

EMN FOCUSSED STUDY 2012

Establishing Identity for International Protection: Challenges and Practices

National Contribution from the SLOVAK REPUBLIC

Disclaimer: The following responses have been provided primarily for the purpose of completing a Synthesis Report for the above-titled EMN Focussed Study. The contributing EMN NCPs have provided information that is, to the best of their knowledge, up-to-date, objective and reliable within the context and confines of this study. The information may thus not provide a complete description and may not represent the entirety of the official policy of an EMN NCPs' Member State.

Top-line 'Factsheet'

(National Contribution)

National Contribution

Overview of the National Contribution – drawing out key facts and figures from across all sections of the Study, with a particular emphasis on elements that will be of relevance to (national) policymakers.

The EMN Steering Board approved within its EMN Work Programme 2012 the second small thematic study *Establishing Identity for International Protection: Challenges and Practices*. This study forms part of a Synthesis Report with the same focus at the EU level, summarising the results of national studies produced by EU Member States on the basis of common specifications in the form of a questionnaire. The purpose of this small thematic study is to provide an overview of important challenges for national immigration authorities in their efforts to establish the identity of applicants for international protection (asylum and subsidiary protection) in the absence of credible documentation, as well as an overview of national practices and measures in this field. The study also presents information about the measures and practices concerning forced returns of refused applicants for international protection.

The Synthesis Report to be produced by the European Commission under the European Migration Network will inform about the scope of this problem in various EU Member States and about legislative, political and practical measures and available statistical data, and will identify best practice examples in the prevention and combating of this phenomenon.

The experience of many Member States show that only a small percentage of third-country nationals present their identity documents together with the application for international protection, which complicates the assessment of veracity of their statements and the issuing of decisions on such applications.

Failure to present an identity document can complicate the execution of a forced return of refused applicants to their country of origin because, for example, the country of origin refuses to accept them.

Establishing the identity of an applicant for international protection is an important factor contributing to a legally founded decision also in the context of the Slovak Republic on the basis of information provided in individual cases with the aim to prevent misuse of the

asylum procedure.

The legislation of the Slovak Republic does not define the term “identity”. The law, though, specifies some procedures to establish identity, especially with regard to establishing the identity of foreign nationals, including applicants for international protection.

The number of applicants for international protection in the SR has been relatively low compared to the number of applicants in the majority of EU countries. The Slovak Republic does not yet figure among applicants’ top countries of destination, which is one of the reasons why Slovak expert literature and other media deal with this topic only marginally and sporadically. No research or study has been conducted so far concerning the process of establishing the identity of applicants for international protection. On the other hand, the Slovak Republic has supported research at the European level by filling out questionnaires for a similar study by CODEXTER (Committee of Experts on Terrorism, 2008)¹ and EURASIL (working group of the European Commission²).

The SR does not dispose of all statistical data that would be suitable for the purposes of this study. A special database containing information about the possession of identity documents does not exist, and in order to gather such information it would be necessary to make a manual search of particular files, which would require more time than allocated for this small thematic study. To provide at least a partial picture of the topic, the author processed and counted the number of positive decisions on granting international protection in 2011 in the case of applicants whose identity was not supported at the time of filing an application for international protection, on the basis of data contained in the database of MIGRA joint information system³.

This small thematic study provides a basic overview of available information on establishing identity in the SR and, together with the Synthesis Report published by the European Commission under the European Migration Network, it can serve as a basis or a motive for a more detailed research in the future. In line with its specification and focus, this small thematic study is divided into two subcategories in selected topics – international protection and returns.

¹ Kolb, R. Prof (2010), Synoptic and analytical report on the questionnaire on “*False identity information as a challenge to immigration authorities*,” Council of Europe, Committee of Experts on Terrorism (CODEXTER). Available at:

http://www.coe.int/t/dlapil/codexter/Source/Working_Documents/2011/CM_2010_78_add_1_bil.pdf

² The last workshop on identity issues was held in 2008.

³ The migration and international protection system MIGRA consists of a database of aliens and a database of smugglers. The database of aliens keeps records of aliens who illegally crossed the state border of the Slovak Republic or stayed illegally in the territory of the Slovak Republic, who have been denied access to the territory of the Slovak Republic under a special regulation, who applied for asylum or subsidiary protection or temporary shelter in the territory of the Slovak Republic, or who are party to proceedings under a special regulation and who have been granted asylum or subsidiary protection or temporary shelter in the territory of the Slovak Republic.

Section 1

The National Framework

1.1 The Challenges and Scope of the issue

Is the issue of establishing identity in the absence of credible documentation considered an issue within the framework of the procedure for:

a) international protection?; and

b) the forced return of a rejected applicant to their (presumed) country of origin?

If Yes, briefly outline for either or both of the two cases above, the main issues, challenges and difficulties within your (Member) State (e.g. no identification documents, false documents, multiple identities, applicants from certain third countries)

The issue of establishing identity is important both for the Slovak Republic and for the EU especially from the point of view of security, since entry to the territory of the SR means entry to the Schengen Area. Various circumstances occur in respect to establishing identity in the process of decision-making on international protection and in the process of forced return of a refused applicant (e.g. missing identification documents, false documents, multiple identities, or applicants from certain third countries) which represent various challenges. The individual challenges are analysed below, both in relation to international protection and forced returns.

International protection

According to their statements, approximately 90–95 per cent of first applicants for international protection in the SR do not have an identity document (if we took into consideration repeated asylum applications and asylum applicants after a Dublin transfer from another Member State, i.e. laissez-passer type of documents, the percentage rate would be a little bit lower). The Migration Office of the MoI SR, which is the competent first-instance authority in making decisions on granting international protection, must therefore rely on identity information provided by the asylum applicant during the asylum procedure or while making a statement at the respective police department on requesting asylum or subsidiary protection in the territory of the Slovak Republic.

The Procedural Department of the MO MoI SR also verifies the identity of aliens by means of questions contained in a questionnaire (applicant's personal data, family members, information about identity documents, residence documents, visas, etc.), which forms an annex to Act No. 480/2002 Coll. on Asylum and on Changes and Amendments of Some Acts (hereinafter referred to as "Act on Asylum"). From the moment an alien shows an interest in being granted asylum at the respective police department, his/her identity and presented documents are first inspected by the police. The MO MoI SR follows this information and expert opinions. This, however, does not mean that the obligation of the MO MoI SR to establish identity would cease. It shall repeatedly interview the asylum applicant with regard to his/her personal data, and verify the different identities that he/she has stated, which has an impact on the assessment on the applicant's credibility. The MO MoI SR shall seek to establish identity at the beginning of the asylum procedure, and the applicant has the right to ask his/her relatives or friends to send him/her the required documents. No official period for the delivery of such documents has been set, but the deadline should be as soon as possible after commencement of the asylum procedure.

Practical experience and certain studies (e.g. Divinský, 2007b; Divinský, 2007c; Divinský,

2005a; BBAP PFP, 2001–08; MoI SR, 2001–08; MO MoI SR, 2005–08; etc.) show that asylum applicants enter the territory of the Slovak Republic first as irregular migrants, and after being detained by the police they often immediately apply for asylum to prevent return to their country. Almost all asylum applicants are migrants without documents. The asylum is often misused as a mean to legalise the stay of irregular migrants for whom Slovakia is a transit country. This enables them to later cross the border and leave for other EU countries⁴.

