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SLOVAKIA  
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**Accurate, timely, interoperable? Data management in  
the asylum procedure - contribution of the Slovak  
Republic**

EMN Study – Questionnaire Form

November 2020



MINISTRY  
OF INTERIOR  
OF THE SLOVAK REPUBLIC

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Európska migračná sieť



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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 all EU Member States and Norway 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.

This study – in the form of questionnaire - was produced with the financial assistance by the European Union. The views expressed herein can in no way be taken to reflect the official opinion of the European Union. Equally, the opinions presented herein do not necessarily represent the opinions of the Government of the Slovak Republic or of the IOM.

Elaborated by: Peter Halás

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 study aims to examine the ways data are managed in various phases of the asylum procedure and identify the newest trends or changes to the established procedures in order to improve common utilization of the data by various authorities, not merely by asylum authorities. The study also aims to map the challenges that EU Member States are facing, as well as best practices in the field of data management, which can serve as an inspiration. The study refers to the collection of data in various phases of the asylum procedure, from the moment a person expresses an intent to apply for asylum, until the first instance decision is taken.

Methodology for the preparation of the study is mainly based on the examination, comparison and evaluation of the statistics from official statistical sources of the Migration Office, legislative and other informative documents relating to the topic in question. Face-to-face consultations of the author with the staff of the Procedural Department of the Migration Office were also used as a source of information.

Based on the questionnaires from each EU Member State, 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 later on the synthesis report) are available on the Slovak EMN National Contact Point website [www.emn.sk](http://www.emn.sk).

## List of abbreviations

**Coll.** – Collection of Laws

**EC** – European Commission

**EMN** – European Migration Network

**EU** – European Union

**GDPR** – General Data Protection Regulation

**IOM** –International Organization for Migration

**IS** – Information System

**MI** – Military Intelligence

**NA** – not applicable/not available

**NGO** – non-governmental organisation

**SIS** – Slovak Information Service/Schengen Information System

**SR** – Slovak Republic

**VIS** – Visa Information System

## Summary

The European Migration Network (EMN) study "Accurate, timely, interoperable? Data management in the asylum procedure" was selected for elaboration by the EMN Steering Board as part of its 2020 work programme. Each EU Member State prepares its national report based on common specifications – the questions below. Based on the national studies the European Commission (EC) subsequently prepares a synthesis report, summarizing the main findings from EU Member States.

The Slovak Republic study, prepared in this questionnaire form, follows the specifications common for all EU Member States. It will be used in the drafting of the Europe-wide synthesis report drawing on the national reports of EU Member States.

Below is the overview of the main findings from individual sections of the study.

Section 0 looks at the changes to the data management caused by the Covid-19 pandemics. The Slovak Republic continues to follow a standard asylum procedure, which has not changed due to the Covid-19 pandemics. Similarly, processing and collection of data necessary for the asylum procedure remain unchanged.

Section 1 examines the asylum procedure in the Slovak Republic, phases of the procedure, as well as the division of the procedures and relevant timeframes. At the same time, it looks at the division of tasks in the collection of data concerning asylum seekers.

The first acquisition of information about a person and about the reason for their applying for asylum takes place at the moment the person declares their wish to apply for asylum (make an asylum application). The declaration is recorded on a specified form, which forms an annex of the Act on Asylum, and the minutes, acquiring further detailed information, is made with the person in addition to the abovementioned form. At the same time, the person's fingerprints and photograph are taken. The person's information is checked against international SIS, VIS, EURODAC, IS INBO and INTERPOL databases, as well as against the national Register of Citizens REGOB, the national information system for recording information on foreigners who have been granted residence permit in the Slovak Republic (IS ECU) and in the national information system on migration and international protection (IS MIGRA) and if they were not registered in the IS MIGRA in the past the information on the person and their application is registered there. This is the only national information system where applicant's personal data is recorded. The applicant is informed about this in a language they understand through an interpreter, who is present during all of the abovementioned acts.

By this act the asylum procedure is initiated and the time period for the issuance of the decision starts to run. Thus, the authorities competent to receive the asylum application and register the person in the information systems are the Police Force Departments, and the subsequent asylum procedure is carried out by the Migration Office of the Ministry of Interior of the Slovak Republic as a body competent to decide in asylum procedure.

Migration Office then instructs the applicants on their rights and obligations within the asylum procedure no later than 15 days after the lodging of an application, with the instruction written in a language understood by the applicant. Information on personal data protection forms a part of the abovementioned instruction.

Later in the procedure, the Migration Office conducts an entry interview with the applicant, which is recorded in form of a written questionnaire, and may subsequently conduct additional interviews. Subsequently, the Migration Office records further information on the person in IS MIGRA. Similarly, all submitted documentary evidence is produced. Most frequently, this concerns personal documents and papers.

Regarding advance collection of data and creation of asylum seekers' profiles, the Migration Office has not been doing so yet, as, in recent years, the situation concerning asylum applications has been quite stable and there has been no increase in the number of applications, and the profiles of asylum seekers are so varied that it is impossible for them to be categorized. Given the number of applications, it is not possible to create larger sets of profiles or information. Moreover, each application is reviewed individually.

Sections 2, 3 and 4 describe individual phases of the asylum procedure. The Slovak Republic does not distinguish between different phases of the asylum procedure: the phase of expressing of an intention to seek asylum ('making of an asylum claim'), 'registering' and 'lodging' phase. All three phases are conducted concurrently as a single phase. Similarly, the information acquired during said phases is the same, collected mostly in one time period by the Border and Foreign Police Departments competent to carry out these phases of the procedure. Thus, the information provided in Sections 2, 3 and 4 are stated in a way which reflects the situation described above.

Section 5 deals with cross-checking of information and data protection in various national and international databases. Each person is checked in the abovementioned databases (see Section 1) with the aim to acquire as much information on the person as possible and compare or crosscheck this with the information provided by said person. Such assessment of the information collected is essential for the review of the person's asylum application, especially in order to ascertain whether the person is trustworthy, and it can also be essential to establish potential security risks and the possibility of excluding of the person from international protection.

Regarding data protection and the obligation to inform an asylum seeker, each applicant is informed of their rights and obligations concerning personal data protection and the procedures to follow in case they feel affected in their personal data protection, in writing.

Section 6 focuses on the system of quality assessment of the data collected during the asylum procedure. The Slovak Republic does not have in place a uniform system for the control and assessment of quality of all data collected during the asylum procedure. If it concerns the information acquired during the asylum procedure recorded in the individual applicants' files, the Migration Office has a uniform system of asylum procedure quality assessment in place, in which, inter alia, timeliness, accuracy and consistency of collected information is assessed and evaluated regularly.

As concerns Section 7, which looks at challenges, the Slovak Republic has not registered any challenges concerning asylum procedure data management in recent years. Similarly, the Slovak Republic has not prepared any measures that would speed-up collection of data or make it easier in case of a sudden increase of the number of asylum seekers.

## Section 0: Impact of COVID-19

Did your (Member) State introduce any major change(s)/reform(s) related to data management due to the COVID-19 pandemic?

Yes

No

If yes, please describe these changes.

## Section 1: The asylum procedure

### 1.1 Overview of the asylum procedure

*Please provide an overview on the regular asylum procedure in your (Member) State by answering the following questions.*

1. Does your (Member) State clearly distinguish in national legislation among the abovementioned phases of making, registering and lodging of an application? (clear distinction – see the background section 7 - Definitions)

Yes

No

If yes, please elaborate briefly.

If no, please briefly describe the different phases of the asylum procedure in your (Member) State.

See answer to the question 2a).

2. a) Does your (Member) State clearly distinguish in practice among the abovementioned phases of making, registering and lodging of an application?

