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The integration of applicants for international protection in the labour market – contribution of the Slovak Republic

EMN Study – Questionnaire Form

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EMN activities are focused on topics related to migration of third-country nationals. The activities are implemented through national contact points in the EMN Member (EU Member States except Denmark) and Observer Countries (Norway, Georgia, Moldova, Ukraine, Montenegro, Armenia, Serbia) in coordination with the European Commission (Directorate-General for Migration and Home Affairs).

Elaboration of the study was conducted by the International Organization for Migration (IOM) Bratislava as the coordinator of the EMN National Contact Point for the Slovak Republic. The Slovak EMN National Contact Point comprises of the Ministry of Interior of the Slovak Republic (the Bureau of Border and Foreign Police of the Police Force Presidium, the Migration Office, the Department of Foreign and European Affairs of the Office of the Minister of Interior), the Ministry of Labour, Social Affairs and Family of the Slovak Republic (the Department of International Relations and European Affairs), the Statistical Office of the Slovak Republic (the Section of Social Statistics and Demography) and IOM.

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Except for the questionnaire specification, the text of the study is an unofficial translation prepared by IOM Bratislava as the coordinator of the EMN National Contact Point for the Slovak Republic provided for reference only. In the event of any ambiguity about the meaning of certain translated terms or of any discrepancy between the Slovak version and the translation, the Slovak version shall prevail. Users are advised to consult the original Slovak language version of the study.

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Preface

The aim of the study is to grasp and analyse the system of existing measures in the area of labour market integration of applicants for international protection, track the practical experience, and summarise the existing challenges in this respect.

In terms of the methodological approach the study was prepared based on the experience and available information of experts from the Migration Office of the Ministry of Interior of the Slovak Republic (hereinafter "MO MoI SR"), answers to the questions in the questionnaire from the Central Office of Labour, Social Affairs, and Family (hereinafter "CoLSAF"), and Ministry of Labour, Social Affairs and Family of the Slovak Republic (hereinafter "MoLSAF SR") an interview with representatives of a non-governmental organisation Slovak Humanitarian Council (hereinafter "SHC") active in asylum facilities (more precisely in reception centre and accommodation centres¹), researching relevant legislation², analysing strategic documents and conducting and processing media monitoring. The NGO's Human Rights League publications were most cited, namely the Zamestnávanie utečencov [Employing Refugees] a Integrácia utečencov na trh práce na Slovensku [Labour Market Integration of Refugees in Slovakia].³ Related statistical data were obtained from the MO MoI SR and Eurostat databases.

Based on the questionnaires from EMN Member and Observers Countries, the European Commission prepares a synthesis report covering the main findings. The questionnaire form of the study from the Slovak Republic in Slovak and English language and the synthesis report are available on the Slovak EMN National Contact Point website www.emn.sk.

¹ In the Slovak Republic there is one reception centre in Humenne and two accommodation centres: in Opatovska Nova Ves (for vulnerable persons) and in Rohovce (for individual men). Since the applicant must according to Act no. 480/2002 Coll. on Asylum and on changes and amendments to some acts, as amended, stay in the reception centre until the results of the medical examination are announced (approximately 3 weeks), he only enters the labour market from the accommodation centre.

² Entry of applicants for international protection into the labour market in the SR is regulated mainly by Act No. 480/2022 Coll. on Asylum and on changes and amendments to some acts, as amended; Act No. 5/2004 Coll. on Employment Services and on changes and amendments to some acts, as amended; and Act No. 311/2001 Coll. Labour Code and on changes and amendments to some acts, as amended.

³ Available at: <https://www.ip.gov.sk/wp-content/uploads/2021/07/1069-Zamestna%CC%81vanie-utec%CC%8Cencov.pdf> (downloaded on 3/11/2022) and at <https://www.hrl.sk/userfiles/files/Vy%CC%81skumna%CC%81%20s%CC%8Ctu%CC%81dia.pdf> (downloaded on 3/11/2022).

List of abbreviations

AMIF – Asylum, Migration and Integration Fund

Coll. – Collection of Laws of the Slovak Republic

CoLSAF – Central Office of Labour, Social Affairs and Family

EMN – European Migration Network

EU – European Union

IOM – International Organization for Migration

MP SR - Migration Policy of the Slovak Republic

MoLSAF SR – Ministry of Labour, Social Affairs and Family of the Slovak Republic

MO MoI SR – Migration Office of the Ministry of Interior of the Slovak Republic

NGO – non-governmental organisation

OLSAF - Office of Labour, Social Affairs and Family

SHC – Slovak Humanitarian Council

SR – Slovak Republic

Summary

The European Migration Network's (EMN) study titled *The integration of applicants for international protection in the labour market* was selected for preparation by the EMN Steering Board within the EMN's work programme for 2022. The study is for each participating EMN Member and Observer Country prepared based on common specifications – questions provided in the below text. From national studies the European Commission prepares common synthesis report with main findings.

Study in the questionnaire form is divided into 6 chapters, including conclusions and statistical annex.

The first section of the study focuses on the overview of main trends and the existence of public policy discussions about the integration of applicants for international protection into the labour market.⁴ Within the European Union (hereinafter the "EU"), the Slovak Republic (hereinafter the "SR") continues to be one of the countries with the lowest number of applicants for international protection, while the number of suspended asylum procedures is also significant, mainly due to the fact that the applicants leave the territory of the SR before a decision on their asylum applications is issued to them. In the monitored period, the most numerous country of origin changed: In 2017–2019 it was Afghanistan, in 2020–2021 Morocco and in the first half of 2022 Ukraine. In this period, the proportion of female applicants for international protection in the overall number of applicants for international protection also increased, especially because Ukrainian men aged 18–60 were banned from leaving the country due to the conscription.

The SR does not have statistical data related to the integration of applicants for international protection into the labour market.

Even though the topic of migration has been widely discussed on the political level especially in relation to migration flows to Europe since 2015, labour migration and related integration of migrants into the labour market have increasingly become a prominent topic since 2017. However, given the low number of applicants for international protection in Slovakia, the topic of their integration into the labour market is not resonating in the public and political debate in Slovakia. In the first half of 2022, the amendment to Act No. 480/2002 Coll. on Asylum and on changes and amendments to some acts, as amended, which came into force in June 2022, became a focus of media attention, because the period from the beginning of the asylum procedure, after the end of which the applicant is authorised to enter employment, was shortened from nine to six months.

The second section of the study is concerned with how the SR approaches the organisation of its labour market integration policy and applicants for international protection within the national labour market integration policies for third-country nationals. A systemic approach focused on the labour market integration of applicants for international protection is absent in Slovakia: there are no specific governing structures in place locally, regionally or nationally. The main migration and integration framework documents, such as the Migration Policy of the Slovak Republic (hereinafter "MP SR") Perspective until the Year 2020⁵ and new Migration Policy Perspective until 2025,⁶ the Integration Policy of the Slovak Republic,⁷ the Strategy on Labour Mobility⁸ and the Recovery and Resilience Plan of Slovakia,⁹ are not at all concerned with integration of applicants for international protection into the labour market. Applicants for international protection cannot be registered at the Labour Office, nor can they use active labour market measures¹⁰.

⁴ For the purposes of this study, the term "applicant for international protection" means a foreigner who applies for the granting of asylum or subsidiary protection on the territory of the Slovak Republic. Slovak legislation uses the term asylum seeker in this context. Slovak legislation does not recognize the term applicant for international protection.

⁵ Migration Policy of the Slovak Republic: Perspective until the Year 2020, <https://www.minv.sk/?zamer-migracnej-politiky-slovenskej-republiky&subor=153851> (downloaded on 20/10/2022).

⁶ Migration Policy of the Slovak Republic: Perspective until the Year 2025, <https://www.minv.sk/?zamer-migracnej-politiky-slovenskej-republiky&subor=153851> (downloaded on 20/10/2022).

⁷ Integration Policy of the Slovak Republic, MoLSAF SR, 20 January 2014, <https://www.employment.gov.sk/files/slovensky/uvod/informacie-cudzinci/integracna-politika.pdf> (downloaded on 20/10/2022).

⁸ Strategy for Labour Mobility of Foreigners until 2020 with a View until 2030, MoLSAF SR, <https://www.employment.gov.sk/files/slovensky/uvod/informacie-cudzinci/strategia.pdf> (downloaded on 20/10/2022).

⁹ Recovery Plan, the roadmap to better Slovakia <https://www.planobnovy.sk/kompletny-plan-obnovy/> (downloaded on 8/11/2022).

¹⁰ With the aim of facilitating the social inclusion and integration into the labour market of primarily citizens of Ukraine, who were granted temporary protection due to the armed conflict in Ukraine, it was established with effect from 30 March 2022 that projects and programmes supporting integration of a third-country national who has been granted temporary protection or who has been granted asylum or who is an applicant for international protection, implemented by the Central Office of Labour, Social Affairs and Family or by the Office of Labour, Social Affairs and Family are also considered active measures on the labour market.