The MO MoI SR practice shows that applicants often fail to present their documents (when they dispose of such documents) because, for example, they are afraid of returning to their country of origin, or try to hide some data (e.g. age or the country competent to review their application for visa purposes), or because they consider the Slovak Republic only as a transit country. Applicants usually state that they have not had the time to take their documents while escaping, or they have lost them while travelling to Europe, or they have handed the documents over to their smuggler, or they are not able to get new documents in their country of origin. It is assumed that smugglers advise them not to show their identity documents (or applicants directly hand over their documents to smugglers)⁵.

Forced returns

In the absence of credible documentation, the issue of establishing identity is important also from the point of view of a forced return of a refused asylum applicant to his/her country of origin/return when finding out to which country the respective person should be returned (with the exception of readmissions). Problems with multiple identities often occur already within first-instance proceedings. Aliens often throw away their documents to prevent being returned. Their identity is subsequently established on the basis of data stated in the form.

If Yes, please also indicate which of the following factors listed below contribute to the issues. Please support your answers with reference to statistics (e.g. those presented under Question 1.2 below), research or any other sources of information (e.g. media debates, case-law, policy documents, practitioners' views).

- ***The volume of cases where no credible documentation is available to substantiate an applicant's identity is considered to be large and/or growing.***

The issue of establishing the identity of applicants for international protection or aliens in general is covered very little by the Slovak media and expert literature. The Slovak Republic is mainly a transit country, and the number of applicants for international protection is low compared to those in other EU Member States (especially of Southern and Western Europe).

Yet, the number of cases where an applicant for international protection fails to present his/her documents is high. As outlined above, it is approximately 90–95 per cent of applicants, while the percentage share of applicants without documents is constantly high each year. The Slovak Republic does not analyse or assess statistics with the exact numbers of such cases. MIGRA, the joint information system of the Border and Aliens Police of PFP (BBAP PFP) and MO MoI SR, contains a note about each alien stating whether he/she has presented an identity document or not (if yes, what type of travel document), and this data is

⁴ Boris Divinský: Undocumented Migration, Counting the Uncountable. Data and Trends across Europe, December 2008, http://clandestino.eliamep.gr/wp-content/uploads/2009/10/clandestino_report_slovak_rep_final3.pdf, p. 23 (Note by author: for a full list of studies that the author refers to see bibliography at the end of the publication).

⁵ Information provided by MO MoI SR.

also recorded in the administrative files of the asylum applicant. However, in order to obtain overall statistics for a given period, it would be necessary to manually count the data from all asylum files, which is demanding in terms of time and personnel. For the purposes of this study, we only present estimates.

- ***The measures used to establish an applicant's identity in the absence of credible documentation are resource-intensive.***

International protection

Measures aimed to establish identity in the absence of documentation are time-consuming and demanding in terms of financial and human resources. Cost-intensive methods include, for example, language analysis. The Slovak Republic had the opportunity to test it for the first time in June 2012 under the GDISC remote interpretation system⁶, thanks to which five language analyses could be used free of charge. Language analyses were conducted with applicants from Somalia as their country of origin⁷.

Forced returns

Missing documents also cause problems with regard to forced returns, especially with regard to time. In case a foreigner meets one of the conditions for administrative expulsion, he or she is issued administrative expulsion decision and is obliged to leave the territory of the Slovak Republic. In the absence of valid travel documents for travel to a country of origin, it is necessary that a police unit arranges execution of a decision on administrative expulsion. In order to execute a decision on administrative expulsion, a police officer is entitled to detain such a person. A person can be detained for a necessary period of time up to a maximum of 6 months. Provided that a migrant detention centre for foreigners of the BBAP PFP ("MDCF") is not able within a period of 6 months to provide a detained person through a foreign mission of a foreigner's country of origin with necessary emergency travel document that will enable this person to leave the territory of the Slovak Republic, a police unit can extend the period of detention up to a maximum of 12 months. The period of detention can be extended only in case that a third-country national does not cooperate or in case that this person has not been issued a emergency travel document by a foreign mission during the first six months of his or her detention.⁸

- ***The measures used to establish identity are not always successful.***

International protection

In spite of efforts made, the implementation of measures does not bring the desired effects, mainly with regard to the verification of submitted documents or, in some cases, in the age determination process. In case a document template from the country of origin is missing,

⁶ Project of cooperation in interpretation during asylum procedures (GDISC Interpreters' Pool Project). The project has been implemented following a successful cooperation with the Dutch Immigration and Naturalisation Office under the establishment of the Dublin Centre of MO MoI SR, and has focused on interpreting from languages characterised by a lack of interpreters in the SR. The project implementation has been very important thanks to the speeding up of asylum procedures and savings on interpretation costs. The pilot stage of the project was completed in December 2005. After its official termination, the project continued on the basis of bilateral cooperation with the Dutch side, and since January 2007 it has been funded by the ARGO programme under GDISC auspices. Since 2009, the project has been implemented on a bilateral basis with the Dutch partner. For more information see: <http://www.gdisc.org/index.php?id=548>

⁷ Information provided by MO MoI SR.

⁸ Information provided by BBAP PFP.

the competent special body cannot write a final statement on the document being genuine or false⁹.

Forced returns

In the return process, fingerprint databases (EURODAC, Interpol) are compared, and the identity is established in co-operation with border attorneys or by inspecting information on the legal stay of aliens in the respective country, though the establishment of identity is not always successful¹⁰.

- *Decision-making on applications for international protection is difficult due to the fact that measures used to establish identity are not always successful.*

The decision-making on applications for international protection is difficult because it is complicated to prove suspicions of misuse of the asylum procedure¹¹, as the measures used to establish identity are not always successful.

- *A significant proportion of rejected applicants for international protection cannot be returned to their country of origin due to the fact that measures used to establish identity are not always successful.*

The SR has not reported a large proportion of rejected applicants for international protection who cannot be returned to their country of origin due to the fact that their identity cannot be established. Identity for the purpose of forced returns is established on the data stated by the alien, or on the basis of data identified by BBAP PFP by comparing databases, either through previous asylum procedures, or through EURODAC and Interpol, or by means of cooperation with border attorneys. Differing identities between the asylum process and the return process are recorded in the MIGRA information system. Until the country of return is identified, the alien is granted tolerated stay¹².

List the countries of (claimed) origin for which establishing identity is particularly difficult, (i) when considering asylum applications; (ii) for implementing return

International protection

Particularly difficult is the determination of identity in the making of decisions on

⁹ Information provided by MO MoI SR.

¹⁰ Information provided by BBAP PFP.

¹¹ Information provided by MO MoI SR.

¹² Tolerated stay is a specific type of stay which can be granted to an alien for a maximum period of 180 days, with the possibility of extension. Tolerated stay is granted by the police department to an alien, if there is an obstacle to his/her administrative expulsion; or to an alien who has been provided with temporary shelter; or if his/her departure is not possible and his/her detainment is not purposeful; or to an alien who has been found in the territory of the SR; or who has become a victim of crime related to trafficking in human beings; or if he/she is under 18 years of age; or if it is required to respect his/her private and family life; or if he/she has been employed illegally under particularly exploitative work conditions; or if it is an illegally employed minor. Tolerated stay also means the period during which the application for tolerated stay is assessed; the period of hospital care; the period of imprisonment; duration of quarantine; or for a maximum period of 90 days during which an alien who has become the victim of human trafficking and is at least 18 years decides whether he/she would cooperate with law-enforcement authorities in criminal proceedings conducted to clarify this crime; or for a maximum period of 90 days from the filing of a written application by the alien for assisted voluntary return until departure or withdrawal of this application. For more information see Act No. 404/2011 on Stay of Aliens and on Changes and Amendments to Some Acts.

international protection with regard to Somalia as a country of origin from which migrants come from or which is identified by migrants as their country of origin—due to problems with the verification of documents or identity data¹³.

