika Mežidova, a Chechen woman granted asylum in April 2004. She had had a troublous life during the last period, with a lot of tragedies. She left her country at the age of 47. She had difficult beginnings in Slovakia but integrated well into society and now presents an example of the good integration process and personal diligence. She quite often presents her destiny and current life in Slovakia on TVs.

Mrs. Sahraa Karimi, a young Afghan actress, had to escape the country and came to Slovakia. Once again a positive example of integration: before she did not know the language and did not have a job or money, but after granting asylum the situation radically turned. She
began to study dramatic art in Bratislava, lives with a famous Slovak director and is often in the media defending the rights of immigrants and Muslim (not only) women. Contact: sahrali2002@yahoo.com
Part III: Expert Assessment

On the basis of the given methodology, the following assessment implies three-level scale of statements: answers to be considered more or less secure knowledge, confirmed by multiple and/or quantitative studies; hypotheses more or less strongly grounded in empirical information; and finally personal opinions.

• What are the main fields of civic activities that immigrants engage in (e.g. religious associations, parent associations, political parties, etc.)?

As proved by this Report and other information like the respective Internet sites and interviews with relevant representatives, the main field of immigrants´ civic activities on the territory of the Slovak Republic is associating in various ethnic-cultural organisations. (They are in fact primarily of an ethnic character, but all stress also their cultural nature and the role in preserving domestic cultural traditions.) As described in Part II.2, some of them are of older operation and some others are more recent in the country. The overall number of active, functioning immigrants´ associations is, however, not high but the number of their members and supporters is – according to expressions of chairmen – relatively high. We are therefore of an opinion that these immigrants´ associations concentrate quite a good number of immigrants (or naturalised persons) living in Slovakia out of their total number.

There is only one explicitly religious foreigners´ association in the country, being currently not in the best position since it is of a Muslim character. This association has no confidence of the public and responsible State and self-government institutions (as documented by refusing to grant a building permit for their cultural centre).

It could be said that the present state as to associating the immigrants in Slovakia is in just the first step within all the process of self-awareness abroad (i.e. in Slovakia). It is mainly their identification and organisation with establishing institutions that could defend their rights at a group level, which is more effective. (There are some very rare exceptions, as outlined, in the case of associations dating back to the era of communism). A more active civic participation in whatever areas will probably be another step and the country should prepare a general framework for that.

• What ethnic and nationality groups are particularly active, and why?

In this way, particularly active in the area of civic activities are persons coming from countries in Near and Middle East, in a narrower sense the Afghans and the Arabs. From a historical viewpoint, their presence in Slovakia’s territory may be found already in the communist era, from the 1970’s and 1980’s. Then, within positive relations and friendship with these countries, the Soviet bloc supported this region – among others – by providing possibilities to study and work, also in Slovakia. Hundreds of Afghans, Palestinians, Syrians, Egyptians, Iraqis, etc. took a chance and stayed in the country, often got married with Slovaks, found a job and build family and career at present (empirical information).

As for the Afghans, the next waves of the Afghanis came over the Taliban’s rule so their social-political composition is rather complex now. However, our personal view is that despite this social heterogeneity they are extremely cohesive. The Afghanis in Slovakia are apparently one of the best examples of integration of foreigners in the country. They represent a great contribution to society; most of them are university educated people such as doctors, engineers, researchers etc., by information from their representatives.

The Russians and the Bulgarians constitute foreign groups formed by another mechanism. As several studies corroborated, their presence in the territory of the country is even older and dates back to the 19th century (the Bulgarians) and the 20th century - some of them came to the country after WW1 and WW2 (the Bulgarians too, but especially the
Russians). We think that they are an immanent part of Slovak society; integrated, commanding well the language, not differing much from the natives. Therefore are obviously regarded as a positive component, not differing by the appearance, language or very dissimilar cultural traditions. It is their self-awareness that is still supported by themselves making thus out of them a special and active ethnic group in Slovakia.

The persons coming from Portuguese speaking third-world countries, such as Angola, Guinea Bissau, Mozambique, Brasil and others, represents a recently forming active foreigners’ group in the country. This group is not homogeneous ethnically, since it is created by several ethnics, but more linguistically and culturally. As we were informed, the Angolans dominate within the group. Part of these persons came for the same purpose as the Arabs or Afghanis already under communism; their second part came during the last decade as refugees. According to information from their representatives, they now operate rather actively in society wishing to manifest their specificity.