Otherwise, the Labour Code¹¹ applies to them. It regulates the legal status of employees in the so called "private sphere".¹²

Labour integration of applicants for international protection is dealt with on an ad hoc basis and depends on various factors: current possibilities in the region concerned and current presence of a non-governmental organisation in asylum facilities and availability of sufficient budget capacities,¹³ including the possibility to reimburse for the courses that are necessary in order to be accepted for a vacancy. Applicants for international protection do not need a work permit to enter the labour market. The MO MoI SR, as the body responsible for asylum procedure, issues an "attestation to the asylum seeker's entitlement to enter employment based on their written request"¹⁴.

The third section of the study is concerned with the access of applicants for international protection to the labour market. Employers can employ applicants for international protection, whose application was not decided within 6 months from the beginning of the proceeding, without a need to acquire work permit or the OLSAF's confirmation on the possibility to fill a vacancy (labour market test).¹⁵ ¹⁶ If applicants for international protection meet the conditions of the employment, they can work in any sector. However, they may not be self-employed.¹⁷ Applicants for international protection in asylum facilities have the possibility to attend courses of the Slovak language and cultural orientation, including labour counselling. If there is a job promised to them on the condition of completing a certain course and sufficient financial resources available in a project by an NGO working in the asylum facility, it is possible to have the course reimbursed as well as all the travel expenses to the place of employment. Verification of selected manual skills and experience is possible by means of assistance work in the asylum facility. The SR does not have specific programmes in place that would facilitate effective access of applicants for international protection to the labour market.

The fourth section of the study is concerned with supporting measures for improving labour market integration.

The aim of the fifth section is to provide examples of good practice in this area. The SR does not have specific programmes in place that would facilitate effective access of applicants for international protection to the labour market.

Labour market integration is a complex and above all a comprehensive process requiring systemic support. Based on the experience of MO MoI SR social workers and cultural mediators from SHC, it would be suitable to use practical experience to define the responsibilities at all the levels – from ministerial to self-governments – for systemic implementation of integration measures. Under integration measures we

¹¹ Act No. 311/2001 Coll. Labour Code, <https://www.zakonypreludi.sk/zz/2001-311> (downloaded on 3/11/2022).

¹² According to the Labour Code, everyone shall have the right to work and to the free choice of employment, to fair and satisfying working conditions and to the protection against arbitrary dismissal from employment. These rights belong to every employee without any restriction and discrimination. Source: Labour Code, Ministry of Labour, Social Affairs and Family of the SR, <https://www.employment.gov.sk/sk/praca-zamestnanost/vztah-zamestnanca-zamestnavateľa/zakonnik-prace/> (consulted on 3/11/2022).

¹³ The SHC NGO was active in the MO MoI SR asylum facilities in the monitored period based on the Effective Services for Asylum Seekers in the SR II and III projects. Within the project, services for all applicants for international protection registered in MO MoI SR asylum facilities are provided above the basic scope provided by the SR. The project is focused on facilitating dignified living conditions for applicants for international protection. Special attention is given to vulnerable persons. The project activities include psychological counselling and therapeutic methods, social counselling and supervision, leisure time activities, and others. The project is funded from the EU, specifically the Asylum, Migration and Integration Fund (AMIF). The SHC is the only NGO active in the MO MoI SR asylum facilities.

¹⁴ This is the exact title of the document. The Slovak legislation does not recognize the term applicant for international protection, we use this term in accordance with the specifications of the study. Slovak legislation uses the term asylum seeker.

¹⁵ Source: Zamestnávanie utečencov [Employing Refugees], Human Rights League <https://www.ip.gov.sk/wp-content/uploads/2021/07/1069-Zamestna%CC%81vanie-utec%CC%8Cencov.pdf> (downloaded on 3/11/2022).

¹⁶ Applicants for international protection from Ukraine are subject to transitional provisions of Act No. 480/2002 Coll. on Asylum and on changes and amendments to some acts, as amended, from 30 March 2022, when during the emergency situation declared in connection with the mass influx of foreigners to the territory of the Slovak Republic caused by the armed conflict on the territory of Ukraine, an applicant who is a citizen of Ukraine or a family member of a citizen of Ukraine may, during the duration of the emergency situation declared in connection with the mass influx of foreigners to the territory of the Slovak Republic caused by the armed conflict on the territory of Ukraine, enter into an employment relationship even before the expiration of nine months from the start of the asylum procedure. For the purposes of the first sentence, a family member of a citizen of Ukraine is considered to be the spouse of a citizen of Ukraine and the parent of a minor child who is a citizen of Ukraine. Source: Act No. 480/2002 Coll. on Asylum and on changes and amendments to some acts, as amended <https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2002/480/20230101> (consulted on 3/11/2022).

¹⁷ Nor can they be employed in such positions for which Slovak citizenship is required (e.g. positions in the State service). Source: Zamestnávanie utečencov [Employing Refugees], Human Rights League <https://www.ip.gov.sk/wp-content/uploads/2021/07/1069-Zamestna%CC%81vanie-utec%CC%8Cencov.pdf> (downloaded on 3/11/2022).

understand e.g. introduction of language education, cultural orientation, qualification/retraining courses in cooperation with educational institutions/employers, among others introduce also procedures to verify qualifications, skills and experience if documents/certificates are missing, housing outside of asylum facilities together with the introductory financial support while searching for employment to cover necessary costs until the first salary is paid,¹⁸ creation of way to have the salary paid to a bank account, considering to extend the active labour market measures to applicants for international protection¹⁹. Together with the introduction of the above listed measures it is necessary to secure a stable system for funding, staff provision and regular evaluations of the situation as well as minimising risks related to labour exploitation and illegal employment. As working positively influences the applicants for international protection themselves and they become more independent and integrate into the majority society faster if their asylum procedure ends with positive result (asylum or subsidiary protection is granted), the authors of the study think that a further shortening of the waiting period before being able to access the labour market (to 3 – 4 months), including a shortening of the subsequent period in the case of repeated application for international protection (1 month), might be worth considering.

Section 1: Integration of applicants for international protection - data and debates

Q1. Please provide an overview of the main trends (number of applications for international protection, age, sex, citizenship) in international protection applicants in your country in the period January 2017-June 2022 as extracted from Eurostat and included in the statistical Annex.

In the monitored period, the SR did not face a higher number of applications for international protection, even though their year-on-year number has been continuously rising. It was not affected by the migration flows in 2015. Compared with other EU countries, Slovakia is one of countries with the lowest number of applicants for international protection.²⁰ At the same time it is a transit country with a high number of suspended proceedings,²¹ most often due to the fact that applicants for international protection have left the territory of the SR during their asylum procedure before a decision was issued.

While in 2017 there were 150 applicants for international protection (135 of whom were first-time applicants), based on rounded Eurostat data, in 2021 there were 355 applicants for international protection (out of which 315 first-time applicants). In the first half of 2022, 185 persons applied for international protection in Slovakia. They were mostly men aged 18 – 34. The proportion of female applicants for international protection in the overall number of applicants was the highest in 2018 and the first half of 2022, when they amounted to one-fourth and one-third, respectively. In other years their number remained approximately constant, despite an overall increasing in the number of applicants for international protection. The increase in the number of applications submitted by women in 2022 was caused by the situation in Ukraine after 24 February. This applied mainly in the first two months of the conflict. However, the temporary protection was mainly used, as it is the easiest provided form of protection for persons fleeing war and allows immediate access to the labour market.²² Consequently a transitional provision was adopted in the Act on Asylum with effect from 30 March 2022 applicable during the emergency situation, according to which an applicant for international protection who is a citizen of Ukraine or a family member of a citizen of Ukraine may, during the emergency situation declared in connection with the mass influx of foreigners to the territory of the Slovak Republic caused by the armed conflict on the territory of Ukraine,

¹⁸ Accepting a job which means the necessity to find housing outside of the asylum facility is financially very demanding for applicants for international protection, especially in the first months. At the same time, they lack benefits, such as the provision of board or a sanitary package, which have previously been available to them in asylum facilities.

¹⁹ At the moment active labour market measures can be used only for international protection applicants from Ukraine who are subject to a transitional provision of the Act 48/2022 Coll. on Asylum and on changes and amendments to some acts, as amended, applicable during the emergency situation declared in connection with the mass influx of foreigners to the territory of the Slovak Republic caused by the armed conflict on the territory of Ukraine.

²⁰ Source: Eurostat, Number of first-time asylum applicants (non-EU citizens), 2020 and 2021 (thousands), [https://ec.europa.eu/eurostat/statistics-explained/index.php?title=File:F3_Number_of_first-time_asylum_applicants_\(non-EU_citizens\),_2020_and_2021_\(thousands\).png](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=File:F3_Number_of_first-time_asylum_applicants_(non-EU_citizens),_2020_and_2021_(thousands).png), (visited on 27/10/2022).

²¹ See Table 6 in Annex 1.1.