Yes

No

If no, please briefly describe the different phases of the asylum procedure in your (Member) State specifying whether in practice some of the abovementioned phases are merged/overlapping.

The Slovak Republic takes care to ensure exact, timely and operational acquisition of information throughout the entire asylum procedure. The Slovak Republic has an asylum system in place in which three introductory phases – the expressing of intent to apply for asylum (phase of making an asylum claim), registering an asylum application, and lodging an asylum application – are connected into one phase, i. e. the submission of an asylum application. A foreigner who expresses an intent to apply for asylum is immediately sent to the respective authority while all steps needed to initiate an asylum procedure are performed in one phase. The result is that usually only a couple of hours pass from expressing the intent to apply for asylum to lodging an asylum application. This time is needed to travel to the seat of the authority authorized to receive applications and to obtain interpretation (in the case of unaccompanied minors also a carer must be appointed by the respective court), or for the competent authority to travel to the applicant.

Asylum procedure starts by the foreigner declaring at a respective Police department that they seek asylum or subsidiary protection in the territory of the Slovak Republic. In the case of foreign minors, the declaration is submitted by their legal representative or carer appointed by the court. This declaration therefore entails all three introductory phases of the asylum procedure as distinguished by the European legislation.

Relevant police authority to receive the declaration is:

- In the case of a foreigner seeking asylum or subsidiary protection at entry into the Slovak Republic, the Police department at the border crossing point;
- In the case of a foreigner seeking asylum or subsidiary protection after having entered the Slovak Republic, the Police department established at the asylum facility;
- In the case of a foreigner arriving to the territory of the Slovak Republic by plane while not meeting the conditions for entry, the Police department in the transit area of the international airport;
- In the case of a foreigner placed into a detention facility for foreigners, the Police department established in that facility;
- In the case of a foreigner in institutional healthcare, the Police department according to the place of institutional healthcare facility;
- In the case of a foreigner who is in custody or serving a term of imprisonment, the Police department according to the place of imprisonment or custody facility;
- In the case of a foreigner in a socio-legal protection of children and social guardianship facility, the Police department according to the place of that facility.

If a foreigner makes an asylum or subsidiary protection application to a Police department that is not competent to receive such declaration (asylum application), the Police department shall be obliged to instruct the applicant on which Police department is competent to receive such declaration and, provided the Police department makes no decision on detention of the foreigner and on their placement in a Police Detention Centre for Foreigners, it shall issue a transport document valid for 24 hours to the foreigner. The transport document shall include the identification of the Police department issuing the document, number of the document, validity period of the document, name and surname, date and place of birth, sex and state citizenship of the foreigner, number of the travel document or any other document by which the foreigner proved their identity, address of the Police department at which the foreigner is obliged to appear, place and date of the document issuance, stamp of the Police department, and signature of the officer issuing the document. A foreigner who applies for asylum or subsidiary protection at a Police department that is not competent to receive the declaration shall be considered an applicant for the matters concerning the provision of accommodation, board or boarding-out

allowance, basic sanitary products and other things necessary for living, and for the provision of healthcare under said Act for the period of three days from making of such declaration; and the Police department shall notify the Ministry of Interior of this fact.

b) in practice, are there any differences in the division of the phases based on the different types of entry routes (i.e. land, sea, air)? For Member States implementing the hotspot approach, does this distinction hold in the hotspots?

Asylum procedure phases are the same when crossing borders by land or air. The only particularity within the asylum procedure occurs in the transit centres of international airports where placement of an applicant in such centre or the end of thereof is conditioned as follows:

- The placement of an applicant in a transit centre of an international airport can be ended on humanitarian grounds;
- The placement of an applicant in a transit centre of an international airport is ended by law and the applicant is placed into a reception centre, if:
  - a) their asylum application is not decided upon within seven days following the completion of the questionnaire or
  - b) the court does not decide within thirty days following the delivery of an administrative action against the decision of the Ministry of Interior in the asylum procedure.<sup>1</sup>

Release from the transit centre of international airport based on the above reasons is then considered entry of the applicant into the territory of the Slovak Republic.

Apart from the above restrictions in the transit centres of international airports, the Slovak Republic does not have any procedures at borders or any other specific types of procedures depending on how and where the applicant entered the territory.

3. a) Does 'channelling' of specific caseloads take place in the asylum procedure of your (Member) State?

Channelling:

- Yes  
 No

If yes, please elaborate how the asylum procedure is organised, in relation to the single channels/tracks.

Asylum procedures are sorted and channelled by reasons for application stated by the applicant. Based on the reasons, the Slovak Republic distinguishes regular (six-month deadline to issue decision) and shortened (sixty-day deadline to issue decision) procedures. Such channelling of applications occurs only after an introductory interview which is conducted with every seeker of international protection.

Shortened procedures deal with applications in which the applicant states facts or reasons for their seeking asylum other than the following:

- They have well-founded fear of being persecuted in their country of origin on grounds of race, ethnic origin or religion, for reasons of holding certain political opinions or belonging to a certain social group and given these fears they cannot or do not want to return to this country,
- They are persecuted in their country of origin for exercising political rights and freedoms,
- They seek asylum for family reunification purposes with a beneficiary of asylum or subsidiary protection,
- there are serious reasons to think that if returning to their country of origin, they would be exposed to a real threat of serious harm.

Serious harm means:

- imposition of a death penalty or its execution,
- torture or inhuman or degrading treatment or punishment; or

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<sup>1</sup> Sec. 4 Par. 3 of Act on Asylum

- serious and individual threat to life or integrity of person by reason of arbitrary violence in situations of international or internal armed conflict.<sup>2</sup>

Shortened procedure applies also to cases when the applicant comes from a safe country of origin, unless in their case this country can not be considered as a safe country of origin.

At the same time applications are processed in a shortened procedure if the applicant does not meet the conditions for granting asylum or subsidiary protection and at the same time:

- entered the territory of the Slovak Republic irregularly and, without having a serious reason, has not applied for international protection immediately after his/her entry;
- has not undergone taking of fingerprints;
- submitted false information or documents, forged or modified documents, or has withheld substantial information or documents significant for the asylum granting procedure with an intention to make the examination of the asylum application difficult;
- justified his/her application for granting asylum by manifestly incoherent, contradictory, untrue or unlikely statements that are in contradiction to the sufficiently verified information concerning his/her country of origin;
- it is likely that he/she has destroyed or got rid of his/her travel document or another identity document with an intention to create a false identity for himself/herself or to make the examination of the application otherwise difficult;
- submitted his/her application for granting asylum merely with the intention to avert an imminent danger of being expelled from the territory of the Slovak Republic;
- the application is a subsequent application for granting asylum and in the asylum procedure it is not possible to decide that it is a subsequent application due to the fact that substantial changes to the facts of the case occurred;
- constitutes a danger to the security of the Slovak Republic;
- constitutes a danger to the society.<sup>3</sup>

An application for asylum of a minor applicant cannot be decided in a shortened procedure.

#### b) Did your (Member) State introduce any changes on 'channelling' since 2014?

If so, please describe the change(s) and intended purpose. If applicable and feasible, please also refer to findings of studies or evaluations on these changes made.

No.

#### 4. a) Are there any national time frames/limits for each of the single phases (making, registering, lodging and examining a claim) in the context of Article 6 of the recast Asylum Procedures Directive?<sup>4</sup>

Yes

No

If yes, please describe and specify the time frames/limits for the phases applicable in your (Member) State.

There are only two time frames to review an application: six months for the standard procedure and sixty days for the shortened procedure.

The phases of expressing the intent to apply for asylum (making an asylum claim), registering an asylum application and lodging an asylum application are connected into one phase in the Slovak legislation. It is called the submission of an asylum application. A foreigner who declares an intent to seek asylum is immediately sent to the respective authority and all steps needed to initiate the asylum procedure are performed in one phase.