Forced returns

In the case of forced returns, the countries of origin from which migrants come from or which are identified by migrants as their countries of origin and where it is particularly difficult to establish identity are India, Pakistan, Vietnam (in the past) and Somalia¹⁴.

➤ *Other (Member) State specific factors*

International protection

When making decisions on international protection, one of the factors contributing to problems in establishing identity is the fact that the presented copies of documents with or without the applicant's photograph are not verified¹⁵.

Forced returns

With regard to forced returns, one of the factors contributing to problems in establishing identity is the unwillingness of aliens to cooperate, or the above-mentioned low cooperation from the embassies of the countries of origin¹⁶.

If No, please provide reasons why the question of establishing identity in the absence of credible documentation is not considered an issue within the framework of the procedure for:

- a) international protection; and***
- b) the forced return of a rejected applicant to their (presumed) country of origin.***

NA

¹³ Information provided by MO MoI SR.

¹⁴ Information provided by BBAP PFP.

¹⁵ Information provided by MO MoI SR.

¹⁶ Information provided by BBAP PFP.

1.2 Statistics on the Scale of the Issue

Please provide, to the extent possible, the following statistics (with their Source) along with, if necessary, an explanatory note to interpret them if, for example, the statistics provided are partial, had to be estimated (e.g. on the basis of available statistics that differs from the below, or of first-hand research) or if they reflect any particular trends (e.g. a change in policy, improved methods of establishing identity, a change in the country of origin of applicants or of rejected applicants, etc.) If statistics are not available, please try to indicate an order of magnitude. Where available, statistics from Eurostat should be used and presented annually covering the period between 2007 and 2011 inclusive.

Year	2007	2008	2009	2010	2011	Additional Information (e.g. source, caveats, reasons for trends, top five nationalities, with numbers for total applicants – see below Table also)
<u>Total Number</u> of applicants for international protection	2,640	905	820	540	490	Top countries of origin: 2007 – Pakistan, India, Russian Federation, Moldova, Georgia 2008 – Georgia, Moldova, Pakistan, Russian Federation, India 2009 – Pakistan, Georgia, Moldova, Russian Federation, India 2010 – Afghanistan, Russian Federation, Georgia, India, Moldova 2011 – Somalia, Afghanistan, Georgia, Moldova, Russian Federation
Number of applicants for whom <u>identity</u> was not documented at the time of application	:	:	:	:	:	The SR does not process this type of statistics, and therefore no detailed data can be provided.
Number of applicants for whom <u>identity was wholly or partially established</u> during the asylum process thereby allowing the relevant authorities to reach a particular decision on international application (e.g.	:	:	:	:	:	The SR does not process this type of statistics, and therefore no detailed data can be provided.

grant, refuse, defer)						
Total Number of <u>Positive Decisions</u>	95	90	180	90	115	
Total Number of Positive Decisions for applicants whose identity was not documented at the time of application	:	:	:	:	appr. 101 *	The SR does not process this type of statistics, and therefore no detailed data can be provided.
Total Number of Positive Decisions for applicants whose identity was considered sufficiently established by the decision-making authorities	:	:	:	:	:	The SR does not process this type of statistics, and therefore no detailed data can be provided.
Total Number of <u>Negative Decisions</u>	1,180	280	140	205	100	
Total Number of Negative Decisions for applicants whose identity was not documented at the time of application	:	:	:	:	:	The SR does not process this type of statistics, and therefore no detailed data can be provided.
Total Number of Negative Decisions for applicants whose identity was not considered by sufficiently established by the decision-	:	:	:	:	:	The SR does not process this type of statistics, and therefore no detailed data can be provided.

making authorities						
Total number of (Forced) ¹⁷ Returns undertaken of all rejected applicants	:	2	22	17	4	Year 2008 – Russia, 2009 – top – Ukraine, 2010 – top – Georgia, 2011 – Ukraine, Georgia, Viet Nam, Namibia Data for 2007 cannot be provided, since the database that existed at that time does not contain data from which this information could be retrieved.
Number of (Forced) ¹⁸ Returns of rejected applicants whose identity had to be established at the time of return	:	:	:	13 (+1 voluntary return)	3	Data for 2007–09 cannot be provided, since the database that existed at that time does not contain data from which this information could be retrieved.
Number of (Forced) ¹⁹ Returns of rejected applicants whose return could not be executed as their identity was not considered to be sufficiently established by the authorities of the (presumed) country of origin	:	:	:	0	0	Data for 2007–09 cannot be provided, since the database that existed at that time does not contain data from which this information could be retrieved.

If desired, and it cannot be fitted in the Table, add further details concerning particular trends and/or notable aspects of the statistics provided.

The above statistics related to the issue of establishing identity come from two sources. The source of statistical data on the total number of applicants for international protection and on the number of positive and negative decisions is EUROSTAT. BBAP PFP provided national

¹⁷ While the scope of this Focussed Study (with respect to Returns) includes only the forced return of rejected applicants, it is acknowledged that distinguishing between forced and voluntary returns in official statistics may not be possible. Where possible, do make this distinction.

¹⁸ Ibidem.

¹⁹ Ibidem.

statistics and data on the number of forced returns of rejected asylum applicants, as well as statistics on the number of persons whose identity had to be established during the return procedure, and on the number of persons whose identity could not be established.

Statistics on international protection

As has already been mentioned, the SR does not process statistics on the number of applicants whose identity has not been documented at the time of filing their application, nor on the number of applicants whose identity has been fully or partly established during the asylum procedure, which would enable the relevant authorities to issue a decision on international protection (e.g. granting of asylum, rejection, return). To be able to show the exact number of cases, it would be necessary to manually search through the file for each asylum applicant in the period 2007–11.

The total number of positive decisions on applicants whose identity was not established at the time of filing their applications has not been directly monitored in the SR. The MO MoI SR estimates that approx. 101 cases were reported in 2011 where a positive decision on granting international protection was issued and where the applicant failed to demonstrate his/her identity at the time of filing his/her application. This amount has been identified on the basis of data from the MIGRA information system.²⁰

The SR does not process statistics on the total number of negative decisions on applicants whose identity could not be documented at the time of filing their application, nor about the total number of negative decisions on applicants whose identity was not considered to be sufficiently established by the competent authorities.

Statistics on forced returns

Statistical reports on forced returns of rejected applicants for international protection produced in a standard way do not exist in the SR.

For 2007, only data on the number of all forced returns is available, and for the years 2008–09 the data on the number of returns of rejected asylum applicants (without voluntary returns) as per citizenship. For the period 2010–11, the available data concern the number of returns of rejected asylum applicants (without voluntary returns) as per citizenship and country of return. The data on the number of (forced) returns of rejected applicants whose identity had to be established at the time of their return and on the number of (forced) returns of rejected applicants whose return could not be executed because their identity was not considered sufficiently established by the authorities in the (assumed) country

²⁰ Two statistical reports were generated from available database statistics: list of persons who were granted asylum as per citizenship and type of decision, and the number of persons who were granted subsidiary protection in the given year (2011). Subsequently, all the persons in the lists were checked in terms of documents which were recorded in the database in connection with their applications. The database usually contains records on the types of travel documents. In 2011, from the total number of 104 records, passports issued by the country of origin were recorded in three cases only, and temporary passports in seven cases. This amount is approximate, since the documents were not necessarily recorded in all cases.

of origin in the given period has been found out manually according to the number of returns of rejected asylum applicants and their identification data through the migrant detention centres for foreigners.