²² Temporary protection holders can work in Slovakia without any other permits. However, they cannot engage in business. Since persons with temporary protection have tolerated stay, based on Article 59 paragraph 5 of Act No. 404/2011 Coll. on the Residence of Foreigners and on changes and amendments to some acts, as amended, they are prohibited from doing business during the validity of the tolerated stay. Act no. 404/2011 Coll. On Residence of Foreigners, available at <https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2011/404/20220330> (downloaded on 23/11/2022).

to enter into an employment relationship even before the expiration of nine months²³ from the start of the asylum procedure.²⁴

In 2017–2019, Afghanistan, Iran, Pakistan and Vietnam were the main countries of origin; in 2020 and 2021, Morocco was the main country of origin, followed by Afghanistan. The number of applications for international protection from Algeria and Syria increased in a more significant manner, too. In the first half of 2022, Ukraine was the main country of origin, followed by Bangladesh and Morocco.

Q2. Is the labour market situation²⁵ of international protection applicants monitored with official data (gathered by the authorities and reliable)? If so, please provide an overview in terms of indicators that are used in your country, focus on specific groups, data collection intervals etc.

The SR does not have statistical data related to the labour market situations of applicants for international protection.²⁶

Q3. Are statistics available on applications/grants/refusals of the applications to access the labour market/self-employment as well as the employment rates of applicants for international protection? Yes/No

If yes, then please provide the totals per year in the period 2017-2022.

No.

In compliance with valid legislation,²⁷ a work permit is not required of applicants for international protection, i.e. the applicants do not apply for permission to enter the labour market. The MO MoI SR can issue to the applicant for international protection "an attestation to the asylum seeker's entitlement to enter employment"²⁸. They then submit it to the (potential) employer. The attestations are issued based on a written request and in the monitored period (2017–2022), 41 such attestations were issued.²⁹

The employment rate is not monitored for this group in the SR.³⁰

Q4. What are the main public and policy debates regarding applicants for international protection's labour market integration (e.g. time frame for access, opportunities and challenges)?

The topic of migration has been widely discussed since 2015, especially before parliamentary elections in 2016 and later on in relation to the crisis in Ukraine in 2022. Since 2017, labour migration and the related integration of migrants into the labour market has been a more and more discussed topic.³¹ However, the topic of integration of applicants for international protection into the labour market is not a focus of public and political discussions in Slovakia. This may be caused by the low number of applicants for international protection in general, as well as the only recently shortened period after which applicants for international protection can enter employment (from nine to six months).

²³ At the time of adoption of the amendment could applicants for international protection enter into labour relations after 9 months from the start of the asylum procedure.

²⁴ Applicants for international protection from Ukraine are subject to transitional provisions of Act No. 480/2002 Coll. on Asylum and on changes and amendments to some acts, as amended, applicable during the emergency situation declared in connection with the mass influx of foreigners to the territory of the Slovak Republic caused by the armed conflict on the territory of Ukraine. For this purpose, a family member of a citizen of Ukraine is considered to be the spouse of a citizen of Ukraine and the parent of a minor child who is a citizen of Ukraine. Source: Act No. 480/2002 Coll. on Asylum and on changes and amendments to some acts, as amended <https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2002/480/20230101> (consulted on 3/11/2022).

²⁵ For example: participation rates/unemployment rates of applicants for international protection.

²⁶ Information provided by the COLSAF, 4/10/2022.

²⁷ Act No. 5/2004 Coll. on Employment Services and on changes and amendments to some acts, as amended, Article 22, Par. 12 a)1., <https://www.zakonypreludi.sk/zz/2004-5>, (downloaded on 27/10/2022).

²⁸ This is the exact title of the document. The Slovak legislation does not recognize the term applicant for international protection, we use this term in accordance with the specifications of the study. Slovak legislation uses the term asylum seeker.

²⁹ Access to labour market after six months is possible from 1 July 2022. The number of issued attestations is as of 1 November 2022.

³⁰ Information provided by the CoLSAF, 04/10/2022.

³¹ Labour market integration of third-country nationals in the EU Member States – contribution of the Slovak Republic, EMN Study, June 2018, https://emn.sk/sk/publikacie/studie-a-policy-briefy-emn/item/download/2749_1c3abc1b5148f5194c12e807c735a26e.html (downloaded on 10/10/2022).

In 2022, the media informed the public mainly in relation with the amendment of Act No. 480/2022 Coll. on Asylum, as amended, effective from 1 June 2022 and concerning the fact that applicants for international protection will be able to access labour market “as soon as six months from submitting application”.³²

Section 2: Integration policies in the EMN Member States and Observer Countries

Q5. Does your state have a specific policy/ strategy to support the labour market integration of third-country nationals? Yes/No^{33 34}

Yes.

The Slovak Republic adopted the following documents in relation to the integration of third-country nationals: *Migration Policy of the Slovak Republic: Perspective until the Year 2020* and later its update, *Migration Policy of the Slovak Republic: Perspective until the Year 2025*, *Integration Policy of the Slovak Republic*, the *Strategy for Labour Mobility of Foreigners until the Year 2020 with a View until the Year 2030*, and the *Recovery and Resilience Plan of Slovakia*.

The *Migration Policy of the Slovak Republic* (MP SR) defines goals in the areas of legal migration, international protection and irregular migration. The goals also include strengthening the cooperation of migration and development and evaluating the possibility of centralising the agendas of migration, integration and asylum into one centralised body.

The *Integration Policy* as a systemic framework for specific policies was adopted in 2014. It proposed new visions and directions in the integration of foreigners.³⁵

The *Integration Policy* defined measures in 8 priority areas, one of which is employment and social protection. In this chapter it includes three measures: to simplify acquiring residence and work permits, to enable students from third countries to work even during the course of their studies in specialisations where there is lack of qualified workers, and to support and simplify labour market integration for holders of temporary residence for the purposes of family reunification.

In October 2018, the government of the SR approved the *Strategy for Labour Mobility of Foreigners in the Slovak Republic until the Year 2020 with a View until the Year 2030* was adopted. However, it does not target applicants for international protection but focuses on the managed labour mobility of foreigners.

It aims to use short-term special measures to solve the general lack of qualified workforce on the labour market, as well as to set long-term measures to make the Slovak labour market more attractive for qualified and highly qualified foreigners and third-country nationals.

The ongoing pandemic in 2021 inspired the creation of the *Recovery and Resilience Plan of Slovakia* aimed in particular on the integration of Slovak citizens returning to Slovakia, highly qualified employees from third countries and their family members, as well as foreign university students studying in Slovakia. This document also addresses facilitating the recognising of qualifications.³⁶

a. if yes, does it encompass applicants of international protection? Yes/No

No.

i. if yes, please provide a brief outline of the strategy / policy in place in your country to integrate applicants of international protection into the labour market.

³² Žiadatelia o azyl budú mať prístup na trh práce už po polroku, Teraz.sk, 17/03/2022, <https://www.teraz.sk/slovensko/ziadatelia-o-azyl-budu-mat-pristup-n/619932-clanok.html> (consulted on 15/10/2022), or Žiadateľom o azyl sa upraví prístup na trh práce, prezidentka podpísala novelu, SME, 05/04/2022, <https://domov.sme.sk/c/22878169/ziadatelom-o-azyl-sa-upravi-pristup-na-trh-prace-prezidentka-podpisala-novelu.html> (consulted on 15/10/2022).

³³ Please note that measures aimed at supporting labour market integration of applicants are discussed in section 4.

³⁴ Please note that regional/local level strategies/policies should be reported only if national is not available.

³⁵ On 5 September 2018, the Government of the Slovak Republic canceled Government Resolution No. 405 the obligation of the relevant departments to submit to the Minister of Labour, Social Affairs and Family a report on the fulfillment of the goals and measures resulting from the Integration Policy of the Slovak Republic for the relevant calendar year, as well as the obligation to submit to the government a Summary Report on the fulfillment of the goals and measures resulting from the Integration Policy of the Slovak Republic for Minister of Labour, Social Affairs and Family. However, the Ministry of Interior of the Slovak Republic annually submits a report on the fulfillment of goals and measures resulting from the Integration Policy of the Slovak Republic to the Minister of the Interior.

³⁶ Recovery Plan, the roadmap to better Slovakia <https://www.planobnovy.sk/kompletny-plan-obnovy/> (downloaded on 8/11/2022).

NA

ii. if no, please answer question 5b

b. if no, how is the labour market integration of applicants for international protection addressed? Is there a mainstreaming labour market integration approach applicable? Yes/No

No.

i. if no, please provide a reason, if available, and describe briefly how international protection applicants are treated in practice with regard to labour market integration.

Most activities focused on integration into the labour market in relation to applicants for international protection in Slovakia is implemented by non-governmental organisations (via cultural mediators) active in asylum facilities and funded by the Asylum, Migration and Integration Fund (AMIF). They are provided on an individual basis and depending on the skills, knowledge and education of applicants for international protection, as well as on available work opportunities in the region where the asylum facility is located.