#### b) Did your (Member) State introduce any changes in the national timeframes / limits in the years since 2014?

<sup>2</sup> Section 2 Letter f) of Act on Asylum

<sup>3</sup> Sec. 12 Par. 2 of Act on Asylum

<sup>4</sup> Directive 2013/32/EU (NB Denmark and Ireland do not participate in the recast Asylum Procedures Directive).

If so, please describe the change(s) and intended purpose. If applicable and feasible, please also refer to findings of studies or evaluations on these changes made.

Yes, in 2018 the deadline for reviewing application and issuing the decision in standard procedure was prolonged from 90 days to six months. The reason was to align national legislation with the European Union legislation.

5. a) In practice, how long does the procedure take from an asylum applicant making an application to lodging the application (average days)?

**Table 1**

Year	Average duration (days) from making to lodging a claim <sup>5</sup>
2014	1 day (integrated into one phase)
2015	1 day (integrated into one phase)
2016	1 day (integrated into one phase)
2017	1 day (integrated into one phase)
2018	1 day (integrated into one phase)
2019	1 day (integrated into one phase)

b) In practice, how long does the procedure take from lodging the application until a first instance decision is made (average days)? If information is not available, please indicate legal time limits and an indication that these are legal limits.

In case your (Member) State applies 'channelling', please specify the average time for each channel.

**Table 2**

Year	From lodging until first time decision				
	Average days	Channel 1 (standard procedure)	Channel 2 (expedited procedure)	Channel 3 (specify)	Channel 4 (specify)
2014	N/A	max 90 days	max 60 days		
2015	N/A	max 90 days	max 60 days		
2016	N/A	max 90 days	max 60 days		
2017	N/A	max 90 days	max 60 days		
2018	N/A	max 90 days	max 60 days		
2019	N/A	max 6 months	max 60 days		

The Slovak Republic does not keep statistics on average length of the first instance asylum procedure. It is therefore only possible to state standard legal time limits for issuing decisions. In the case of the standard procedure the deadline might be prolonged in justified cases. Regarding the expedited procedure, the deadline cannot be prolonged and if the case is not decided inside the legal deadline, the application is decided upon in the standard procedure.

The decision-making time limit may be repeatedly extended, by a maximum of 9 months, by the superior of the employee acting in the case, if the decision-making on the application for granting asylum requires examination of complex factual or legal issues or when a high number of applicants have lodged their applications for granting asylum simultaneously and it would be extremely difficult to decide on the case within 6 months from the commencement of the procedure or if it is not possible to decide on the case within 6 months from the commencement of the procedure due to the fact that the applicant fails to cooperate or makes assessing the application for granting asylum difficult in any other way. If it is necessary for the due assessment of an application for granting

<sup>5</sup> In case there is no information on the exact average duration, please include estimates about the average duration.

asylum, the maximum 9-month time period may be extended further by a maximum of 3 months. The Ministry of Interior shall inform the applicant of the extension of the time limit for the decision on the application for granting asylum in writing. Upon the applicant's request, the Ministry of Interior of the SR shall inform the applicant of the reasons for such extension and of the time when the decision on his/her application can be expected.<sup>6</sup>

## 1.2 Authorities involved in the asylum procedure

### 6. Which authorities are involved in and responsible for the asylum procedure from making an application to first instance decision?

Please indicate whether those authorities are legally competent for registering an asylum application or not. For those authorities which are not, please also see Section 2.1

**Table 3**

Type of Authority	Specify name of the authority involved in <u>making</u> an application	Legally competent for <u>registering</u> an asylum application (please indicate type of authority and specify name)	Legally competent for <u>lodging</u> an asylum application (please indicate type of authority and specify name)	Legally competent for <u>examining</u> an asylum application (please indicate type of authority and specify name)
Border Police	Bureau of Border and Foreign Police of the Police Force Presidium of the Slovak Republic, specifically:  Asylum Department, Foreign Police Departments, Border Control Departments, Police Detention Centres for Foreigners	Bureau of Border and Foreign Police of the Police Force Presidium of the Slovak Republic, specifically:  Asylum Department, Foreign Police Departments, Border Control Departments, Police Detention Centres for Foreigners	Bureau of Border and Foreign Police of the Police Force Presidium of the Slovak Republic, specifically:  Asylum Department, Foreign Police Departments, Border Control Departments, Police Detention Centres for Foreigners	
Local Police				
(Branch) office for Refugees				
Ministries (Interior, Justice, etc.)				Ministry of Interior of the Slovak Republic, Migration Office
Local Citizen's Office/Mayor of a local city/town				
(Local) immigration office				
(Shared) accommodation for refugees				
EU Agency				

<sup>6</sup> Sec. 20 Par. 1 of Act on Asylum

<b>Type of Authority</b>	<b>Specify name of the authority involved in <u>making</u> an application</b>	<b>Legally competent for <u>registering</u> an asylum application (please indicate type of authority and specify name)</b>	<b>Legally competent for <u>lodging</u> an asylum application (please indicate type of authority and specify name)</b>	<b>Legally competent for <u>examining</u> an asylum application (please indicate type of authority and specify name)</b>
International Organisation				
Detention facility				
Reception centre				
Others (please specify)				

### 1.3 Data collected during the asylum procedure

7. Which information is gathered during the asylum procedure at the different phases and by whom? Please, fill Table 4 below.

**Table 4**

Notes:

- column 2: numbers 1 / 2 are performed by the Border and Foreign Police Departments, number 3 is performed by the Migration Office
- column 3: Border and Foreign Police Departments include Asylum Departments, Foreign Police Departments, Border Control Departments, Police Detention Centres for Foreigners
- column 5 and 6: Data from IS MIGRA can be obtained in two ways: either they are available in the database and they can be used for statistical purposes by using database programmes, or they are not recorded in the database, but they can be obtained by opening individual cases (digital version of the minutes)

1. Categories of data collected	2. In which phase(s) is this information collected? (including self-registration)  <i>Please use the numbers provided for each phase to indicate the phase the data is collected. In case phases are combined in your state, please indicate it accordingly by using a dash (see example below).</i>	3. Which organization collects this information in each of the different phases? (whenever possible please refer to the authorities listed in section 1.2)	4. How is this particular category of data /biometric data collected?  <i>If different data collection tools are used in the different phases, please specify it. If possible, please indicate if any specific technology is used in the process.</i>	5. Where is this particular category of data /biometric data stored?	6. If applicable, please specify the name of the database(s)
<p>Name</p> <ul style="list-style-type: none"> <li>- <i>current name</i></li> </ul>	<p>1 / 2, 3</p>	<ul style="list-style-type: none"> <li>- Border and Foreign Police Departments</li> <li>- Migration Office</li> </ul>	<ul style="list-style-type: none"> <li>- face-to-face interview</li> <li>- document analysis</li> </ul>	<ul style="list-style-type: none"> <li>- in the database (documents kept in IS MIGRA in electronic version)</li> <li>- on paper (minutes)</li> </ul>	<p>MIGRA</p>

- <i>birth name</i>	1 / 2, 3	- Border and Foreign Police Departments - Migration Office	- face-to-face interview - document analysis	- in the database (documents kept in IS MIGRA in electronic version) - on paper (minutes)	MIGRA
- <i>previous name(s)</i>	1 / 2, 3	- Border and Foreign Police Departments - Migration Office	- face-to-face interview - document analysis	- in the database (documents kept in IS MIGRA in electronic version) - on paper (minutes)	MIGRA
- <i>pen name (alias)</i>	1 / 2, 3	- Border and Foreign Police Departments - Migration Office	- face-to-face interview	- in the database (documents kept in IS MIGRA in electronic version) - on paper (minutes)	MIGRA
- <i>religious names</i>	1 / 2, 3	- Border and Foreign Police Departments - Migration Office	- face-to-face interview	- on paper (minutes)	