The number of returns only includes returns to third countries, and does not include, for example, readmissions to other EU Member States.

At the same time, the data on the total number of forced returns of rejected asylum applicants and on the top countries of origin of rejected asylum applicants who were forced to return per individual years is only partial and informative, since historic data has not always been available due to the introduction of new databases (for example, in 2008 when a new database on irregular migration was created, persons who applied for asylum 2006 could be expelled; or in 2010 when the MIGRA information system was launched, historic data on applicants for international protection were not entered into the system).

The small numbers of executed forced returns are mostly due to the misuse of the asylum institutions or release from the migrant detention centre for foreigners after expiry of the statutory period and transfer to the countries of destination.

1.3 Relevant EU and National Legislation

The process of establishing identity under international protection and forced return of a rejected applicant for international protection is defined in the relevant legal regulations of the SR, specifically in the Asylum Act, Act No. 404/2011 Coll. on Residence of Aliens and on Changes and Amendments to Some Acts (“Act on Residence of Aliens”), Act No. 71/1967 Coll. on Administrative Proceedings (Administrative Order), and Act No. 171/1993 Coll. on the Police Force (“Police Force Act”).

Is the process to be used to determine identity within the procedure for international protection laid down in legislation?

If Yes, briefly specify which legislative documents, including their link to relevant EU acquis, regulate the process of identity determination in relation to the procedure for international protection.

Where possible, please refer to your National Contribution to the Organisation of Asylum and Migration Policies in the EU, rather than repeating the information here.²¹

International protection

Under Art. 18 of the Police Force Act, the police officer may call a person to prove his/her identity with an identity document, if required to fulfil the obligations under this act. Par. 3 further states that if the asked person refuses to prove his/her identity, the police officer may bring that person to the Police Force department with the aim to establish his/her identity. The Police shall assess the credibility of the demonstrated name and surname, birth date and domicile according to the reason for establishing the identity of that person.

Under Art. 20a of the Act, the police officer may take fingerprints of that person, identify body signs, make body measurement, make pictures, audio-records and other records, and take samples of biological materials. The police officer may also scan the identification signs of aliens who have illegally entered to or stayed in the territory of the Slovak Republic, or against whom proceedings related to administrative expulsion from the Slovak Republic or ban of entry to the Slovak Republic has been initiated, or for the purpose of determining his/her age in case it is not obvious whether that person is a minor alien.

Art. 7, par. 8 of the Act on Residence of Aliens states that “a police department and the Ministry of Foreign and European Affairs shall be entitled to process the copies of travel documents, identity documents and other documents submitted by aliens during proceedings as per this Act“. Pursuant to Art. 111, par. 1, letter c), the third-country national is obliged to „prove identity and rightfulness of the residence upon the request of the police officer by presenting a valid travel document and residence document or identity card issued by the Ministry of Foreign and European Affairs to persons enjoying diplomatic privileges and immunity pursuant to international law“. Under Art. 88, par. 5 “(...) if the third country national cannot be identified immediately, the police department shall attach the evidence to the decision on his/her detention in order to prevent substitution of this person with another one.” Under Art. 90, par. 2 of the Act, the facility²² shall be obliged to carry out forthwith actions and acts necessary to expel or identify the third-country national.

Pursuant to Art. 3, par. 4 of the Asylum Act, after the alien takes a statement on requesting

²¹ If however the level of detail is highly relevant, by shedding light on, for example, which elements of identity should be evidenced, what methods can or should be used to do so, what weight is to be given to the outcomes of the use of these methods, etc., it would be useful to insert the information directly in the Template.

²² The place where the third-country national is placed on the basis of the decision on detention under this Act.

asylum the police department shall take away the travel document or another document of identity from the applicant and it shall issue a receipt confirmation of it to the applicant. The police department shall send the documents taken away together with the documents required for the assessment of the application to the Ministry of Interior of the SR without delay, and shall also arrange for the alien's fingerprints to be taken. Art. 3, par. 5 of the Asylum Act continues as follows: "Upon suspicion that the applicant is hiding his/her travel document or another document needed for reliable determination of facts or he/she is hiding an item representing threat to life and/or health of persons the police officer of the Police Force shall be authorised to search the applicant and his/her personal belongings. A person of the same gender shall search the applicant."

Par. 6 and 8 of the same article reads that the police department shall issue to the applicant a document for his/her transportation which shall be valid for 24 hours. The document for transportation to the reception centre shall include the identification number of the police department which issued the document, document number, document validity, the applicant's name and surname, sex, date and place of birth, and his/her citizenship, number of the travel document or other document with which the applicant has proved his/her identity, address of the reception centre in which the applicant is obliged to appear (alone or accompanied), place and date of issue of the document, stamp of the police department and signature of the person who issued the document.

With this document, the applicant shall appear at the reception centre in which the competent staff shall record the applicant according to his/her document for transportation or based on a fingerprint check through the MIGRA information system in which he/she was recorded while making a statement on his/her asylum request.

Pursuant to Art. 4, par. 1, after making a statement, an authorised employee of the MoI SR shall conduct an initial interview with the applicant. In the course of the initial interview, the applicant shall be obliged to provide truthfully and fully all requested information necessary for a decision on the application for asylum. The provided information shall be recorded on an official form (hereinafter the "questionnaire"). The questions in the questionnaire, which forms an annex to the Act on Asylum, serve for determining, for example, the applicant's personal data, his/her family members, information about identity documents, residence documents, visa documents, etc.

Pursuant to Art. 5, par. 1, the MoI SR shall issue to an alien over 15 years of age an applicant's card for the period of the asylum procedure. The applicant's card shall be considered his/her identity document only in case the applicant's travel document or other identity document has been withheld, or if the applicant has a temporary or permanent residence permit in the territory of the Slovak Republic. The applicant's card shall contain the following data: name, surname, sex, date and place of birth and the applicant's citizenship, the fact that his/her document is considered identity document, the card's date of issuance and expiration date, name of the reception centre that issued the card, and the names, surnames and dates of birth of the applicant's children under 15 years of age, provided that they are also applicants.

Under Art. 19 (provision transposed from the so-called qualification directive of the EU), the MO MoI SR shall assess every asylum application individually, taking into consideration, among other things, all relevant facts concerning the applicant's country of origin at the time of making a decision on his/her asylum application, including legal regulations and the way of their implementation, statements and documents presented by the applicant, including information whether the applicant has been or not the victim of persecution or other serious injustice, status and other personal conditions of the applicant, his/her background, sex and

age.

Art. 23, par. 1 of the Act on Asylum states that an applicant over 14 years of age, after the filing of the statement pursuant to Art. 3, par. 1, must be fingerprinted which is carried out by the police department.

At the same time, under par. 7 of the same article, the applicant shall “undergo medical examination, if the Ministry (of Interior) has doubts about his/her age”. This applies to cases where the applicant claims to be a minor.