Practical labour market integration consists of support and assistance with preparing a CV, publishing it online at a job portal or searching for suitable job opportunities (via a job portal, contacts at local offices or employers near the asylum facility). Choosing and contacting a (potential) employer from a pool of verified employers is advantageous, because it protects the applicants for international protection from labour exploitation; it provides the possibility to vouch for the client and to provide more information about skills, knowledge, language skills, etc.

Some skills can also partially be verified by means of assistance works in the asylum facility provided by the SHC NGO. Within their project implemented in asylum facilities, they have some financial means for a "nominal" fee for various assistance works in the asylum facility done by applicants for international protection, such as cleaning and disinfection of common areas, gardening, interpretation during group activities, hairdressing/barber services, bike repairs, painting rooms, organising and sorting clothes, etc. The only limitation is that there is not enough of such work, and the interest of applicants for international protection to participate is great.³⁷

The NGO's cultural mediators also help with finding employers willing and able to pay a salary in cash, which is important, as applicants for international protection in Slovakia do not have bank accounts. If they had bank accounts, their possibilities for finding employment would be much better. However, they cannot open them, because they do not have identification documents. Asylum seeker ID cards are often unknown not only to private institutions, but also to the state authorities.³⁸ The NGO's cultural mediators working in the asylum facility also offer, if needed, assistance with job interviews (explaining working conditions, and sometimes they are also present when signing a Work Agreement). They also reimburse travel to and from work or lend bikes. If applicants for international protection have a job promised to them on the condition that they take a particular course (such as an extra Slovak language course, working with forklifts trucks, a driving licence), they try to reimburse their costs for taking this course, if the project budget capacities allow. Some employers pay for the necessary courses (such as working with machinery) to their employees.

It is necessary to underline that the possibility of entering the labour market in the case of applicants for international protection concerns only several dozens of persons a year.

Before taking on a new employee, employers are interested in the following information:

1. work permit, how to report information to the Social and Health Insurance Agencies, they ask for applicant's ID,
2. language skills (level of knowledge of Slovak or at least English),

³⁷ Source: Integrácia utečencov na trh práce na Slovensku [Labour Market Integration of Refugees in Slovakia], Human Rights League, <https://www.hrl.sk/userfiles/files/Vy%CC%81skumna%CC%81%20s%CC%8Ctu%CC%81dia.pdf> (consulted on 03/11/2022).

³⁸ Source: Integrácia utečencov na trh práce na Slovensku [Labour Market Integration of Refugees in Slovakia], Human Rights League, <https://www.hrl.sk/userfiles/files/Vy%CC%81skumna%CC%81%20s%CC%8Ctu%CC%81dia.pdf> (consulted on 03/11/2022).

3. if the applicants have a driving licence (they usually do not have them or their licences are not recognised in Slovakia) and a bank account,
4. if they will be able to come to the workplace on time/if the workplace is reachable from the asylum facility (e.g. when they work shifts).

As for work counselling, the applicants are most often interested in the following questions:³⁹

1. when can they start working,
2. inclusion at the workplace (attitudes towards migrants, racial and religious tolerance),
3. combination of work activity with the asylum facility regime (e.g. lunch hours),
4. conditions in the Work Agreement.⁴⁰

Q6. Have there been any major changes in the strategy/policy to support the labour market integration of third-country nationals within the temporal scope of the study (January 2017 – June 2022)? Yes/No

Yes.

a. If yes, please explain briefly the content, including what was the driver and objective for these changes?

In 2018, the *Strategy for Labour Mobility of Foreigners until the Year 2020 with a View until the Year 2030* was adopted by Resolution of the Government No. 473. It was prepared on the basis of the Manifesto of the Government of the SR. The objective was to:

- a) ensure sustainable economic growth and the improvement of the quality of life of citizens as well as foreigners living in Slovakia;
- b) respond to new technologies and changes on the labour market;
- c) respond to changes in demographic development and their related impacts on the system of social welfare and pensions;
- d) fight against illegal labour, different working conditions than those of the citizens of the SR from the side of employers and labour misuse;
- e) support the integration of foreigners at the local level.

The Strategy focuses on managed (regular/legal) labour mobility of foreigners focused on compensating for a lack of available workforce on the labour market in the SR. It does not explicitly target refugees or applicants for international protection.⁴¹

By the amendment to the Act on Employment Services the 14 short-term measures set by the Strategy for Labour Mobility of Foreigners in order to solve the current lack of a qualified labour force were fulfilled.⁴² The amendment brought about several changes: the periodicity of publishing the list of scarce professions was shortened; employing foreigners in these professions by means of agencies was made possible or the submission of education certificates when applying for temporary residence was simplified. With the aim of facilitating the social inclusion and integration into the labour market of primarily citizens of Ukraine, who were granted temporary protection due to the armed conflict in Ukraine, it was established with effect from 30 March 2022 that projects and programmes supporting integration of a third-country national who has been granted temporary protection or who has been granted asylum or who is an applicant for international protection, implemented by the Central Office of Labour, Social Affairs and Family or by the Office of Labour, Social Affairs and Family are also considered active measures on the labour market.^{43 44} The Government of the SR approved the Migration Policy of the Slovak Republic: Perspective until the Year 2025 by Resolution of the Government of the SR No. 496 on 8 September 2021. It falls within the responsibilities of the MoI SR but does not specifically address the access of applicants for international protection to the labour market. Within individual areas of integration of foreigners, the SR aims mainly to strengthen the integration of foreigners on the regional and local levels, to provide high-quality education for the children of foreigners, including the teaching of the Slovak language as a foreign language, to

³⁹ The salary was not among the priorities. However, when preparing the applicants for the labour market, information about job positions and working conditions is provided to them as well as all the other information in order for their expectations to be realistic.

⁴⁰ Information provided by a SHC representative, 18/10/2022.

⁴¹ Information provided by a MoLSAF SR representative, 27/10/2022.

⁴² Behúňová, K., Meszárošová, S., Oboňová, S., Annual Report on Migration and Asylum in the Slovak Republic 2019, European Migration Network, IOM 2020, available at https://www.emn.sk/sk/publikacie/vyrocne-spravy-emn-o-migracii-a-azyle/item/download/2549_48b3af0dc47daef297810262f9575449.html (downloaded on 8/11/2022).

⁴³ Amendment to the Act No. 5/2004 Coll. on Employment Services and on changes and amendments to some acts, as amended, effective from 30 March 2022, <https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2004/5/20230101> (consulted on 8/11/2022).

⁴⁴ A project should be proposed for applicants for international protection by MoLSAF and implemented by CoLSAF. No project was proposed for this target group in the monitored period.

support the access of foreigners to adequate housing, to promote their cultural and social integration as well as inter-cultural dialogue, to introduce a language and cultural orientation mechanism and to support, implement and check the provision of adequate preventative healthcare. Priorities also include strengthening social inclusion and cohesion, facilitating systemic regulation of the integration of vulnerable groups of foreigners, introducing a vocational subject focused on the integration of foreigners into social work studies, supporting, streamlining and digitising the process of obtaining information on the health condition of foreigners.⁴⁵

The Recovery and Resilience Plan of Slovakia in its Component 10: Attracting and Retaining Talent addresses attracting a highly qualified labour force from countries outside the EU by simplifying their employment process and adopting a fast-track scheme for the purpose of job-seeking and related integration measures. This component presupposes the set-up and launch of programmes intended to help the integration of returnees, highly qualified employees from third countries and their family members, as well as foreign university students studying in Slovakia. For example a legal framework for “one-stop shops” so called client centres providing comprehensive counselling and services facilitating establishment in Slovakia and starting a career might be created.⁴⁶ However, the Recovery and Resilience Plan is not concerned specifically with the access of applicants for international protection to the labour market.

Q7. Are specific governance structures in place to support the labour market integration of international protection applicants? If yes, please provide an organigram or overview of the institutional framework for developing and implementing relevant strategy/policies/measures on the labour market integration of applicants for international protection.

No.

Most activities focused on integration into the labour market in relation to applicants for international protection in Slovakia is implemented by non-governmental organisations (via cultural mediators) active in asylum facilities and funded by the AMIF. They are provided on an individual basis and depending on the skills, knowledge and education of the applicants for international protection, as well as on the available work opportunities in the region where the asylum facility is located.

a. describe the key stakeholders and their role (government departments, public authorities, trade unions, employers' associations, NGOs, others?)

b. indicate the responsibilities of the different key actors, noting whether their role is specific to international protection applicants or more general.

Include national / regional /local structures where relevant.

Section 3: Accessing the labour market (employment and self-employment)

3.1. Procedures for accessing the labour market

Q8. Please describe the procedure required to enter the labour market/self-employment for an applicant for international protection in your state.

a. Does your state regulate differently access to employment or self-employment?