- <i>other names</i>	1 / 2, 3	- Border and Foreign Police Departments - Migration Office	- face-to-face interview - document analysis	- in the database (documents kept in IS MIGRA in electronic version) - on paper (minutes)	MIGRA
<b>Sex</b>	1 / 2, 3	- Bureau of Border and Foreign Police Departments - Migration Office	- face-to-face interview - document analysis	- in the database (documents kept in IS MIGRA in electronic version) - on paper (minutes)	MIGRA
<b>Biometric data</b>					
- <i>photo</i>	1 / 2	- Border and Foreign Police Departments - Migration Office	- photograph <sup>7</sup>	- in the database (documents kept in IS MIGRA in electronic version) - on paper (minutes)	MIGRA
- <i>fingerprints (which fingers, rolled or pressed fingerprints)</i>	1 / 2	- Border and Foreign Police Departments - Migration Office	- fingerprints if there are no exceptions such as missing fingers or fingers where to take the fingerprints is impossible –	- in the database (documents kept in IS MIGRA in	EURODAC (fingerprints taken during the registration in IS

<sup>7</sup> During registration

			<p>the fingerprints are taken by the police officer as follows:</p> <ul style="list-style-type: none"> <li>- 1) right thumb</li> <li>- 2) left thumb</li> <li>- 3) remaining four fingers on right hand together</li> <li>- 4) remaining four fingers on left hand together</li> <li>- 5) rolled fingerprints on right hand from thumb to little finger</li> <li>- 6) rolled fingerprints on left hand from thumb to little finger<sup>8</sup></li> </ul>	<p>electronic version)</p> <ul style="list-style-type: none"> <li>- on paper (minutes)</li> </ul>	<p>MIGRA are stored in the national state-wide system of automated dactyloscopic identification of persons which is aimed at collecting, storing and distribution of dactyloscopic fingerprints and palm prints of persons (AFIS) and have a unique identificatory on the basis of which the person is identified in IS MIGRA. So physically the fingerprints are recorded to AFIS and then further sent to EURODAC)</p>
- <i>iris scan</i>	-	-	-	-	-
- <i>other</i>	-	-	-	-	-
<b>Eye colour</b>	-	-	-	-	-
<b>Height</b>	-	-	-	-	-

<sup>8</sup> During registration

<b>Date of birth</b>	1 / 2, 3	<ul style="list-style-type: none"> <li>- Border and Foreign Police Departments</li> <li>- Migration Office</li> </ul>	<ul style="list-style-type: none"> <li>- face-to-face interview</li> <li>- document analysis</li> </ul>	<ul style="list-style-type: none"> <li>- in the database (documents kept in IS MIGRA in electronic version)</li> <li>- on paper (minutes)</li> </ul>	MIGRA
<b>Citizenship(s)</b>	1 / 2, 3	<ul style="list-style-type: none"> <li>- Border and Foreign Police Departments</li> <li>- Migration Office</li> </ul>	<ul style="list-style-type: none"> <li>- face-to-face interview</li> <li>- document analysis</li> </ul>	<ul style="list-style-type: none"> <li>- in the database (documents kept in IS MIGRA in electronic version)</li> <li>- on paper (minutes)</li> </ul>	MIGRA
<b>Country of origin</b>	1 / 2, 3	<ul style="list-style-type: none"> <li>- Bureau of Border and Foreign Police Departments</li> <li>- Migration Office</li> </ul>	<ul style="list-style-type: none"> <li>- face-to-face interview</li> <li>- document analysis</li> </ul>	<ul style="list-style-type: none"> <li>- in the database (documents kept in IS MIGRA in electronic version)</li> <li>- on paper (minutes)</li> </ul>	MIGRA
<b>Place of birth</b>					
- <i>town</i>	1 / 2, 3	<ul style="list-style-type: none"> <li>- Border and Foreign Police Departments</li> <li>- Migration Office</li> </ul>	<ul style="list-style-type: none"> <li>- face-to-face interview</li> <li>- document analysis</li> </ul>	<ul style="list-style-type: none"> <li>- on paper (minutes)</li> </ul>	

- <i>region</i>	1 / 2, 3	- Border and Foreign Police Departments - Migration Office	- face-to-face interview - document analysis	- on paper (minutes)	
- <i>country</i>	1 / 2, 3	- Border and Foreign Police Departments - Migration Office	- face-to-face interview - document analysis	- on paper (minutes)	
- <i>other</i> (i. e. nationality, ethnic or tribal identity)	1 / 2, 3	- Border and Foreign Police Departments - Migration Office	- face-to-face interview - document analysis	- in database - on paper (minutes)	MIGRA
<b>Date of arrival in the (Member) State</b>	1 / 2, 3	- Border and Foreign Police Departments - Migration Office	- face-to-face interview - document analysis	- on paper (minutes) - documents kept in IS MIGRA in electronic version	
<b>Last place of residence in the country of origin</b>	3	- Migration Office	- face-to-face interview - document analysis	- on paper (minutes)	
<b>Last place of residence before entry in the (Member) State</b>	1 / 2, 3	- Border and Foreign Police Departments - Migration Office	- face-to-face interview - document analysis	- on paper (minutes)	
<b>Contact details</b>					

- <i>phone number</i>	3	- Migration Office	- face-to-face interview - document analysis	- in the database - on paper (minutes)	MIGRA <sup>9</sup>
- <i>email address</i>	3	- Migration Office	- face-to-face interview - document analysis	- in the database - on paper (minutes)	MIGRA
- <i>current address</i>	1 / 2, 3	- Border and Foreign Police Departments - Migration Office	- face-to-face interview - document analysis	- in the database - on paper (minutes)	MIGRA <sup>10</sup>
- <i>other</i>	-	-	-	-	
<b>Civil status</b>					
<b>Accompanied by:</b>					
- <i>spouse or civil partner</i>	1 / 2, 3	- Border and Foreign Police Departments - Migration Office	- face-to-face interview - document analysis	- in the database (documents kept in IS MIGRA in electronic version) - on paper (minutes)	MIGRA

<sup>9</sup> This data is recorded in MIGRA as a note.

<sup>10</sup> This data is recorded in MIGRA as a note.

- <i>children</i>	1 / 2, 3	- Border and Foreign Police Departments - Migration Office	- face-to-face interview - document analysis	- in the database (documents kept in IS MIGRA in electronic version) - on paper (minutes)	MIGRA
- <i>parents</i>	1 / 2, 3	- Border and Foreign Police Departments - Migration Office	- face-to-face interview - document analysis	- in the database (documents kept in IS MIGRA in electronic version) - on paper (minutes)	MIGRA
- <i>other relatives</i>	1 / 2, 3	- Border and Foreign Police Departments - Migration Office	- face-to-face interview - document analysis	- in the database (documents kept in IS MIGRA in electronic version) - on paper (minutes)	MIGRA
<b>Family members in the (Member) State</b>					
- <i>name</i>	3	- Migration Office	- face-to-face interview - document analysis	- on paper (minutes)	
- <i>residency</i>	3	- Migration Office	- face-to-face interview	- on paper (minutes)	