The proceedings under the Asylum Act are also subject to the general regulation on administrative proceedings, unless the Asylum Act stipulates otherwise. Pursuant to Art. 32, par. 1 of the Act on Administrative Proceedings, the administrative body shall find out accurately and fully the actual state of the matters, and for this purpose it shall obtain the documents needed for the decision, while it shall not be bound only by the proposals for the parties to the proceedings. Under par. 2 of this article, the decision-making is mainly based on filings, proposals and statements of the parties to the proceedings, evidence, statutory declarations and generally known facts or facts known to the administrative body due to its official activities. The scope and the method of obtaining support documents for the making of a decision are determined by the administrative body (for example, the MO MoI SR can consider what kind of special examination or expert opinion are relevant and necessary in the given case).

The ruling of the Supreme Court of the SR of 20 October 2009 states that the defendant (in the appeal procedure – MO MoI SR), in the absence of documents with which the claimant would prove his/her identity, shall proceed logically on the basis of information on the personal case history provided by the claimant in the asylum procedure. Also, the scope of evidence on which the defendant in an asylum procedure focuses depends on the circumstances stated by the claimant in the course of the administrative proceedings to substantiate his/her asylum application.

It should be mentioned in this regard that the defendant is obliged to find out the actual state of the matters under Art. 32 of the Act on Administrative Proceedings only within the scope of reasons and facts stated by the claimant (asylum applicant) in the course of the administrative proceedings²³. Pursuant to Art. 34, par. 1 of the same Act, any means that allow to find out and clarify the actual state of the matters and which comply with the legal regulations can be used for obtaining evidence. Par. 2 stipulates that evidence mainly includes examination of witnesses, expert opinions, documents, and inspections. Pursuant to Art. 36, if an expert opinion is required for an expert assessment of facts that are important for the decision-making, the administrative body shall appoint an expert. The decision on the appointment of the expert can be appealed.

Is the process to be used to determine identity within the procedure for the forced return of rejected applicants laid down in legislation?

If Yes, briefly specify which legislative documents, including their link to relevant EU acquis, regulate the process of identity determination in relation to the forced return of

²³ JUDr. Elena Berthotyova, Rozsudky Najvyššieho súdu SR v azylových veciach v rokoch 2008 – 2010 (Rulings of the Supreme Court of the SR in Asylum Matters in 2008–10, UNHCR, 2010 Bratislava, p. 58, No. 8Sža/2009/60, <http://www.unhcr-centraleurope.org/sk/pdf/zdroje/pravne-materialy/narodne-azylove-systemy-v-strednej-europe/rozsudky-najvyssieho-sudu-sr-v-azylovych-veciach-vrokoch-2008-2010.html>

rejected applicants.

Where possible, please refer to your National Contribution to the Organisation of Asylum and Migration Policies in the EU, rather than repeating the information here.²⁴

Forced returns

The procedures related to the establishment of identity for the purposes of returning a rejected applicant for international protection to his/her country of origin are logically linked to the procedures related to establishing the identity of the applicant for international protection described above.

Pursuant to Art. 77 of the Act on Residence of Aliens, administrative expulsion is the decision of a police department that an alien does not have or has lost the right to reside in the territory of the SR and is required to leave this territory with the possibility to determine the period for the departure in order to return to his/her country of origin or transit country, or to any third country which admits him/her, or to the territory of a Member State which granted a residence permit to him/her.

Under Art. 82, par. 1 of the Act on Residence of Aliens, a police department can administratively expel a third-country national, if, for example, she/he has submitted a falsified or counterfeited document or a document belonging to another person during control, or has provided false, incomplete or misleading data during the proceedings as per this Act or submitted falsified or counterfeited documents or a document belonging to another person, or refuses to prove his/her identity in a trustworthy way.

Art. 84, par. 4, letter a) of the Act on Residence of Aliens states that a police department shall not implement the decision on administrative expulsion if it is impossible to provide for a travel document for a third-country national who does not have his/her own valid travel document even via the representing authority of the state of which he/she is the citizen, the detention period has elapsed and it is impossible to provide for the third-country national's departure by means of an alien's passport.

Under Art. 90, par. 2, letter a) of the Act on Residence of Aliens, a migrant detention centre is obliged to carry out forthwith actions and acts necessary to expel or identify the third-country national.

1.4 The institutional framework at national level

Which national authorities have the operational responsibility for establishing the identity of applicants for international protection?

The process of establishing the identity of applicants for international protection involves police departments competent to receive applicants' statements on requesting international protection, other units of BBAP PFP, the Institute of Forensic Science of the Police Force (IFS PF) through comparison of fingerprints, and the MO MoI SR. The principal competent authority for these purposes is the BBAP PFP, which has the operational responsibility also for establishing the identity of applicants for international protection who must return to their (presumed) countries of origin.

According to the Asylum Act, the police department, after an alien makes a statement at the respective police department²⁵ on requesting asylum or subsidiary protection in the territory

²⁴ Ibidem.

of the SR, or upon entry of the alien to the territory of the SR after being returned to its territory (since the SR is competent to conduct the asylum procedure), shall withhold the applicant's travel document or any other identity document, and shall issue a receipt confirmation of it to the applicant. The police department shall send copies of the withheld documents together with the documentation needed to assess the asylum application to the MO MoI SR without delay. The police department shall arrange for the applicant's fingerprints to be taken if the applicant is older than 14 years, and shall send the fingerprints to the IFS PF. If there is a hit in the EURODAC database, the IFS PF shall immediately send the positive result to the competent officer of the Dublin Centre of MO MoI SR by e-mail and to the police department which took the fingerprints. Subsequently, the Dublin Centre shall check whether it is a "repeated hit", i.e. whether the respective person has been returned from another Member State under the Dublin Regulation and whether his/her fingerprints have been repeatedly taken; otherwise, the Dublin procedure shall be initiated against the Member State in which that person applied for asylum for the first time.

The MO MoI SR does not have the possibility and the means to verify the genuineness of identity documents. In case the applicant presents his/her identity documents, they can be sent to the BBAP PFP, and specifically to the Department for Analysis of Travel Documents (DATD) of the Border Police Section with a request for expert statement. DATD deals with the verification of identity documents in both procedures (asylum and return procedures), and provides expert statements, but not expert reports. Besides DATD, the Institute of Forensic Science of the PF is also competent to establish identity and verify identity documents. For the purposes of this study, the IFS PF is competent to verify the fingerprints of applicants for international protection, mainly for the purposes of criminal proceedings (for more details about DATD and IFS PF see answers to questions below).

In case the applicant does not have credible identity documents, the asylum procedure is based on information presented by the asylum applicant in his/her statement and during the interview with the MO MoI SR officers.

The decision in the asylum procedure shall be notified to the police department competent for the location of the asylum facility in which the applicant is placed or according to the place of residence of the applicant if his/her stay outside of the accommodation centre is permitted²⁶. The decision also contains information related to the applicant's identity which has been found out during the asylum procedure and which is subsequently provided to the

²⁵ The applicant can also make the statement on requesting asylum at places other than the state borders, e.g. at the Asylum Department of the Police Force at reception centres, or in the Migrant Detention Centres for Foreigners in Medved'ov and Sečovce, etc. The competent entity to receive the alien's statement on requesting asylum or subsidiary protection in the territory of the Slovak Republic is:

- a) when entering the territory of the Slovak Republic the police department at the place of border check point;
- b) after entering the territory of the Slovak Republic the police department established at the reception centre,
- c) when the alien concerned arrived to the territory of the Slovak Republic by plane and he/she fails to satisfy requirements for entering the territory of the Slovak Republic the police department in the transit area of an international airport;
- d) the police department at a facility for aliens under a special regulation in the case of an alien placed in such facility;
- e) the police department according to the place of the alien's stay in the case of the alien placed in a health care institution;
- f) the police department according to the place of the alien's stay, in the case of the alien in execution of custody on remand or the alien in execution of imprisonment;
- g) the police department according to the place of the alien's stay in the case of the alien placed in a facility for social protection of children and social guardianship.