By statistics, the most numerous foreign ethnic group in the Slovak Republic at all is constituted by the Ukrainians who stay/work in the country. Several studies showed that those who work in the country officially go regularly back to home in not long intervals; those working illegally do naturally not want to warn about them. Anyway, our opinion is that the Ukrainians in Slovakia have space enough to manifest more their societal activities as well. The Vietnamese are also relatively high in number in Slovakia, being with various statuses according to official data: naturalised persons, those with temporary or permanent stay permits, refugee. The establishment of this community dates back to times of the communist regime in the 1970’s when the State supported Vietnam by providing its inhabitants with positions in industry and at vocational schools. These Vietnamese were later completed by their compatriots who came to the country over the last period to make small business (vendors, retailers). Not only our personal experience is that this community is in Slovakia extremely enclosed and it is impossible to mention it in view of their (any) civic participation.

• Is the degree of active civic participation of immigrants high or low compared to the majority population?

In general, the degree of active civic participation of immigrants in Slovakia – as proved in Part II – is very low. That of the native population is, on the contrary, well developed. The number of civic organisations in the country is high including those concentrating on civic participation issues. Activities within the third sector and the engagement of inhabitants increased extremely in Slovakia over the last decade. This is, unfortunately, not the case for the active civic participation of immigrants yet; the reasons were characterised above in detail.

• What is the relation between engagement in ethnic or migrant organisations (e.g. any organisation having the name of the minority in the name) compared to mainstream society organisations? Are there transitions and overlaps?

We would say that these two major domains are not much interlinked in Slovakia. Persons engaged in ethnic or migrant organisations are usually not members of mainstream society organisations and have no relations with them, even with any other organisations in the country. They are quite separated within the scopes of their activities from people engaged in mainstream society organisations and thus remain active on the ground of ethnic or migrant organisations merely.

Of course, some exceptions may be found, like above mentioned Mr. Hamid Omed who is simultaneously a member of the Association of Afghans in Slovakia and a lawyer of
the NGO Society of Goodwill People dealing with the position and treatment of asylum seekers and refugees in Slovakia. At the same time, some other members of immigrants' associations have connections with UNHCR-Slovakia that cares of asylum seekers and refugees in Slovakia, including their integration. But since there are apparently more urgent questions to solve at present – like finding proper jobs and social housing for these migrants – the subject of civic participation is in the background.

On the other side, there are 4 principal NGOs in the country, protecting the rights of asylum seekers and refugees (only): Björnson Society in Slovakia in cooperation with People in Peril, Society of Goodwill People, Slovak Helsinki Committee, and Slovak Humanitarian Council. Some activities of other organisations as Slovak National Centre for Human Rights, Slovak Catholic Charity, Amnesty International; in the recent past the Organisation for Help to Refugees etc. can be added to the above. However, their work does not concern the matters of active civic participation of immigrants.

Although a few other non-governmental organisations in Slovakia declare that they stand up for the rights of minorities, including foreigners, it is a more formal matter. We are positive that they do it mostly marginally and once again hardly in the field of civic participation.

• What issues do you consider to be of particular interest and importance in the field?

We have a strong feeling, based on a comprehensive and in-depth study of respective issues, that the following questions are of extraordinary importance to carry out in order to modify the current not much positive situation of foreigners in the Slovak Republic:
- to develop further the recently passed framework version of State migration policy by respective Ministries towards full respect to immigrants and their activities;
- to find and allocate more financial means from the budget in favour of the target groups – illegal migrants, asylum seekers, refugees, foreigners with all kinds of stay permits, naturalised citizens, providing thus also greater support for migrants’ associations;
- to carry out institutional transformations in society, i.e. to establish one competent Committee responsible for the matters of foreigners, including their civic participation;
- to inform and educate Slovak children, adult citizens, the media, NGOs, respective State or self-government authorities etc. about the foreigners, their rights and duties, fight against xenophobia;
- to correctly show positive and negative attributes (impacts) of international migration and to argue in the public the necessity of multicultural society;
- to include all relevant actors in the field deeper in international cooperation within Europe with emphasis on (not only) the active civic participation of immigrants, to form such a network on the topic.

• Where do you see the major research gaps?

Our opinion is that there is no regular, deep and comprehensive research of migration and asylum issues in Slovakia as a whole, not speaking about an individual topic as the active civic participation of immigrants in this context. All hitherto research outcomes – limited in number and extent – on these matters have practically been done to very specific, one-shot order from various institutions.