			- document analysis		
- <i>citizenship</i>	3	- Migration Office	- face-to-face interview - document analysis	- on paper (minutes)	
- <i>other</i>	3	- Migration Office	- face-to-face interview - document analysis	- on paper (minutes)	
<b>Family members in another (Member) State</b>	3	- Migration Office	- face-to-face interview - document analysis	- on paper (minutes)	
<b>Close relatives in the (Member) State</b>	3	- Migration Office	- face-to-face interview - document analysis	- on paper (minutes)	
<b>Close relatives in another (Member) State</b>	3	- Migration Office	- face-to-face interview - document analysis	- on paper (minutes)	
<b>Health status</b>					
- <i>specifics on health status</i>	3 if placed in the Detention Centre 1 / 2, 3	- Migration Office	- face-to-face interview - document analysis - medical examination	- on paper (minutes)	
- <i>reference that a general health check has been carried out</i>	3 if placed in the Detention Centre 1 / 2, 3	- Migration Office - Border and Foreign Police Departments	- face-to-face interview - document analysis - medical examination	- in database (reference to the medical examination /treatment) (documents kept in IS MIGRA in electronic version)  - on paper (minutes)	MIGRA (in case of medical examination for the purpose of age determination the scans of medical statements are recorded in IS MIGRA at the change of age act, in case of other

					medical examinations/treatments only the reference to the examination/treatment is recorded)
- <i>other</i>	-	-	-	-	
<b>Education</b>					
- <i>school attendance</i>	3	- Migration Office	- face-to-face interview - document analysis	- on paper (minutes)	
- <i>academic studies</i>	3	- Migration Office	- face-to-face interview - document analysis	- on paper (minutes)	
- <i>trainings</i>	3	- Migration Office	- face-to-face interview - document analysis	- on paper (minutes)	
- <i>apprenticeships</i>	3	- Migration Office	- face-to-face interview - document analysis	- on paper (minutes)	
- <i>non-formal work experience</i>	3	- Migration Office	- face-to-face interview - document analysis	- on paper (minutes)	
- <i>other</i>	3	- Migration Office	- face-to-face interview	- on paper (minutes)	

			- document analysis		
<b>Language skills</b>	1 / 2, 3	- Border and Foreign Police Departments - Migration Office	- face-to-face interview	- in database - on paper (minutes)	MIGRA
<b>Profession</b>	3	- Migration Office	- face-to-face interview - document analysis	- on paper (minutes)	
<b>Criminal record</b>	1 / 2, 3	- Border and Foreign Police Departments - Migration Office	- face-to-face interview - document analysis - hit based on fingerprints in international police database Interpol	- on paper (minutes) - in database (reference to the positive hit in the international police database Interpol)	MIGRA (result of the hit in the international police database Interpol stored)
<b>Financial resources</b>	1 / 2, 3	- Border and Foreign Police Departments - Migration Office	- face-to-face interview - document analysis	- on paper (minutes)	
<b>Supporting documents</b>					
- <i>passport</i>	1 / 2, 3	- Border and Foreign Police Departments - Migration Office	- face-to-face interview - document analysis	- in the database (documents kept in IS MIGRA in electronic version)	MIGRA

				- on paper (minutes)	
- <i>travel document</i>	1 / 2, 3	- Border and Foreign Police Departments - Migration Office	- face-to-face interview - document analysis	- in the database (documents kept in IS MIGRA in electronic version) - on paper (minutes)	MIGRA
- <i>other</i> (e.g. drivers licence, birth certificate, etc.)	1 / 2, 3	- Border and Foreign Police Departments - Migration Office	- face-to-face interview - document analysis	- in the database (documents kept in IS MIGRA in electronic version) - on paper (minutes)	MIGRA
<b>Reasons for fleeing</b>	1 / 2, 3	- Bureau of Border and Foreign Police Departments - Migration Office	- face-to-face interview - document analysis	- in database - on paper (minutes)	MIGRA
<b>Reasons for not wanting to be returned to the competent Member State as part of a Dublin procedure</b>	3	- Migration Office	- face-to-face interview - document analysis	- on paper (minutes)	
<b>Previous applications</b>	1 / 2, 3	- Border and Foreign Police Departments	- face-to-face interview - document analysis	- in the database	MIGRA (result from the hit in Eurodac database stored)

		- Migration Office	- hit on the basis of fingerprints in Eurodac database	- on paper (minutes)	
<b>Information on the route taken</b>	1 / 2, 3	- Bureau of Border and Foreign Police Departments - Migration Office	- face-to-face interview - document analysis	- in database (documents kept in IS MIGRA in electronic version) - on paper (minutes)	
<b>Information on exclusion grounds</b>	3	- Migration Office	- face-to-face interview - document analysis	- on paper (minutes)	
<b>Religious affiliation</b>	3	- Migration Office	- face-to-face interview - document analysis	- on paper (minutes)	
<b>Vulnerabilities</b>					
- <i>Unaccompanied minor</i>	1 / 2, 3	- Border and Foreign Police Departments - Migration Office	- face-to-face interview - document analysis	- in database (documents kept in IS MIGRA in electronic version) - on paper (minutes)	MIGRA
- <i>Pregnant</i>	1 / 2, 3	- Border and Foreign Police Departments - Migration Office	- face-to-face interview - document analysis	- in database - on paper (minutes)	MIGRA

- <i>Disabilities (which?)</i>	1 / 2, 3	- Border and Foreign Police Departments - Migration Office	- face-to-face interview - document analysis	- in database - on paper (minutes)	MIGRA
- <i>Elderly</i>	1 / 2, 3	- Border and Foreign Police Departments - Migration Office	- face-to-face interview - document analysis	- on paper (minutes)	
- <i>Single parent with minor child(ren)</i>	1 / 2, 3	- Border and Foreign Police Departments - Migration Office	- face-to-face interview - document analysis	- on paper (minutes)	
- <i>Victims of human trafficking</i>	1 / 2, 3	- Border and Foreign Police Departments - Migration Office	- face-to-face interview - document analysis	- on paper (minutes)	
- <i>Mental disorders</i>	1 / 2, 3	- Border and Foreign Police Departments - Migration Office	- face-to-face interview - document analysis - medical examination	- on paper (minutes)	
- <i>Victims of torture, physical or sexual violence (female genital mutilation)</i>	1 / 2, 3	- Border and Foreign Police Departments - Migration Office	- face-to-face interview - document analysis	- on paper (minutes)	

- <i>other</i> (all reasons for which a person could be considered vulnerable are collected)	1 / 2, 3	- Border and Foreign Police Departments - Migration Office	- face-to-face interview - document analysis	- on paper (minutes)	
<b>Other (please specify)</b>	-	-	-		

8. Has your (Member) State identified any good practice in frontloading information collected by other authorities not directly connected to the asylum procedure? If yes, please elaborate and specify in which phase does the frontloading take place.

For each good practice mentioned, please describe a) for whom it is a good practice, b) why it is considered a good practice and c) what is the source of the statement – (please indicate sources)

No.

#### 1.4 Data management during the asylum procedure

9. Please fill Table 5 based on the information given in column 6 of Table 4 (filling as many rows as the databases indicated that Table).

**Table 5**

Note:

Border and Foreign Police Departments include Asylum Departments, Foreign Police Departments, Border Control Departments, Police Detention Centres for Foreigners

Database	Overview/definition of the database (please indicate whether it is a regional, national or European database).	National authorities that have access to the databases or access to its data <sup>11</sup>			Data shared with other Member States (apart from the data that (Member) States share through EU databases e.g. Eurostat, VIS, SIS)	
		Name of authority/organisation	In which phase of the asylum procedure	For what purpose	Type of data	For what purpose
(Database 1)	IS MIGRA <sup>12</sup> (national database)	- Border and Foreign Police Departments  - Migration Office	-entire asylum procedure  - entire asylum procedure	- for the purposes of asylum procedure, expulsion procedure, residence procedure, risk analysis on irregular migration, provision of statistics on irregular migration  - for the purposes of asylum procedure	Statistical and analytical data on irregular migration	With Ukraine following point 4 of the Plan of Development of Cooperation between the State Border Service of Ukraine and the Bureau of Border and Foreign Police of the Police Force Presidium

<sup>11</sup> Please differentiate between access to database and access to data. 'Access to database' is understood as a national authority being authorised to have direct access to a database without the need to request data to be transmitted to them via other authorities or intermediaries. 'Access to data' is reserved to cases where an authority has access to data contained to a database, through transmission or sharing by another authority.