In relation to applicants for international protection, Act No. 480/2002 Coll. on Asylum and on changes and amendments to some acts, as amended, stipulates that an applicant cannot enter employment, a relation equal to employment or engage in business.⁴⁷ However, the applicant is authorised to enter employment six months after the commencement of asylum procedure.⁴⁸

⁴⁵ Migration Policy of the Slovak Republic: Perspective until the Year 2025, available at: <https://www.minv.sk/?zamer-migracnej-politiky-slovenskej-republiky&subor=419162> (downloaded on 8/11/2022).

⁴⁶ Recovery and Resilience Plan of Slovakia – Component 10, https://www.planobnovy.sk/site/assets/files/1058/komponent_10_lakanie_a_udrzanie_talentov_1.pdf (downloaded on 8/11/2022).

⁴⁷ The above information is, in accordance with Act no. 5/2004 Coll. on employment services and on changes and amendments to some acts as amended does not apply to an applicant for international protection who was granted permanent or temporary residence before applying for international protection.

⁴⁸ Applicants for international protection from Ukraine are subject to transitional provisions of Act No. 480/2002 Coll. on Asylum and on changes and amendments to some acts, as amended, from 30 March 2022, when during the

Applicants for international protection are not allowed to register in the Register of Job Seekers at their respective Office of Labour, Social Affairs and Family. Registration is only allowed to persons with granted asylum or subsidiary protection. In this case they are among the disadvantaged job seekers.

b. Please provide in your response an overview of the applicable legal framework and make a clear distinction between what is prescribed in laws, policy documents and practice.

Entry of applicants for international protection into the labour market in the SR is regulated by the following acts:

Act No. 480/2002 Coll. on Asylum and on changes and amendments to some acts, as amended

Act No. 5/2004 Coll. on Employment Services and on changes and amendments to some acts, as amended

Act No. 311/2001 Coll. Labour Code, and on changes and amendments to some acts, as amended

3.1.1. Employment (if the access is regulated differently for employment and self-employment)

Q9. What is the minimum period from lodging an application for international protection after which an applicant has access to the labour market? ⁴⁹

Applicants for international protection can enter the labour market six months after the commencement of the asylum procedure with the exception of applicants for international protection from Ukraine during the emergency situation declared in connection to the mass influx of foreigners to the territory of the Slovak Republic caused by the armed conflict on the territory of Ukraine. Self-employment is not allowed for applicants for international protection.⁵⁰

Q10. Please describe the reasoning related to the minimum period of accessing the labour market and conditions of access to the labour market/self-employment.

By means of amendment to the Act No. 480/2002 Coll. on Asylum and on changes and amendments to some acts, as amended effective from 1 June 2022 the period of accessing the labour market for applicants for international protection from the original nine to six months was shortened.⁵¹ The change had only a negligible impact on the labour market, as the number of applicants for international protection had been consistently low for a long time. However, it has positively influenced the applicants for international protection themselves, as it made it easier for them to integrate into the society if the result of their asylum procedure is positive (the asylum or subsidiary protection is granted). If applicants for international protection are not able to earn their own living, they are forced to remain in the accommodation centre for applicants for international protection and passively wait for the result of their asylum procedure. Such

emergency situation declared in connection with the mass influx of foreigners to the territory of the Slovak Republic caused by the armed conflict on the territory of Ukraine, an applicant who is a citizen of Ukraine or a family member of a citizen of Ukraine may, during the duration of the emergency situation declared in connection with the mass influx of foreigners to the territory of the Slovak Republic caused by the armed conflict on the territory of Ukraine, enter into an employment relationship even before the expiration of nine months from the start of the asylum procedure. For the purposes of the first sentence, a family member of a citizen of Ukraine is considered to be the spouse of a citizen of Ukraine and the parent of a minor child who is a citizen of Ukraine. Source: Act No. 480/2002 Coll. on Asylum and on changes and amendments to some acts, as amended <https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2002/480/20230101> (consulted on 3/11/2022).

⁴⁹ According to the Reception Conditions Directive Recast (2013/33/EU) article 15(1) Member States shall ensure that applicants have access to the labour market no later than 9 months from the date when the application for international protection was lodged if a first instance decision by the competent authority has not been taken and the delay cannot be attributed to the applicant.

⁵⁰ By Act No. 480/2002 Coll. on Asylum and on changes and amendments to some acts, as amended, Article. 23, Par. 6, <https://www.zakonypreludi.sk/zz/2002-480#f2815092>, (consulted on 27/10/2022).

⁵¹ Applicants for international protection from Ukraine are subject to transitional provisions of Act No. 480/2002 Coll. on Asylum and on changes and amendments to some acts, as amended, from 30 March 2022, when during the emergency situation declared in connection with the mass influx of foreigners to the territory of the Slovak Republic caused by the armed conflict on the territory of Ukraine, an applicant who is a citizen of Ukraine or a family member of a citizen of Ukraine may, during the duration of the emergency situation declared in connection with the mass influx of foreigners to the territory of the Slovak Republic caused by the armed conflict on the territory of Ukraine, enter into an employment relationship even before the expiration of nine months from the start of the asylum procedure. For the purposes of the first sentence, a family member of a citizen of Ukraine is considered to be the spouse of a citizen of Ukraine and the parent of a minor child who is a citizen of Ukraine. Source: Act No. 480/2002 Coll. on Asylum and on changes and amendments to some acts, as amended <https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2002/480/20230101> (consulted on 3/11/2022).

experience is demotivating and frustrating for many refugees.⁵² Practical experience of helping professions⁵³ in asylum facilities tells us that if a person is not allowed to work for a long time, they might lose their working habits and a sense of daily routine; their frustration might increase and social behaviour worsen, and they might lose interest in support activities (such as Slovak language courses etc.). The overall impact of such a situation on mental health is also considerable (such as expedited symptoms of innate or acquired mental diseases/disorders in combination with traumatic experience during their migration, insecurity about the results of the asylum procedure, etc.) and symptoms of learned helplessness appear as well as physiological signs of letting go. The process of reactivation is more difficult. On the other hand, practical experience tells us that engaging in work (at least occasionally or in the form of assistance work in an asylum facility) improves their mood, increases self-esteem, improves care about physical appearance, improves trust in others (and in self) and independence, and speeds up the acquisition of the Slovak language and obtaining one's own contacts. Moreover, the income improves their quality of life (e.g. better food etc.).⁵⁴

Setting up a longer period after which applicant for international protection can enter employment was originally explained as an effort to limit the risks of abusing asylum for labour migration of third-country nationals.

In 2005, a change to the Act on Asylum made it possible for applicants for international protection to enter the labour market after 12 months. In 2016, the period was shortened to 9 months. In many cases, the procedure was either suspended or finalised by that time.

Given all the above, the professionals in asylum facilities recommend to further shorten the period for applicants for international protection to 3–4 months.

Q11. Is the right to access the labour market automatic after a specified period? Yes/No

Yes.

Q12. What kind of documents are necessary in order to access the labour market?⁵⁵

In compliance with valid legislation,⁵⁶ a work permit is not required of applicants for international protection; i.e. the applicants do not request a permission to enter labour market. The MO MoI SR can issue to the applicants for international protection "an attestation to the asylum seeker's entitlement to enter employment"⁵⁷. They then submit it to the (potential) employer. The attestations are issued based on written request.

Q13. Is a work permit or another type of administrative application/decision necessary for accessing the labour market? Yes/No

No. The MO MoI SR can issue to the applicant for international protection an attestation to the applicant's entitlement to enter employment.

a. if Yes, please specify:

i. who is required to submit the application, the applicant/employer/jointly by both?

The applicant for international protection submits the application to the MO MoI SR.

ii. which authority is responsible for granting access to the labour market?

MO MoI SR

iii. what are the criteria for obtaining the work permit?

Applicants for international protection do not need a work permit to enter the labour market.

⁵² Source: Integrácia utečencov na trh práce na Slovensku [Labour Market Integration of Refugees in Slovakia], Human Rights League, <https://www.hrl.sk/userfiles/files/Vy%CC%81skumna%CC%81%20s%CC%8Ctu%CC%81dia.pdf> (consulted on 3/11/2022).

⁵³ social workers, psychologists, cultural mediators

⁵⁴ Information provided by the SHC representatives, 18/10/2022.

⁵⁵ According to Reception Conditions Directive Recast (2013/33/EU) article 6, Member States shall ensure applicants have a document that proves they are an applicant.

⁵⁶ Act No. 5/2004 Coll. on Employment Services and on changes and amendments to some acts, as amended, Article 22, Par. 12 a)1., <https://www.zakonypreludi.sk/zz/2004-5>, (consulted on 27/10/2022).

⁵⁷ This is the exact title of the document. The Slovak legislation does not recognize the term applicant for international protection, we use this term in accordance with the specifications of the study. Slovak legislation uses the term asylum seeker.

iv. what is the average duration of the procedure to grant access to the labour market? If applicable, please also add any official time limits according to law/policy.