A fact is that migration research is not institutionalised in the Slovak Republic; institutions of whatever character and level supporting scientific works and projects on international migration are currently missing in the country. That is why just a few research workers started to perform research on migration part-time (as part of their all activities) and only one person (the author of this Report) does such a research full-time as a freelance.
The relevant authorities should therefore judge priorities and find the necessary amount of money to create a basic framework for the research of migration and to support it in Slovakia much more intensively, in association of reality and country’s international commitments.

This is an area where essential transformations are expected and then perhaps we will be able to debate on potential research gaps arisen…
Annex: Mapping of Research Competences in the Country

This part of the text is evidently not too extensive. The first and cardinal reason is that – as indicated several times above – there are just few research institutions and experts dealing with the issues of not only the active civic participation of immigrants, but migration matters as a whole in the Slovak Republic.

Therefore, it seems to be not easy to mention respective Research Institutions and Scholars under Point 2. If they exist in the country, they are engaged in the research of given topics just seldom, marginally and partly, not entirely. The only exception is the author of this Report who deals with immigration questions fully – that is why his name has been presented in the first place. The other organisations and persons named do not orient their research activities towards immigration directly, but they examine a set of various issues - like labour migration, the free movement of persons, inner migration, ethnological studies, political studies, demographic analyses, sociological aspects, etc. Here everywhere, migration can represent a substantial part of research, but it is not the essential one from their viewpoint. However, these institutions and researchers form a good selection to be cited and informed about; they are not all actors in the field, but certainly belong to the most significant ones.

Within Point 1, the situation is even simpler, as far as our knowledge reaches, nobody in Slovakia may be found researching or dealing specifically and only with the active civic participation of immigrants/foreigners up to now. For this reason, again the author of this Report has been named, since he studies this area too in the framework of a comprehensive examination of migration issues in the country.

As to Point 3, the real situation in Slovakia is different in a positive sense. The country underwent a turbulent development within the research of civic participation of inhabitants over the past years. From the beginning, in the 1990’s, lots of organisations providing an undistorted-picture of society arose in the country. The further development brought an activation of university- and State-supported institutions too to complete a current scene of numerous actors studying / dealing with the questions of civic participation in Slovakia, with many reputed scholars and individuals.

Out of them it is difficult to choose, but we tried to make such a selection representing the whole spectrum of relevant institutions – an independent and most renowned think-tank, the Slovak Academy of Sciences, the largest university in the country, foundations not only supporting others, but also preparing own projects and doing research in the area of civic participation in Slovakia. All of them regularly publish important outputs on the given topic as well.

1. Identification and description of leading universities, university departments or research institutes and scholars with knowledge of the active civic participation of immigrants

   no such full-time engagement / specialisation in Slovakia
   partly Boris Divinský – see details and contact information under Point 2.

2. Identification and description of leading universities, university departments or research institutes and scholars in the field of immigration

Research institution 1:

RNDr. Boris Divinský
in fact not institution, but the only researcher in Slovakia doing research full-time in the field, currently as a freelance
(in 2003 under the International Organisation for Migration, Bratislava; now – among
The areas of research: migration policy of the State, migration and asylum issues, the position of foreigners in the country, impacts of immigration to Slovak society, xenophobia, discrimination and social exclusion

Books:
- Divinský, Boris (in preparation, to be appeared late summer): Zahraničná migrácia v SR a jej dopady na spoločnosť - stav, trendy, prognózy [International migration in Slovakia and its impact on society – state, trends and prognosis], under a grant from Friedrich Ebert Stiftung, Bratislava
- several studies, articles and projects

Research institution 2:
Slovak Academy of Sciences, Bratislava
Institute for Forecasting
Tel.: 02 / 5249 5114, 5249 5062        Fax: 02 / 5249 5029
E-mail: progasis@savba.sk         Website: http://www.progeko.savba.sk
Head: Ing. Štefan Zajac, CSc.

Ing. Vladimír Baláž, PhD. – partly, in association with economic research
Mr. Baláž is engaged in the research of territorial differences in various economic systems and in regional economy evaluations. Some migration aspects form an input parameter in these issues. Recently he studied activities of Vietnamese traders in Slovakia.

JUDr. Mgr. Martina Lubyová, PhD. – partly, in association with her economic research
She chiefly deals with labour migration, unemployment, migration patterns, the mobility and free movement of persons, the status of foreign residents and foreign workers in CEE countries, using international comparisons.