<sup>12</sup> Border and Foreign Police Departments and Migration Office have access to the database and SIS and MI can access data.

		- Slovak Information Service (SIS)  - Military Intelligence (MI)	-determination of security threats phase  - determination of security threats phase	- for the purposes of security threats evaluation  - for the purposes of security threats evaluation		
(Database 2)	SIS, IS INBO (national database) <sup>13</sup>	- Border and Foreign Police Departments	- entire asylum procedure	- for the purpose of expulsion procedure	-	-
(Database 3)	EURODAC <sup>14</sup>	- Border and Foreign Police Departments  - Migration Office	- when entering asylum procedure  - when entering asylum procedure	-	-	-
(Database 4)	VIS <sup>15</sup>	- Border and Foreign Police Departments	- when entering asylum procedure	-	-	-
(Database 5)	- Interpol, REGOB (national database) <sup>16</sup>	- Border and Foreign Police Departments	- when entering asylum procedure	-	-	-

## Section 2: Making an asylum application

*This section requests information on asylum seekers making an asylum application to an authority that is not competent to register an asylum application.*

**'Making an application':** *The expression of intent to apply for international protection.*

### 2.1 Making an application to an authority not competent to register the asylum application

*If your (Member) State does not differentiate between "making an application" and "registering an application", or if these two phases are conducted concurrently, as referred to in Section 1.1, please skip and go to Section 3.*

The Slovak Republic does not distinguish between different phases of the asylum application process - the phases of expressing the intent to apply for asylum (making), registering and lodging an asylum application are all conducted concurrently as a single phase.

<sup>13</sup> Directorates of Border and Foreign Police have access to IS INBO database and on its basis also to SIS database. Data are recorded following the initiation of the Border and Foreign Police Departments, which have access to data.

<sup>14</sup> Border and Foreign Police Departments have access to the database and the Migration Office can access data.

<sup>15</sup> Border and Foreign Police Departments have access to data. Border Control Departments have also access to VIS database following the approval from the relevant Directorate of Border and Foreign Police while issuing visa.

<sup>16</sup> Border and Foreign Police Departments have access to data.

10. What information do authorities who are not competent to register an asylum application provide to the asylum applicants on where to go and what to do?

See also question 2a).

11. Do the authorities who are not competent to register any asylum application collect any data on the asylum applicant?

Yes

No

If yes, please specify which type of data is collected.

If yes, is this data further transferred to the competent authorities?

## Section 3: Registering an asylum application

**'Registering an asylum application':** Record the applicant's intention to seek protection.

*This section requests information on the registration of asylum applications.*

*If the process of registering and lodging of the asylum application are conducted concurrently (according to the law or in practice) in your (Member) State, please make this clear in Section 1 and proceed by skipping this Section and going directly to Section 4. If however, registering and lodging of an asylum application are conducted separately in your (Member) State (e.g. in crisis times or regionally with regard to islands vs. main land, cities vs. rural areas, centralised vs decentralised) please proceed by answering the following questions in Sections 3 and 4.*

*If the process of registering, lodging and examination of the asylum application are conducted concurrently (according to the law or in practice) in your (Member) State, please make this clear in Section 1 and proceed by skipping this Section and going directly to Section 5.*

*For Member States implementing the hotspot approach, please highlight whether there are differences in the processes applied in hotspots with regard to the standard/general asylum procedure.*

The Slovak Republic does not distinguish between different phases of the asylum application process - the 'making', 'registering' and 'lodging' phases of the asylum application process are all conducted concurrently as a single phase.

### 3.1 Cross checking of data collected at the registration phase

N.A.

12. Against which databases at i. local/regional, ii. national, iii. European and iv. international levels is the information collected during registration cross-checked<sup>17</sup> (please elaborate, what the purpose is of the cross-checking and if only specific categories of data are cross-checked)?

13. Does systematic cross-checking against (i) VIS and (ii) SIS take place?

Yes

No

14. What issues has your (Member) State encountered in cross-checking data collected at registration phase?

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<sup>17</sup> Purpose of cross-checking: Previous asylum applications, Prior legal residence/stay, Illegal border crossing, Illegal stay (overstay), Criminal record, Security risks, Detect counterfeit identity/travel documents, Other (please specify).

For each issue mentioned, please describe a) for whom it is an issue, b) why it is considered an issue and c) whether the assessment that this issue based on input from experts (please indicate sources)

### 3.2 Information provided to asylum applicants in the registration phase

15. Are asylum applicants provided with a processing/privacy notice<sup>18</sup> about the personal data collected from them during the registration phase?

Yes

No

If yes, please describe which information is provided (i.e. the purpose for which personal data from the asylum applicant is collected and on what basis, who has access to the information, data protection rights etc).

16. a) Who provides the information mentioned above (under Q15) (public authorities, international organisations, CSO - civil society organisations)?

b) How is this information provided (orally, digitally, in writing or all three)?

c) Where information is provided orally, is interpretation available?

Yes

No

d) Where information is provided digitally, is translation available?

Yes

No

If yes, who provides the digital information (e.g. national authorities, NGOs etc)?

e) Where information is provided in writing is translation available?

Yes

No

If yes, who provides the translation service (e.g. national authorities, NGOs etc)?

17. Is any specific training or guidance (i.e. guidelines) provided for staff responsible for data management with regard to information collected at the registration phase?

### 3.3 Where self-registration procedures apply, (Member) States are asked to elaborate more on the framework and experiences.

18. Does your (Member) State have any self-registration procedures in place?

Yes

No

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<sup>18</sup> The obligation to take appropriate measures to provide data subjects with a processing or privacy notice stems from Article 12 GDPR which obliges data controllers to provide "any information referred to in Articles 13 and 14 and any communication under Articles 15 to 22 and 34 relating to processing to the data subject in a concise, transparent, intelligible and easily accessible form, using clear and plain language." The information referred to in Articles 13 sets out the information to be provided where data has been collected from the data subject. It includes setting out the purpose of the data collected and legal basis; legitimate interests of the data controller (where this is used as the legal base); recipients of the data or categories of data; and if the data will be transferred to a third country or international organisation. Articles 15 to 22 refer to the data subject's rights including the rights to access, rectification and erasure; the right to object (if data is being collected for certain purposes including for a task carried out in the public interest or an official function vested in the data controller or in pursuit of legitimate interests of the data controller); right to data portability etc.

If yes, please answer questions 19-23.

If not, please move to section 4.

19. When was the self-registration procedure introduced and why?

20. Where do asylum seekers self-register (e.g. website, by phone)?

21. Are asylum seekers provided with any guidance/assistance/information on how to self-register?

If yes, please elaborate and indicate who provides this information

22. In which languages is the self-registration procedure available?

23. Is self-registration mandatory or optional?

## Section 4: Lodging an asylum application

*This section requests information on asylum applicants [lodging an asylum application](#).*

### 4.1 Cross checking of data collected at the lodging phase

24. Against which databases at i. local/regional, ii. national, iii. European and iv. international levels is the information collected during the lodging phase cross-checked (please elaborate, what the purpose is of the cross-checking and if only specific categories of data are cross-checked)?

- i. We do not have/don't use such databases
- ii. MIGRA, ECU and REGOB information systems
- iii. European databases SIS, VIS, EURODAC
- iv. International databases INBO, INTERPOL

The purpose of cross-checking of information on the applicant against various databases is to acquire the widest variety of information possible on a person, their identity and movement, to be subsequently used in the asylum proceeding.