NA. If the conditions are met that the applicants for international protection are authorised to enter employment six months following the commencement of their asylum procedure, "an attestation to the asylum seeker's entitlement to enter employment"⁵⁸ is issued to the applicants based on their written request in a couple of days. There is no official deadline set.

Section 3.1.2. Self-employment (if the access is regulated differently for employment and self-employment)

Q14. Is self-employment of international protection applicants permitted in your state? Yes/No

No.

a. if yes:

i. what is the minimum period from lodging an international protection application after which an applicant has access to self-employment?

ii. which authority is responsible for granting access to self-employment?

3.2. Conditions and limitations in accessing the labour market

Q15. If applicable, please describe the period of validity and conditions of the authorisation to access the labour market/self-employment.

Applicants for international protection are authorised to enter employment six months after the commencement of their asylum procedure, apart from the cases in which the lodging of an administrative action against the Ministry's decision issued in the asylum procedure does not have suspensive effect and administrative court did not decide on granting the suspensive effect, or the cassation court did not decide on granting the suspensive effect of the cassation complaint against the administrative court decision concerning the administrative action against the Ministry's decision issued in the international protection procedure.⁵⁹

Applicants for international protection can remain in employment even during the court deciding on granting the suspensive effect, if they met the above conditions at the time when employment was established.⁶⁰

Q16. Is the authorisation limited to certain employment sectors or occupations? In other words, are applicants for international protection excluded from some labour market sectors or from certain occupations? Yes/No.

No. The right of applicants for international protection to work is not limited in terms of professions or type of employment (permanent employment or Work Agreements outside of employment). If the asylum procedure is lawfully completed to the disadvantage of applicants for international protection, they lose the right to work.⁶¹ If applicants for international protection meet the conditions of the employment, they can

⁵⁸ This is the exact title of the document. The Slovak legislation does not recognize the term applicant for international protection, we use this term in accordance with the specifications of the study. Slovak legislation uses the term asylum seeker.

⁵⁹ Applicants for international protection from Ukraine are subject to transitional provisions of Act No. 480/2002 Coll. on Asylum and on changes and amendments to some acts, as amended, from 30 March 2022, when during the emergency situation declared in connection with the mass influx of foreigners to the territory of the Slovak Republic caused by the armed conflict on the territory of Ukraine, an applicant who is a citizen of Ukraine or a family member of a citizen of Ukraine may, during the duration of the emergency situation declared in connection with the mass influx of foreigners to the territory of the Slovak Republic caused by the armed conflict on the territory of Ukraine, enter into an employment relationship even before the expiration of nine months from the start of the asylum procedure. For the purposes of the first sentence, a family member of a citizen of Ukraine is considered to be the spouse of a citizen of Ukraine and the parent of a minor child who is a citizen of Ukraine. Source: Act No. 480/2002 Coll. on Asylum and on changes and amendments to some acts, as amended <https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2002/480/20230101> (consulted on 3/11/2022).

⁶⁰ Act No. 480/2022 Coll. on Asylum and on changes and amendments to some acts, as amended, Article 23, par. 6, <https://www.zakonypreludi.sk/zz/2002-480#f2815092> (downloaded on 2/11/2022).

⁶¹ Source: Integrácia utečencov na trh práce na Slovensku [Labour Market Integration of Refugees in Slovakia], Human Rights League, <https://www.hrl.sk/userfiles/files/Vy%CC%81skumna%CC%81%20s%CC%8Ctu%CC%81dia.pdf> (consulted on 03/11/2022).

find employment in any sector.⁶² Based on practical experience, they most often work in construction, assistant landscaping or gardening works, jobs as labourers or manufacturing.⁶³

If yes, from which ones?

Third-country nationals are excluded from employment in the State Service/all positions for which the citizenship of the SR is required.

Q17. Is employment restricted to a single employer?

No.

Q18. If applicable, please describe the conditions and procedures of the renewal of the authorisation to access the labour market. Are they the same for all employment sectors and occupations?

Employers are obliged to inform the Labour Office about commencing and terminating employment of third-country nationals (by means of an information card). Apart from these information cards, they also submit documents attesting to them meeting relevant provisions of the Act, i.e. that they are applicants for international protection and can enter employment based on a special regulation,⁶⁴ i.e. Act No. 480/2002 Coll. on Asylum and on changes and amendments to some acts, as amended.

Q19. Does your Member State give priority to EU and EEA citizens (Art. 15/2 clause 2 of the Reception Conditions Directive Recast (2013/33/EU)) and to other legally resident third-country nationals in accessing the labour market? Yes/No

No. Applicants for international protection whose entry into the labour market is allowed by a special regulation, i.e. Act No. 480/2002 Coll. on Asylum and on changes and amendments to some acts, as amended, has the right to access the labour market as stated groups of citizens. Only their employer has the obligation to inform.⁶⁵ If the applicants for international protection meet the conditions of employment, they can find employment in any sector.

a. if yes, please specify how priority is given in law/policy and in practice (labour market test, minimum share of employment by EU/EEA nationals, occupations lists etc.)?

NA

Q20. Are there any other limitations in place, either in law or in specific measures relating to applicants of international protection for accessing labour market / self-employment?

Applicants for international protection cannot be self-employed. They are also excluded from State Service jobs.

⁶² Third-country nationals are excluded from State Service jobs.

⁶³ Information provided by a SHC representative, 18/10/2022.

⁶⁴ Information provided by the COLSAF, 04/10/2022.

⁶⁵ Information provided by the COLSAF, 04/10/2022.

Section 4: Support measures to enhance labour market integration and self-employment

Area/component	Overview of the main measures	Stakeholders	Target group
1. Language acquisition	Another precondition of successful integration is at least a minimal knowledge of the host country language. It is therefore of utmost importance to make education in the state language accessible to applicants for international protection.	The MO MoI SR in cooperation with the non-governmental organisation which is implementing a project funded by EU funds (currently the AMIF) in the asylum facility.	Slovak language teaching for applicants for international protection living in the MoI SR asylum facilities. Only the applicants to whom compulsory school attendance applies are obliged to attend the Slovak language courses. Otherwise, attendance is voluntary.
2. Vocational education and training (including reskilling schemes)	It is not a part of the policy/strategy (is not organised in a systemic manner).	It is funded through a project of the non-governmental organisation which is implementing a project funded by EU funds (currently the AMIF) in the asylum facility, if they have the financial means and if a job is promised to an applicant for international protection upon completion of the course.	For applicants for international protection living in the MoI SR asylum facilities.
3. Civic integration courses	Sociocultural orientation is important mainly for applicants for international protection coming from a different cultural environment. However, it is also	The MO MoI SR in cooperation with the non-governmental organisation which is implementing a project funded by EU funds (currently the AMIF) in the asylum facility.	For applicants for international protection living in the MoI SR asylum facilities.

Area/component	Overview of the main measures	Stakeholders	Target group
	<p>beneficial for applicants for international protection from Ukraine or Russia.</p> <p>Aid: A New Start in the Slovak Republic guide</p>		
<p>4. Support for recognition of diplomas, certificates and other evidence of formal qualifications including those formal qualifications that cannot be documented (lost or destroyed in the context of existing procedures for recognition of foreign qualifications)</p> <p>Please note in the overview column if the procedure is a general one or specific to international protection applicants.</p>	<p>Does not exist.</p>		
<p>5. Skill assessments to validate prior (non-accredited) learning and experience</p>	<p>It is not a part of the policy/strategy (is not organised in a systemic manner).</p>	<p>The MO MoI SR in cooperation with the non-governmental organisation which is implementing a project funded by EU funds (currently the AMIF) in the asylum facility; e.g. in the form of assistance works in the asylum facility.</p>	<p>For applicants for international protection living in the MoI SR asylum facilities.</p>
<p>6. Information and counselling (labour market orientation, tailored advice, other)</p>	<p>Work counselling is important in order to prevent illegal employment and labour exploitation.</p>	<p>The MO MoI SR in cooperation with the non-governmental organisation which is implementing a project funded by EU funds (currently the AMIF) in the asylum facility.</p>	<p>Applicants for international protection living in the MoI SR asylum facilities can also access information about the labour market. The counselling is not provided in a general manner to all the applicants, but on a case-by-case basis</p>

Area/component	Overview of the main measures Please describe the rationale, scope and aim under each area.	Stakeholders Please describe the stakeholders involved, where applicable at state, regional and local level (public authorities, trade unions, employers' associations, NGOs, others?)	Target group Please indicate whether the measures address applicants for international protection in general or particular categories of applicants for international protection (e.g. women or minors of working age)?
			individually for a specific applicant, who can enter the labour market and is interested in doing so. It depends on the level of their independence (preparing a CV, searching for job vacancies, contacting employers, going to job interviews with them, etc.).
7. Incentive measures for employers (e.g. tax reductions, labour matching services, recruitment support)	Do not exist.		
8. Support for self-employment (for example preferential taxation and social security contributions, administrative support with establishing a company etc, business plan development, other). Please note in the overview column if the support differs from the regular support to self-employment available to national population, EU citizens or other third-country nationals.	Does not apply.		
9. Indirect support (e.g. childcare, transport)	Does not exist.		