Institute of Slovak and World Economy
Tel.: 02 / 5249 5480        Fax: 02 / 5249 5106
E-mail: milan.sikula@savba.sk           Website: http://www.ekonom.sav.sk
Head: Doc. Ing. Milan Šikula, DrSc.

Ing. Ján Košta, CSc. – partly, in association with his economic research
He focuses on the issues of labour policy in the country, intellectual capital and its place in economy, structural changes and regions linked to it, such as migration and its impacts on labour in general.
Institute of Geography  
Tel: 02/ 52495587    Fax: 02/ 52491340    E-mail: geogsav@savba.sk  
Website: http://www.geography.sav.sk  
Head: Doc. RNDr. Ján Feranec, CSc.

RNDr. Peter Podolák, CSc. – partly, in association with the research of populations  
Mr. Podolák aims his scientific efforts to the geography of population and settlements,  
demographic development and the like. More orientated to inner migration.

Research institution 3:  
University of Ss. Cyril and Methodius, Trnava  
Faculty of Philosophy  
Department of Ethnology  
Tel: 033/ 5565 275    E-mail: sekretn.ff@ucm.sk  
Website: http://www.ucm.sk/FF/Slovensky/Katedry/etnologia  
Head: Mgr. Dušan Deák, PhD.

Silvia Letavajová – partly, in association with ethnological research  
Main subjects of her scientific activities are interethnics contacts with specialisation in  
the issues of refugees, ethnic minorities and generally foreigners in Slovakia and their  
relations to the majority population. A deeper analysis of modern migration led her to  
the research of Afghani culture.

Department of Political Science  
Tel: 033 / 5565 174             E-mail: sekrpol.ff@ucm.sk  
Website: http://www.ucm.sk/FF/Slovensky/Katedry/politologia  
Head:  Prof. PhDr. Rastislav Tóth, CSc.

Rastislav Štefančík – partly, in association with his political studies  
Mr. Štefančík focuses on the comparison of political systems in German-speaking  
countries, within it also on the problem of migration in Germany.

Research institution 4:  
INFOSTAT - Institute of Informatics and statistics, Bratislava  
Tel.: 02 / 5937 9111    Fax: 02 / 5479 1463    Email: infostat@infostat.sk  
Website: http://www.infostat.sk  
Head: RNDr. Igor Prívara, CSc.

Demographic Research Centre (department)  
Ing. Boris Vaňo, CSc. – partly, in association with studies in demography  
RNDr. Danuša Jurčová, CSc. – partly, in association with studies in demography  
They both specialise in population issues referring to Slovakia analysing the state of  
and trends in the Slovak population from the demographic aspects, including  
international migration. Immigration forms just a very little part of their research.

Research institution 5:  
IVO-Institute for Public Affairs, Bratislava  
Tel.: 02 / 5443 4030, 5443 4031    Fax: 02 / 5443 4041    Email: ipa@ivo.sk  
Website: http://www.ivo.sk  
Head: Grigorij Mesežnikov
PhDr. Michal Vašečka, PhD. – partly, in association with studies in sociology
He deals with various sociological topics like the issues of ethnic minorities, poverty, social exclusion, civic society, public administration and also international migration.

3. Identification and description of leading universities, university departments or research institutes and scholars in the field of civic participation

Research institution 1:
IVO-Institute for Public Affairs, Bratislava
information above

Research institution 2:
Slovak Academy of Sciences, Bratislava
Institute for Sociology
Tel.: 02 / 5296 4355 Fax: 02 / 5296 2315
E-mail: sociolog@savba.sk Website: http://www.sociologia.sav.sk
Head: Mgr. Lubomír Falťan, CSc.

Research institution 3:
Comenius University, Bratislava
Faculty of Philosophy
Department of Sociology
Tel.: 02 / 5924 4111 E-mail: ksoc@fphil.uniba.sk
Website: www.fphil.uniba.sk/
Head: PhDr. Eva Laiferová, CSc.

Research institution 4:
Nadácia na podporu občianskych aktivít-Civil Society Development Foundation
Tel.: 02 / 5720 6171, 5720 6172 Fax: 02 / 5720 6177
E-mail: npoa@changenet.sk
Website: http://www.npoa.sk http://www.changenet.sk/npoa
Head: Katarína Vajdová

Research institution 5:
Nadácia S.P.A.C.E.-The S.P.A.C.E. Foundation
Tel.: 02 / 4463 0387-8 Fax: 02 / 4463 0389
E-mail: space@internet@sk
Website: www.nspace.sk
Head: Dr. PhDr. Iveta Radicová