25. Does systematic cross-checking against (a) VIS and (b) SIS take place?

Yes

No

26. What issues have you encountered in cross checking data collected at the lodging phase?

For each issue mentioned, please describe a) for whom it is an issue, b) why it is considered an issue and c) whether the assessment that this issue based on input from experts - please indicate sources)

The SR has not encountered any issues.

### 4.2 Information provided to asylum applicants at the lodging phase

28. Are asylum applicants provided with a processing/privacy notice<sup>19</sup> about the personal data collected from them during the lodging phase?

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<sup>19</sup> The obligation to take appropriate measures to provide data subjects with a processing or privacy notice stems from Article 12 GDPR which obliges data controllers to provide "any information referred to in Articles 13 and 14 and any communication under Articles 15 to 22 and 34 relating to processing to the data subject in a concise, transparent, intelligible and easily accessible form, using clear and plain language." The information referred to in Articles 13 sets out the information to be provided where data has been collected from the data subject. It includes setting out the purpose of the data collected and legal basis; legitimate interests of the data controller (where this is used as the legal base); recipients of the data or categories of data; and if the data will be transferred to a third country or international organisation. Articles 15 to 22 refer to the data subject's rights including the rights to access, rectification and erasure; the right to object (if data is being collected for certain purposes including for a task carried out in the public interest or an official function vested in the data controller or in pursuit of legitimate interests of the data controller); right to data portability etc.

- Yes  
 No

If yes, please describe which information is provided (i.e. the purpose for which personal data from the asylum applicant is collected and on what basis, who has access to the information, data protection rights etc).

Data on the foreigners who applied for asylum or who illegally entered and were not returned or are illegally staying in the SR including their dactyloscopic fingerprints are processed in information systems of the Ministry of Interior of the SR and EURODAC information system in line with the relevant legislation. In this case the Police Department issues to the foreigner instructions on their rights and obligations related to the fingerprinting into the information systems of the Ministry of Interior of the SR and EURODAC information system. The instruction contains information on the protection of personal data, on their processing, on the right of access to personal data, contact details where it is possible to acquire these data as well as on the possibility to request remedial action if a person feels affected.

29. a) Who provides the information mentioned above (under Q 28) (public authorities, international organisations, CSO - civil society organisations)?

Border and Foreign Police Departments competent to lodge an asylum application.

b) How is this information provided (orally, digitally, in writing or all three)?

Please describe.

Orally, through an interpreter.

c) Where information is provided orally, is interpretation available?

- Yes  
 No

If yes, who provides the interpretation services (e.g. national authorities, NGOs etc)?

Border and Foreign Police Departments competent to lodge an asylum application.

d) Where information is provided digitally, is translation available?

- Yes  
 No

N.A.

If yes, who provides the digital information (e.g. national authorities, NGOs etc)?

e) Where information is provided in writing is translation available?

- Yes  
 No

N.A.

If yes, who provides the translation service (e.g. national authorities, NGOs etc)?

30. Is any specific training or guidance provided for staff responsible for data management with regard to information collected at the lodging phase?

Yes, staff responsible for data management are trained in national legislation - Act on Protection of Personal Data.

## Section 5: Examining an asylum application

The following sections request information on any additional data collected after an asylum application is deemed to have been lodged and before a first instance decision is issued.

### 5.1 Cross checking of data collected at the examination phase

31. Against which databases at i. local/regional, ii. national, iii. European and iv. international levels is the information collected during the examination phase cross-checked (please elaborate, what the purpose is of the cross-checking and if only specific categories of data are cross-checked)?

Information collected during the asylum procedure is cross-checked against European databases VIS and EURODAC and with the national IS MIGRA database. The purpose of such cross-checking of information is to acquire as much information on a person as possible or to verify the information provided by that person.

32. Does systematic cross-checking against (a) VIS and (b) SIS take place?

Yes

No

33. What issues has your (Member) State encountered in cross checking data collected at the examination phase?

For each issue mentioned, please describe a) for whom it is an issue, b) why it is considered an issue and c) whether the assessment that this issue based on input from experts (please indicate sources).

The SR has not encountered any needs or issues.

### 5.2 Information provided to asylum applicants at the examination phase

34. Are asylum applicants provided with a processing/privacy note<sup>20</sup> about the personal data collected from them during the examination phase?

Yes

No

35. If yes, please describe which information is provided (i.e. the purpose for which personal data from the asylum applicant is collected and on what basis, who has access to the information, data protection rights etc).

a) Who provides the information mentioned above (under Q 34) (public authorities, international organisations, CSO - civil society organisations)?

b) How is this information provided (orally, digitally, in writing or all three)?

Please describe.

In writing, Migration Office. The written instruction contains information on the protection of personal data, on their processing, on the right of access to personal data, contact details where it is possible to acquire these data and on the possibility to request remedial action if a person feels affected.

c) Where information is provided orally, is interpretation available?

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<sup>20</sup> The obligation to take appropriate measures to provide data subjects with a processing or privacy notice stems from Article 12 GDPR which obliges data controllers to provide "any information referred to in Articles 13 and 14 and any communication under Articles 15 to 22 and 34 relating to processing to the data subject in a concise, transparent, intelligible and easily accessible form, using clear and plain language." The information referred to in Article 13 sets out the information to be provided where data has been collected from the data subject. It includes setting out the purpose of the data collected and legal basis; legitimate interests of the data controller (where this is used as the legal base); recipients of the data or categories of data; and if the data will be transferred to a third country or international organisation. Articles 15 to 22 refer to the data subject's rights including the rights to access, rectification and erasure; the right to object (if data is being collected for certain purposes including for a task carried out in the public interest or an official function vested in the data controller or in pursuit of legitimate interests of the data controller); right to data portability etc.

- Yes
- No

N.A.

If yes, who provides the interpretation services (e.g. national authorities, NGOs etc)?

d) Where information is provided digitally, is translation available?

- Yes
- No

N.A.

If yes, who provides the digital information (e.g. national authorities, NGOs etc)?

e) Where information is provided in writing is translation available?

- Yes
- No

If yes, who provides the translation service (e.g. national authorities, NGOs etc)?

Migration Office provides the information in written form, with translations available in the widely used languages according to the country of origin of asylum seekers. If the translation into some of the more specific languages is not available, the Migration Office ensures oral translation of the instruction.

36. Is any specific training or guidance provided for staff responsible for data management with regard to information collected at the examination phase?

Yes, staff responsible for data management are trained in national legislation - Act on Protection of Personal Data.

## Section 6: Data quality and safeguards

*The following sections request information on how data quality is managed and the safeguards that (Member) States apply.*

### 6.1 Data quality management

37. Is the quality of (at least some categories of) data (alphanumeric and biometric) collected during the asylum procedure assessed (e.g. with regard to accuracy, timeliness, completeness, consistency, duplication and validity of the data)?

- Yes
- No

However, it needs to be said that the Slovak Republic does not have a uniform system of the quality of data collected during the asylum procedure control and assessment in place. As for the information acquired during the asylum procedure recorded in the individual applicants' files, the Migration Office has a uniform system of asylum procedure quality assessment in place, in which, inter alia, timeliness, accuracy and consistency of collected information is assessed and evaluated regularly twice a year as part of the overall quality of asylum procedure assessment. No significant shortcomings were found recently.

As concerns assessment of information in the information systems, they are assessed ad hoc depending on concrete needs. As for shortcomings detected in this area, only minor inaccuracies were found, e.g. incorrect transliteration of names or dates.

If yes, please elaborate on some contrasting<sup>21</sup> examples of data quality assessment and indicate:

a) In which phase(s) of the asylum procedure is the quality of data assessed (quality assessment)?

Quality of data is assessed throughout the entire asylum procedure duration.

b) How (specific tools)<sup>22</sup> and by whom (centralised/decentralised) is the quality assessment carried out?