Section 5: Good practices and challenges

What integration support programmes, projects, legislative or other practical initiatives are available that specifically facilitate effective access to the labour market for applicants of international protection and have been identified by experts as a “good practice”.

Does not apply. The SR does not have specific programmes in place which would facilitate effective access of applicants for international protection to the labour market.

Measure 1	
Overview	
Name	
Type	
Area	
Access	all applicants for international protection or particular categories
Target group	<input type="checkbox"/> Tailor-made labour market integration measure (only applicants for international protection) <input type="checkbox"/> Mainstream labour market integration measure (for all) If the measures is for all, please describe how applicants for international protection benefit
Coverage	National/local/international/other
Link	
Source and justification	Please indicate the source/who proposed the practice as good and explain why the measure is considered a “good practice” (see Section Methodology).
Description	
<p>Q1. Please describe how third-country nationals can access the measure, notably:</p> <p>a) <i>Elaborate in brief on the conditions and process of accessing the measure for applicants for international protection</i></p> <p>b) <i>Is the measure voluntary or compulsory? Is it provided free of charge?</i></p> <p>c) <i>If applicable, indicate if the measure is different from the regular support available to national population, EU citizens or third country nationals?</i></p> <p>d) <i>Are there any reasons for to be excluded/to lose access to the measure? If so, which ones?</i></p> <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 10px;"></div>	
<p>Q2. Please describe briefly the context in which the measure has started:</p> <p>a) <i>When was the measure introduced and what was/is its duration?</i></p> <p>b) <i>What was the need/purpose to start/implement such measure (e.g. labour market needs in the Member State, need for integration, changes in integration policies)?</i></p>	

c) *When is the measure provided (e.g. upon arrival, upon arrival until (please add till when), no determined time limitation)?*

d) *Key activities*

Q3. Please briefly describe the implementation modalities, notably:

a) *By whom is it implemented (agency, government institution, NGOs, private sector etc.), and what are the coordination structures?*

b) *If applicable, are there any reimbursement (totally or partially)/cost sharing possibilities?*

c) *How and by whom is it promoted?*

Q4. Please briefly describe the impact of the measure and notably:

a) *Did it meet the anticipated objectives? YES/NO/Partly*

b) *What are the main outcomes*

c) *Monitoring and evaluation of impact (please describe the evaluation tools and methodology, if possible specify what indicators have been adopted and how those were measured)*

d) *Challenges during implementation and remedies applied*

e) *Likelihood of continuation of the measure. If discontinued, please explain why*

Q21. Are there any specific protocols, synergies between agencies/institutions to support labour market integration of international protection applicants that have been identified as good practices?

Do not exist.

Q22. What kind of challenges have been identified in your country when it comes to access to the labour market by applicants for international protection? Please provide a distinction⁶⁶ between legislative challenges and challenges in practice and specify how those challenges have been identified.

The Slovak Republic does not have specific support measures created in a systemic manner for integration of applicants for international protection into the labour market. The active labour market policy tools can be used for asylum holders or beneficiaries of subsidiary protection.

The current wording of the Act on Asylum creates a possibility, in which a work permit already obtained by an applicant for international protection is suspended in cases when filing a legal remedy does not have automatic suspensive effect and the court decides not to grant it. If one of the administrative courts decides in favour of the applicant for international protection and cancels the decision of the MO MoI SR and returns the case to them for new procedure and decision, the permission of applicant for international protection to work is restored. This discontinuity in the right to work leads to the situations in practice in which the applicants for international protection unnecessarily lose their job or get into illegal employment due to the fact that either the employer or the applicants for international protection themselves are not aware of these facts.⁶⁷

As for further practical challenges to the integration of applicants for international protection into the labour market, based on the experience of a non-governmental organisation cooperating in labour market integration, it is mainly the language barrier (not only not speaking Slovak, but also the impossibility to

⁶⁶ Where applicable.

⁶⁷ Source: Integrácia utečencov na trh práce na Slovensku [Labour Market Integration of Refugees in Slovakia], Human Rights League, <https://www.hrl.sk/userfiles/files/Vy%CC%81skumna%CC%81%20s%CC%8Ctu%CC%81dia.pdf> (consulted on 03/11/2022).

communicate with supervisors/colleagues in another language, e.g. English). As their education is not recognised (they do not even have education certificates) and there is no system in place for expert skill verification, they do mostly the jobs for which lower qualification is needed.⁶⁸

When submitting an application for international protection repeatedly,⁶⁹ the applicant loses the job, as the six-month period of not accessing the labour market applies to them anew⁷⁰. This means that they can re-enter the labour market again only six months following the commencement of the new asylum procedure. Work opportunities are not equally available in all the regions in which asylum facilities are located. One of the facilities is in a region with low number of job vacancies, and at the same time applicants for international protection of vulnerable groups are housed there.⁷¹ The SR therefore has scarce experience with employing vulnerable groups of applicants for international protection. Moreover, there is a lack of rental housing in Slovakia, and commercial rent is expensive for applicants for international protection in the cases when they want to find accommodation outside of the asylum facilities for work purposes. If the applicants for international protection do not have identification documents, they cannot withdraw the financial means using Western Union services, meaning that they cannot pay the rent and housing deposit. Apart from group accommodation facilities, the absence of identification documents is another problem ("the asylum seeker card"⁷² is not sufficient⁷³). They cannot open a bank account for the same reason. All the above factors can contribute to the risk of labour exploitation (they find accommodation in a community and sometimes accept occasional work in exchange for food or accommodation).⁷⁴

Accepting a job which means the necessity to find housing outside of the asylum facility is financially very demanding for applicants for international protection, especially in the first months. At the same time, they lack benefits, such as the provision of board or a sanitary package, which were previously been available to them in the asylum facilities.

Section 6: Conclusions

Q23. Please synthesise the findings of your national report by drawing conclusions from your responses:

a) What are the main trends with regard to the situation of international protection applicants in the context of labour market integration and what are the main debates regarding their labour market integration identified in your country?

Labour market integration of applicants for international protection is not yet a topic of public and political discussions in Slovakia. This might be due to the low number of applicants for international protection in general, as well as the only recently shortened period after which applicants for international protection can enter employment (from nine to six months).

In 2022, the media informed the public mainly in relation with the amendment of Act No. 480/2022 Coll. on Asylum, as amended, effective from 1 June 2022, and concerning the fact that the applicants for

⁶⁸ Information provided by an SHC representative, 18/10/2022.

⁶⁹ Asylum seekers reapply for asylum after lawful decision on non-granting asylum or subsidiary protection.

⁷⁰ With the exception of applicants for international protection from Ukraine who are subject to a transitional provision from 30 March 2022 during the emergency situation declared in connection to the mass influx of foreigners to the territory of the Slovak Republic caused by the armed conflict on the territory of Ukraine.

⁷¹ According to Article 39 of Act No. 480/2002 Coll. on Asylum and on changes and amendments to some acts as amended, vulnerable persons are mainly minors, disabled persons, elderly persons, pregnant women, single parents with minor children, victims of human trafficking, persons with serious illnesses, persons with mental disorders and persons who have been subjected to torture, rape or other serious forms of psychological violence, physical violence or sexual violence. From the above, the accommodation facilities intended for vulnerable people are most often accommodated by people with disabilities (physical, mental), elderly people, single parents with children, families, pregnant women. In addition, individual women are also housed here. Unaccompanied minors are accommodated in the Center for Children and Families, which is under the auspices of the CoLSAF.

⁷² This is the exact title of the document. The Slovak legislation does not recognize the term applicant for international protection, we use this term in accordance with the specifications of the study. Slovak legislation uses the term asylum seeker.

⁷³ "Asylum seeker ID cards are often unknown not only to private institutions (such as banks, Western Union etc.), but also for state authorities. This document does not contain the information on the possibility to employ asylum seekers and might not look credible to the employers. Currently, it is not even possible in Slovakia to open a bank account using the asylum seeker ID card. Bank account is key to have the salary paid to them." Source: Integrácia utečencov na trh práce na Slovensku [Labour Market Integration of Refugees in Slovakia], Human Rights League, <https://www.hrl.sk/userfiles/files/Vy%CC%81skumna%CC%81%20s%CC%8Ctu%CC%81dia.pdf> (consulted on 03/11/2022).

⁷⁴ Information provided by the SHC representative (SHC is the cooperating non-governmental organisation which implemented the AMIF funded project), 18/10/2022.

international protection will be able to access the labour market “as soon as six months from submitting application”. However, this change was also not preceded by any significant political or public discussion.

b) If at all and to what extent are international protection applicants specifically addressed in national integration policies with regard labour market integration? What are the key characteristics of the national integration policies for promoting labour market participation for the applicants of international protection and how is the access to employment and self-employment for applicants of international protection regulated/supported.