²⁶ Art. 20a, par. 4, letter. b) of the Act No. 480/2002 Coll. on Asylum and on Changes and Amendments to Some Acts.

BBAP PFP dealing with the forced return of the rejected asylum applicant.

Courts are also involved in the process of establishing the applicant's identity (delegating the check of identity documents to first-instance authorities). For example, there was a case of an asylum applicant with four identities, as a result of which he was assessed as untrustworthy. In connection with his fourth identity, the applicant presented the UNRWA card (United Nations Relief and Works Agency for Palestine Refugees) stating that he was a Palestine refugee from Lebanon. The Supreme Court ruled that the MO MoI SR should not treat him as an untrustworthy person because he had explained why he presented other names (for fear from Slovak authorities), and his identity had been proved with the UNRWA card. The Supreme Court evaluated his identity as proven (the file contained a letter from UNRWA confirming the existence of the card).

In determining age, the MO MoI SR also cooperates with doctors and with specialised institutes in connection with a radiograph of hands.

With regard to first language analyses, the MO MoI SR cooperated, for example, with Malta in the framework of the remote interpretation GDISC project (specifically, with the Office of the Commissioner for Refugees of the Ministry of Justice and Home Affairs), which enabled to conduct the language analyses under the agreement with the Swedish company Sprakab.

The MoI SR and DADT are also authorised to access the DISCS documents database²⁷ which comprises templates of documents from the countries of origin of asylum applicants.

The employees responsible for establishing the identity of applicants for international protection also have direct access to EU databases²⁸, or they cooperate with entities who are authorised to access such databases (for example, with employees of the Dublin Centre of MO MoI SR in the case of EURODAC).

Which national authorities have the operational responsibility for establishing the identity of applicants for international protection who have to (be) forcibly return(ed) to their (presumed) country of origin?

BBAP PFP has the operational responsibility for establishing the identity of applicants for international protection who have to (be) forcibly return(ed) to their (presumed) country of origin.

Does your (Member) State have a central competence centre for issues related to the determination of identity and/or verification of documents?²⁹

Yes.

If Yes, what issues does the centre cover:

-issues relating to the determination of identity in respect of the procedure for granting international protection OR in respect of the procedure for executing the return of rejected applicants) OR in respect of both of these procedures

-issues relating to the verification of documents in respect of the procedure for granting

²⁷ DISCS (Document Information System of Civil Status) – this project was launched at the initiative of the Dutch Immigration and Naturalisation Office. The participants to the project can compare the checked document with documents recorded in the database, focusing on the contents and protective elements (so-called tactical and technical control). They can also exchange their experience and information about existing and new documents, and get warnings about new types of documents or forged documents.

²⁸ EURODAC, SIS II, VIS.

²⁹ This may be a separate body (as in Norway) or a unit within a relevant authority.

international protection OR in respect of the procedure for executing the return of rejected applicants OR in respect of both of these procedures

The Department for Analysis of Travel Documents of the Border Police Section (DATD) under BBAP PFP deals with the verification of identity documents in respect of both procedures (asylum and returns).

For the purposes of this study, the Institute of Forensic Science of the Police Force (IFS PF) is competent to verify the fingerprints of applicants for international protection, mainly for the purposes of criminal proceedings.

If Yes:

- ***Has the centre developed its own database / reference base for***

➤ ***genuine documents?***

BBAP PFP, which includes DATD, disposes of its own database of genuine documents. The IFS PF does not have its own electronic database, but has a database of samples of genuine documents.

➤ ***false documents?***

The IFS PF does not have its own electronic database, but disposes of a database of samples of false documents.

- ***Does it make use of the database iFADO (iPRADO)³⁰ for checking false ID documents?***

BBAP PFP, which includes DATD, makes use in its work of the databases FADO, iFADO and PRADO. The IFS PF uses the iFADO (iPRADO) documents database.

- ***Does it make use of the EDISON³¹ system?***

The EDISON system is currently not used in the SR, but the IFS PF has used it in the past.

- ***Does its tasks involve:***

➤ ***Advisory services?***

Both institutions provide advisory services.

➤ ***Development of Methods?***

Both institutions develop new methods for the establishment of identity within the SR. IFS PFP, which serves as a forensic institute, develops methods for its own needs on the basis of the methods of the European Network of Forensic Laboratories which aims to harmonise the methods and procedures among states.

➤ ***Training of frontline officers?***

Both institutions are also active in the training of frontline officers, and organise training courses for the representatives of the police, customs administration, Consular Department of the Ministry of

³⁰ PRADO Public register of authentic identity and travel documents online

³¹ EDISON Travel Documents System

Foreign and European Affairs of the SR, etc.

➤ ***Support with difficult cases?***

Both institutions provide support in difficult cases.

- ***Does it have a forensic document unit?***

BBAP PFP, which includes DATD, does not have a forensic document unit. It provides expert statements, but not expert reports. IFS PF is a forensic unit itself.

If No, i.e. your (Member) State does not have a central competence centre, what other institutions / systems are available to provide advisory services/other forms of support to officials responsible for establishing the identity of applicants for international protection?

-

Are the officials responsible for determining the identity of applicants for international protection authorised to access EU databases holding identity information about third-country nationals (e.g. EURODAC, SIS II, VIS, etc.)?

Yes. The officials responsible for determining the identity of applicants for international protection either have a direct access to EU databases³², or they cooperate with entities who are authorised to access such databases (e.g. with employees of the Dublin Centre of MOI SR with regard to EURODAC).

If No, are the officials responsible for determining the identity of applicants for international protection authorised to liaise directly with the officials who do have access to these databases?

-

³² EURODAC, SIS II, VIS.

Section 2

Methods for Establishing Identity

2.1 Definition and Documents required for establishing identity

What definition (if any) of identity is used with regard to (a) applicants for international protection and (b) for the return process.

The Slovak legislation does not define the term “identity” with regard to international protection and returns.

According to the Slovak Database of Terms of the Ľudovít Štúr Linguistic Institute of the Slovak Academy of Sciences (according to Ďurčo, P. a kol.: Bezpečnostnoprávna terminológia. 2007), an identity document means an official certificate through which physical persons are individualised in their contact with state authorities. The Slovak legislation uses this term, but does not define it. An identity document contains the name and surname of the physical person, date and place of birth, birth registration number, citizenship and permanent domicile³³.

In practice, the following data is most important for the demonstration of identity: name, surname, date of birth, and citizenship. However, in order to ensure the most relevant decision possible in cases of forced returns, the competent officers of the BBAP PFP seek to describe identity with as many details as possible³⁴.

What types of documents and other information do authorities in your (Member) State accept as (contributing to) establishing the identity for applicants of international protection? For example:

- ***Official travel documents: Passports, ID cards;***
- ***Other documents: birth certificates, divorce certificates, marriage licences, qualification certificates, etc.***

Where possible, please indicate whether copies are accepted by relevant authority(ies) and which type of documents are considered by the national authorities as core or supporting documents. Also indicate the major issues faced concerning determining the veracity (or genuineness) of documents.