Quality of data assessment is partly centralised – in case of the asylum procedure quality assessment; and partly decentralised – in case of ad hoc controls.

c) If decentralised, how is it ensured that the other actors get to know about data amendments and changes?

Potential amendments and changes are shared between relevant actors.

38. Do quality assessment measures only apply retroactively?

Yes

No

39. Are any preventative measures in place to get the information right at the very beginning? If yes, which safeguards are in place?

Yes

No

## 6.2 Safeguards

40. Describe the supervision mechanism for data protection supervision of the personal data collected during the asylum procedure in your Member State.<sup>23</sup>

Data is processed pursuant to the Act no. 18/2018 Coll. on personal data protection and on amendments and supplements to some acts, and pursuant to Regulation (EU) 2016/679 of the European Parliament and of the Council on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC. The Constitution of the Slovak Republic in its Article 19 par. 3 stipulates the right of every person to be protected against unjustified collection, disclosure and other misuse of his or her personal data. A person has the right to obtain the information regarding whether the Ministry of Interior of the Slovak Republic processes personal data concerning him/her and what type of data are being processed, and has the right to access to the data. The operator (Ministry of Interior) is obliged to provide the information concerning the actions taken based on the received request within one month of its receipt. That period may be extended by two further months, and even repeatedly, in justified cases, taking into account the complexity and number of the requests. The operator shall inform the data subject of any such extension together with the reasons for the delay. In justified cases, an applicant has the right to correction, erasure of personal data, restriction of processing of personal data, the right to object to processing of personal data as well as the right to data portability, all this upon request. The request can be submitted in person, in writing or by electronic means signed by advanced electronic signature, or by e-mail. The request shall enclose (with the exception of the request signed by the data subject's advanced electronic signature) a copy of the identity document or an ID card of the asylum seeker. The authority competent to act in these matters is the Inspection and Control Unit of the Bureau of the Inspection Service of the Ministry of Interior of the Slovak Republic. This Bureau is also competent to carry out any control of handling

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<sup>21</sup> It will not be feasible to elaborate on all data quality assessment measures for each type of data collected which is why we are asking for contrasting examples where different types of quality assessment measure (e.g. tools, technical equipment, data analytics etc.) apply.

<sup>22</sup> E.g. name transliteration, screening for duplicates against data already stored in the database, automated data quality checks, data analytics, artificial intelligence.

<sup>23</sup> The question does not refer to the legal framework but to how a data protection authority in a Member State supervises the implementation of that legal framework (what are the structures in place in your Member State to ensure the data subject's data protection rights are being ensured).

of personal data within the scope of activities executed by the Ministry of Interior of the SR either upon request or of its own motion.

41. Have (national) data protection authorities or similar entities assessed any of the databases described above?

- Yes  
 No

If yes, please specify the relevant authorities, briefly describe what conclusions have they drawn, including whether such conclusions have led to changes in data management. Please indicate sources and whether there are any published reports or audits available on these inspections.

42. How is it arranged in practice the manner in which the rights of asylum applicants in relation to access, rectification and erasure of their data stored in the national systems are exercised? Please provide available statistics concerning the number of requests made by asylum applicants, if any.

The procedure is described in question 40. The SR has not registered any such request yet.

## Section 7: Responding to challenges in data management: recent reforms to the asylum procedure

### 7.1 Challenges and changes/reforms in data management

43. Has your (Member) State experienced any of the following challenges related to data management in the past years (since 2014)?

Please elaborate on each of the selected challenges, mentioning: a) for whom it is a challenge (policy-maker, organisation, other stakeholders); b) why it is considered a challenge; and c) how was it identified as a challenge (e.g. surveys, evaluation reports, focus groups, experts opinions etc).

- Lack of human or financial resources  
 Self-registration  
 Legal obstacles  
 Cooperation between national authorities  
 Interoperability of databases  
 Technical limitations in data processing  
 Implementation of Eurodac and/or GDPR regulation  
 Lack of training/information  
 Transliteration (e.g. Arabic to Latin or other alphabets)  
 Other (please specify):

Transliteration to Latin alphabet, as well as the conversion of dates from the Persian Calendar, etc. These, however, are minor common things that are not seen as a challenge for the future.

44. Did your (Member) State introduce any major change(s)/reform(s) related to data management in the past years (since 2014)?

- Yes  
 No

If yes, please describe those changes and why they were made.

If not, please move to Q48.

45. Have any of the abovementioned changes become standard operating procedure in your (Member) State?

- Yes
- No

N.A.

46. Were any of these changes/reforms related to data management introduced due to the introduction of 'channelling'?

- Yes
- No

N.A.

47. Did the reforms introduced achieve the intended results? Why? Please elaborate and explain why the reform(s) achieved/did not achieve the intended results.

N.A.

48. Would your (Member) State consider this reform (s) as a good practice?

Please elaborate and explain why your (Member) State considers/ does not consider the reform(s) a good practice. In particular, please mention whether any of those reform(s) are believed to have improved the quality of the asylum procedure.

N.A.

49. Have any on-going (unaddressed) challenges related to data management in the asylum procedure been identified in your (Member) State?

- Yes
- No

If yes, please elaborate.

If yes, is your (Member) State taking any steps to address these challenges?

## 7.2 Contingency measures

50. Are there any contingency measures in place to accelerate and/or ease the process in times of high influx of asylum seekers with regard to data management?

If yes, please describe those measures.

No.

## Section 8: Conclusions

With regard to the aims of this study, what conclusions would you draw from your findings reached in elaborating your national EU contribution? In particular, what is the relevance of your findings to (national and/or EU level) policymakers?

As for the asylum procedure system in the Slovak Republic as such, taking into consideration the fact that in terms of the number of inhabitants and its area the SR is a smaller country, it is possible for the system in which three introductory phases of the asylum procedure are joined into one to function. So far, there have been no issues connected with the lodging of applications or with the collection and storing of information. Only few hours pass between the moment of expressing an intent to apply for asylum and actual lodging of asylum application and, if a person makes an asylum application to an authority not competent to act in the matter, which happens only exceptionally, they are immediately referred to a competent authority, where the application is registered and the asylum procedure begins practically immediately. At the same time, the asylum procedure period

starts to run. The only issue resides in the securing of interpretation in case of some less common languages, however, even these issues are usually resolved in a short period of time.

In the asylum procedure in the Slovak Republic Police departments receiving and registering the application have to cooperate closely with the Migration Office which executes the asylum procedure. Both authorities share the common IS MIGRA database they can both access. The benefit of this system resides in the fact that all necessary information concerning an applicant is recorded in a single electronic database and the applicant can be easily instructed on the protection of their personal data. An applicant receives basic instruction when lodging an application and the detailed instruction is included in the instruction on their rights and obligations provided in course of the asylum procedure no later than 15 days after the lodging of an application.

The asylum procedure system is thus a system that is simple, fully functional and, most importantly, it is capable of responding operationally to newly arising circumstances. At the same time, it is fully adjusted to the circumstances in the SR and it can realistically secure asylum applicants all their rights.

Thus, with regard to the current asylum procedure system, collection, storing and using of information, the Slovak Republic does not face any exceptional challenges. These may, however, be created by the newly prepared EU legislation, which plans to introduce changes to the asylum procedure and unification of application procedure. Such changes (separation of the first three introductory phases of the procedure) could, in case of the SR, result in the disruption of functionality of the current system, increase the administrative burden, as well as decrease the effectiveness of the input actions, which could all have a negative impact on the applicants.

## National statistics

<b>Number of registrations of asylum applications</b> <i>Data for the years 2014-2019</i>					
2014	2015	2016	2017	2018	2019
331	330	146	166	178	232

Source: <https://www.minv.sk/?statistiky-20>