A systemic approach focused on labour market integration of applicants for international protection is absent in Slovakia: there are no specific governing structures in place locally, regionally or nationally. The main migration and integration framework documents are not specifically concerned with integration of applicants for international protection into the labour market. Applicants for international protection cannot be registered at the Labour Office, nor can they use active labour market measures.⁷⁵ Otherwise, the Labour Code⁷⁶ applies to them. It regulates the legal status of employees in the “private sphere”.

In relation to the applicants for international protection, Act No. 480/2002 Coll. on Asylum and on changes and amendments to some acts, as amended, stipulates that an applicant cannot enter employment, a relation equal to employment or engage in business. However, the applicant is authorised to enter employment six months following the commencement of the asylum procedure.⁷⁷ If applicants for international protection meet the conditions of the employment, they can enter employment in any sector.

In compliance with valid legislation, a work permit is not required of applicants for international protection, i.e. they do not request permission to enter the labour market. Applicants for international protection who meet the condition of six months period after the commencement of their international protection procedure have the possibility to address the MO MoI SR. Upon request, they issue to them “a written attestation to the asylum seeker’s entitlement to enter employment”⁷⁸. With this written attestation (and an asylum seeker ID card), applicants for international protection can prove to their future employer that they have the right to be employed in Slovakia.

Employers are obliged to inform the Labour Office about the commencement and termination of employment of third-country nationals. Apart from this information, they also submit documents attesting to them meeting the relevant provisions of the Act, i.e. that they are applicants for international protection and can enter employment based on the Act on Asylum.

c) To what extent are targeted measures to support labour market participation available in your country, specifically addressing applicants for international protection and what has been identified as challenges as well as good practice in this area?

Regarding the measures specifically focused on facilitating access to the labour market for applicants for international protection, these comprise mainly the provision of the Slovak language courses, reimbursing courses when a job is promised (and sufficient financial means in the non-governmental organisation project funding), sociocultural orientation, skill verification to verify previous non-expert work experience (e.g. through assistance works in an asylum facility), and job counselling. The measures are carried out by the MO MoI SR cooperating with the non-governmental organisation implementing a project funded from EU funds (currently the AMIF). These are not systemic measures but depend on the existence of the NGO’s project and its budgetary capacity. The measures are focused on the applicants for international protection living in the asylum facilities. Possibilities for labour market integration also depend on the location of the accommodation asylum facility, as the possibilities for employment and the number of jobs available differ

⁷⁵ With the aim of facilitating the social inclusion and integration into the labour market of primarily citizens of Ukraine, who were granted temporary protection due to the armed conflict in Ukraine, it was established with effect from 30 March 2022 that projects and programmes supporting integration of a third-country national who has been granted temporary protection or who has been granted asylum or who is an applicant for international protection, implemented by the Central Office of Labour, Social Affairs and Family or by the Office of Labour, Social Affairs and Family are also considered active measures on the labour market. MoLSAF should propose a project for applicants for international protection which would be implemented by CoLSAF. No project was proposed for this target group in the monitored period. Act No. 5/2004 Coll. On Employment Services and on changes and amendments to some acts, as amended, effective from 30 March 2022, <https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2004/5/20230101> (consulted on 8/11/2022).

⁷⁶ Act No. 311/2001 Coll. Labour Code, <https://www.zakonypreludi.sk/zz/2001-311> (consulted on 08/11/2022).

⁷⁷ With the exception of applicants for international protection from Ukraine who are subject to a transitional provision from 30 March 2022 during the emergency situation declared in connection to the mass influx of foreigners to the territory of the Slovak Republic caused by the armed conflict on the territory of Ukraine.

⁷⁸ This is the exact title of the document. The Slovak legislation does not recognize the term applicant for international protection, we use this term in accordance with the specifications of the study. Slovak legislation uses the term asylum seeker.

in the individual regions of the country. Moreover, there is a lack of rental housing in Slovakia, and commercial rent is expensive for applicants for international protection in cases when they want to find accommodation outside of the asylum facilities for work purposes.

Based on the experience of a non-governmental organisation cooperating with labour market integration, the main challenge of labour market integration which were identified is the language barrier (not only not speaking Slovak, but also the impossibility to communicate with supervisors/colleagues in another language, e.g. English). As their education is not recognised (they do not even have education certificates) and there is no system in place for expert skill verification, they mostly do jobs for which lower qualification is needed.

Accepting a job which means the necessity of finding housing outside of an asylum facility is financially very demanding for applicants for international protection, especially in the first months. At the same time, they lack benefits, such as the provision of board or a sanitary package, which have previously been available to them asylum facilities.

When submitting an application for international protection repeatedly, the applicants lose the job, as the six-month period of not accessing the labour market applies to them anew.⁷⁹ If the applicants for international protection do not have identification documents, they cannot withdraw the financial means using Western Union services, meaning that they cannot pay the rent and housing deposit. Apart from group accommodation facilities, the absence of identification documents is another problem (the asylum seeker card is not sufficient⁸⁰). They cannot open a bank account due to not having identification documents.

All the above factors can contribute to the risk of labour exploitation (they find accommodation in a community and sometimes accept occasional work in exchange for food or accommodation).

⁷⁹ With the exception of applicants for international protection from Ukraine who are subject to a transitional provision from 30 March 2022 during the emergency situation declared in connection to the mass influx of foreigners to the territory of the Slovak Republic caused by the armed conflict on the territory of Ukraine.

⁸⁰ This is the exact title of the document. The Slovak legislation does not recognize the term applicant for international protection, we use this term in accordance with the specifications of the study. Slovak legislation uses the term asylum seeker.

Statistical Annex

Table 1: Number of asylum seekers (a year, rounded)

Number of asylum seekers/year	2017	2018	2019	2020	2021	2022 (January – June)
Total number	145	150	220	275	355	185

Source: Eurostat

Table 2: Number of asylum seekers (a year, rounded) by sex

Number of asylum seekers by sex/year	2017	2018	2019	2020	2021	2022 (January – June)
female	25	35	25	20	25	60
male	125	115	195	255	330	120
unknown	0	0	0	0	0	0

Source: Eurostat

Table 3: Number of asylum seekers (a year, rounded) by age

Asylum seekers age groups/year	2017	2018	2019	2020	2021	2022 (January – June)
14–17 yrs.	20 73	20	30	10	20	20
18–34 yrs.	85 73	85	150	215	300	105
35–64 yrs.	40	40	40	50	35	55
65 yrs. and older	0	5	0	0	0	5

Source: Eurostat

Table 4: Number of asylum seekers (a year, rounded) by nationality

Asylum seekers nationality/year	2017	2018	2019	2020	2021	2022 (January – June)
Afghanistan	20 73	25	90	45	90	10
Algeria	5	0	0	25	25	0
Armenia	0	0	10	0	0	0
Azerbaijan	0	15	0	0	0	0
Bangladesh	0	0	15	15	5	20
China	5	5	0	5	0	0
Cuba	10	0	0	0	0	0
Egypt	0	0	0	5	0	0
Georgia	0	10	0	0	0	5
India	0	5	5	10	20	5
Iran	5	15	40	10	0	0
Iraq	5	15	0	0	0	0
Libya	5	0	0	10	10	0
Morocco	10	0	5	35	115	20
Myanmar	0	0	5	0	0	0
Nepal	0	0	0	0	5	0
Pakistan	10	10	5	5	10	0

Russian Federation	0	0	5	0	0	15
Sri Lanka	5	0	0	10	10	0
Sudan	0	0	5	0	0	0
Syrian Arab Republic	5	5	5	40	15	5
Tunisia	0	0	0	5	10	0
Turkey	5	0	5	20	10	0
Ukraine	5	0	10	0	0	65
Uzbekistan	0	0	0	0	5	0
Vietnam	20	73	5	0	5	0
Yemen	0	15	0	0	0	0

Source: Eurostat

Table 5: Number of first-time asylum seekers (a year, rounded)

Number of first-time asylum seekers/year	2017	2018	2019	2020	2021	2022 (January – June)
Total	135	130	205	255	315	170

Source: Eurostat

Table 6: Number of asylum applications and suspended procedures (a year, unrounded)⁸¹

Indicator/year	2017	2018	2019	2020	2021	2022 (January – June) ⁸²
Number of asylum applications	166	178	232	282	370	274
Number of suspended procedures	73	69	179	177	212	213

Source: MO MoI SR

⁸¹ Source: Statistics, MO MoI SR, <https://minv.sk/?statistiky-20> (consulted on 3/11/2022).

⁸² Source: Štatistická správa – June 2022, Počet žiadostí o udelenie azylu a rozhodnutí v I. stupni za roky 2010 – 2022 [Number of asylum applications and decisions in the first level for the years 2010 – 2022], MO MoI SR, <https://minv.sk/?statistiky-20&subor=450388> (consulted on 3/11/2022).