The following documents are considered as documents proving (or contributing to establishing) identity: official travel documents (passports, ID cards), other documents (birth documents, marriage certificates, divorce certificates, qualifications document, etc.) and certifications of citizenship. Passports and identity documents (ID cards) are considered the most important and most trustworthy documents proving identity. When establishing identity, officials of the MO MoI SR also take into consideration other documents, such as membership cards (of a political party), soldier’s pay book, confirmations on school attendance, and compare them with the specimens of such cards/documents if available³⁵.

When determining identity, the MO MoI SR also inspects photocopies of documents. BBAP PFP takes copies of documents into consideration only as support documentation to determine the identity of similar relevance as the filled-in form of the applicant’s statement

³³ Slovak Database of Terms, Identity Document (Doklad totožnosti), last edited on 15/12/2009, <http://data.juls.savba.sk/std/doklad%20toto%C5%BEnosti>.

³⁴ Information provided by BBAP PFP.

³⁵ The cooperation within the EC working group Eurasil could be used for the purposes of practical experience with such documents and their consideration.

on requesting asylum (in case it is not a verified copy). Courts treat copies of documents individually depending on the particular case. Regional courts assess copies of documents in various ways: in some cases they do not recognise or do not consider copies of documents; in other cases they cancelled the decision of MO MoI SR made on the basis of copies of documents and returned the case for review.

The determination of veracity (or genuineness) of documents is problematic for the SR mainly in cases where, for example, the authorities competent to verify the genuineness of documents do not dispose of a specimen of the original document, and hence, they are not able to conclude whether the document is genuine or not. In some countries of origin it is common to buy documents without problems, or there are no authorities through which it would be possible to verify identity in a trustworthy way (e.g. Somalia).

What types of documents are accepted by national authorities in the (presumed) countries of origin if those applicants for international protection have to be returned, because they have received a negative decision, exhausted or abandoned the procedure? Please illustrate any differences between the documents accepted by the authorities of the (presumed) countries of origin and the documents accepted by the relevant authorities of your (Member) State.

In case applicants for international protection must be returned, because they have received a negative decision, or their application for international protection has been rejected, or the procedure has been suspended, the countries of return often accept only identity documents issued by these countries, such as passports or substitute travel document. Just a few countries accept foreign passports. On the other hand, the BBAP PFP accepts, at the national level, any identity document issued by a state authority, including cases where, for example, the important data on the person's citizenship is missing in the driver's licence.

2.2 Methods used in the absence of documentary evidence of identity

The aim of this section is to investigate, for cases where aspects of the applicant's statements regarding his/her identity are not supported by documentary evidence, which methods are used by the competent authorities in the (Member) State to check the credibility of the applicant's statements. In the boxes below, a list of methods is provided. For each method listed, please indicate

- (a) whether it is used within the framework of the procedure for international protection and/or the procedure to forcibly return rejected applicants, or have exhausted or abandoned the procedure for international protection;***
- (b) whether the method is obligatory (i.e. enshrined in law), whether it is part of standard practice (i.e. used in most cases but not enshrined in law) or whether it is optional (i.e. not enshrined in law and used in some cases only). The rationale for selecting some methods as obligatory or optional may relate to national legislation, outlined in Section 1.2 (which the (Member) State can refer to in their replies);***

Do national authorities make use of:

i) Language analysis to determine probable country and/or region of origin?

- Applicants for international protection:***

In 2012, the SR had its first experience with the use of language analysis as one of the

methods to establish identity in the process of making a decision on international protection through which the probable country or region of origin are checked. As has already been mentioned in Chapter 1.1, the MO MoI SR conducted the first language analyses of applicants for international protection from Somalia. Since the use of this method is not regulated by legislation, it is optional, and at the time of producing this study it has been dependent on available resources (and project possibilities), since it is a cost-demanding method.

➤ Return of rejected applicants for international protection:

This method is not used in the process of establishing identity for the return of rejected applicants for international protection.

ii) Age assessment to determine probable age³⁶

➤ Applicants for international protection:

The SR also uses the age assessment method to establish identity in the process of making a decision on international protection. The application of this method arises directly from the Asylum Act in the event of doubts whether the applicant is a minor alien. A third-country national who claims to be an unaccompanied minor is obliged to undergo a medical examination to determine his/her age; this shall not apply if it is obvious that the applicant is a minor. If the third-country national refuses to undergo such medical examination, he/she shall be considered an adult for the purposes of the proceedings under the Asylum Act. If the applicant undergoes the medical examination, he/she shall be considered an adult until the results of the medical examination to determine his/her age are presented. If it is not possible to determine whether the applicant is an adult or a minor by means of a medical examination, he/she shall be considered a minor for the purposes of procedures under the Asylum Act. The police department is obliged to instruct the third-country national about the right to request a medical examination to determine his/her age, about the way the examination is conducted, and about its consequences for the purposes of the proceedings under the Asylum Act, as well as about the consequences of refusal of such examination³⁷.

➤ Return of rejected applicants for international protection:

This method is also used in the process of establishing identity in the case of return of rejected applicants for international protection pursuant to the Asylum Act. The procedure is identical to the one described above.

i) **Fingerprints for comparison with National and European databases**

Yes. The method of taking and analysing of fingerprints of third-country nationals is used both to establish identity in the process of making a decision on international protection, as well as to determine identity in the case of return of rejected applicants for international

³⁶ EMN NCPs are asked to update the information provided through the EMN Comparative EU Study on Unaccompanied Minors. EMN (2010), *Policies on Reception, Return and Integration arrangements for, and numbers of, Unaccompanied Minors*, European Migration Network, May 2010. The EMN Synthesis Report, as well as the 22 National Reports upon which the synthesis is based, are available from <http://emn.sarenet.es/Downloads/prepareShowFiles.do?directoryID=115>.

³⁷ For more details see EMN study *Policies on Reception, Return, Integration, Arrangements for, and Numbers of Unaccompanied Minors in the Slovak Republic*, June 2009. In.: Mgr. Mária Grethe Guličová, M. A., *Policies on Reception, Return, Integration, Arrangements for, and Numbers of Unaccompanied Minors in the Slovak Republic*, June 2009. Available at: http://www.emn.sk/phocadownload/emn_studies/emn-sk_studia_maloleti_bez_spriev_v_sr_sk.pdf

protection. The application of this method arises from the Asylum Act, and concerns applicants for international protection older than 14 years. The fingerprints of such persons are compared in the national database AFIS and in the European database EURODAC.

National Database

- Applicants for international protection: -
- Return of rejected applicants for international protection:-

European databases

- Applicants for international protection: -
- Return of rejected applicants for international protection:-

iv) Photograph for comparison with National and European databases

Also this method is applied in both cases where identity needs to be established (international protection and returns). The MO MoI SR and BBAP PFP can access the joint database of aliens of the MIGRA information system which stores photographs of third-country nationals, including repeated applications. However, this method is not based exclusively on establishing identity by comparing photographs, since photographs are not considered primary data. The Slovak authorities are also authorised to access European databases, where, again, the identity is established through a combination of several methods, not only on the basis of a photograph.

National Database

- Applicants for international protection: -
- Return of rejected applicants for international protection:-

European databases

- Applicants for international protection: -
- Return of rejected applicants for international protection:-

v) Iris scans for comparison with National and European databases

The iris scan method for comparison with national and European databases is not used in the SR at present.

National Database

- Applicants for international protection: -
- Return of rejected applicants for international protection:-

European databases

- Applicants for international protection:-
- Return of rejected applicants for international protection:-

vi) DNA analysis

The SR does not have experience in using DNA analysis to establish identity (international

protection and returns).

- Applicants for international protection: -
- Return of rejected applicants for international protection:-

vii) Interviews to determine probable country and or region of origin (or other elements of identity, such as faith and ethnicity)³⁸

- Applicants for international protection:

In establishing identity in the process of granting international protection, the SR also uses interviews with applicants, which are mandatory pursuant to the Asylum Act. During the interview with an applicant, an officer from the Procedural Department of the MO MoI SR asks questions on the basis of a questionnaire which forms an annex to the Asylum Act, and additional questions according to the applicant's statement (concerning geographical origin, faith, ethnicity, clan, tribe, etc.). In this case, information about the countries of origin of asylum applicants, including detailed information about the place of origin, are useful for the preparation of the interview with applicants and for the comparison of the applicant's statements with the information found out. During interviews, the officials of the Procedural Department of MO MoI SR do not use a standardised list of additional questions to verify the country/place of origin. The experience of Slovakia and of other countries has proved in the past that applicants informed each other about such questions and tended to learn them by heart.

- Return of rejected applicants for international protection:

It is again a mandatory method used to establish identity in the case of return of rejected applicants for international protection. A report is drawn with the alien within the administrative expulsion procedure.

viii) Other (please describe, e.g. type of co-operation with or contacts in third countries), related to

- Applicants for international protection:

In the process of making a decision on international protection, depending on the particular case, it is possible to contact people in the country of origin with a request to find out or verify information (e.g. employees of the Ministry of Defence of the SR, Ministry of Foreign and European Affairs of the SR, police attorneys of the SR, employees of non-governmental and international organisations, such as UNHCR or UNRWA), with a special emphasis on the fact that in no case should the authorities of the countries of origin be contacted.

The MO MoI SR informs the applicant about the exchange of information with other states, and throughout the asylum procedure, duration of asylum and during the granting of subsidiary protection it may not provide data without the consent of concerned persons (their personal data, information about the applicants' place of stay, pictures, fingerprints). The MO MoI SR may not gather information about aliens from persons who have allegedly persecuted them or caused serious injustice, as a result of which the (alleged) persecutor would learn that the respective aliens are asylum seekers or aliens under subsidiary

³⁸ This would depend on the elements included in your national definition of "identity" used within the procedures covered by this Study. See Section 2.1.

protection.

➤ Return of rejected applicants for international protection:

The execution of decisions on expulsion and subsequent forced return is based on the determination of the identity of aliens without travel documents who are placed in a migrant detention centre for foreigners (“MDCF”) of the BBAP PFP. The level of surety, in the case of identity and citizenship, depends on the fact whether the alien is going to be handed over to the territory of a contracting state on the basis of a readmission agreement, or whether the alien is going to be expelled to his/her country of origin under the Act on Residence of Aliens and the Penal Code. In the former case, inter-governmental agreements list all the documents with the submission of which the contracting states consider citizenship proven without further inspection, or trustworthily proven with the possibility of further inspection. In the case of expulsion, the identity of aliens must be confirmed by the embassies who issue emergency travel documents serving for return to the country of origin. Separate meetings are organised to discuss the cases of each and every alien whose embassy has a seat in the territory of the SR, and the officials from some embassies in the SR also pay consular visits to the MDCF premises.

During such visits, consular officials have the possibility to verify the language, cultural and regional knowledge of aliens about the presumed country of origin by means of a direct and personal interview. Any problems occurring during the verification of identity of third-country nationals and obtaining of emergency travel documents are resolved through diplomatic channels by the Consular Department of the Ministry of Foreign and European Affairs of the SR. On the basis of the evaluation of cooperation with embassies, the most problematic countries in terms of establishing the identity of aliens are chosen.

It is obvious that the effectiveness of the return agenda largely depends on the quality of cooperation with the embassies of foreign countries which issue travel documents needed for return³⁹.

If possible, outline briefly the rationale behind the method(s) indicated above used in your (Member) State, e.g. why some method(s) been used in preference to others, is there a hierarchy or order of methods followed, any research conducted providing evidence of the method’s reliability.

For the purposes of establishing identity in both cases (international protection and forced return), the method which is used most frequently by the SR is the taking of fingerprints and making of photographs of aliens and the comparison thereof with national and European databases performed at the competent police department upon filing an alien’s statement on requesting asylum or subsidiary protection. In the case of an alien who claims to be a minor and where there are doubts about the age of such person, medical examination shall be performed to determine the age (hand radiograph). On the basis of an interview and information about the applicant’s country of origin it is possible to obtain further information which can support or negate the alien’s identity and trustworthiness. The authorities examine consistency between the presented documents and the applicant’s statements compared to information about the country of origin. The other methods used in the asylum procedure are optional, and no research aimed to examine the reliability of the different methods in this field has been conducted so far.

According to the information provided by MO MoI SR, closer cooperation and exchange of experience with other European countries in the field of establishment and verification of

³⁹ Ministry of Interior of the SR, Multi-Annual Programme, European Return Fund for the Period 2008–13, 17/12/2008, <http://www.minv.sk/?o-europskom-fonde-pre-navrat&subor=16198> (consulted on 01/08/2012).

identity is desirable. The scope of such cooperation could be based on general information about documents and their issuance in the countries of origin, gathering information about granted visas, experience in verifying identity, common projects focused on the methods of establishing identity (e.g. language analyses), or verification of geographical knowledge or information about every-day life in the country of origin.

Section 3

Decision-making Process

3.1 Status and weight of different methods to determine identity

On the basis of the information gathered by the methods outlined in Section 2, how then is a decision on identification made, e.g. are some methods given more weight on their reliability than others; does there need to be consistency between the results from some of the methods used? Briefly outline whether the results from the different methods will have different status and/or will be given different weights, and whether this is laid down in legislation, policy or practice guidelines.⁴⁰

The methods aimed at establishing identity that are applied in the SR have not been subject to a thorough analysis, and the reliability of particular methods compared to other methods or the need to analyse the results of the different methods used and the consideration of their further application are not laid down in the Slovak legislation or in any policies, instructions or guidelines. All information gathered through the different methods of establishing identity is compared with data provided by applicants during the asylum procedure, taking into consideration the overall trustworthiness of the applicant. The return procedure does not distinguish either between the weights of the different methods, and in some situations mandatory methods are ordered.

The results of the application of different methods with an impact on the making of a decision on establishing identity, which are laid down in law, are presented above in connection with the description of the individual methods.

Is a “grading” structure or spectrum used to denote the degree of identity determination (e.g. from “undocumented,” over “sufficiently substantiated” or “has the benefit of doubt” to “fully documented and verified”)? If Yes, outline what this is.

The SR does not use a grading structure to denote the degree of identity determination (e.g. from “undocumented”, over “sufficiently substantiated” or “has the benefit of doubt” to “fully documented and verified”), and such structure does not exist within the Slovak asylum procedures.

The decisions of the MO MoI SR on establishing the identity of an applicant for international protection rather contain a description of the degree of identity determination. The MO MoI SR either considers an identity proven or, vice versa, it questions identity.

After an applicant presents the required documents, the MO MoI SR has them verified. If the results of expertise confirm the genuineness of documents (sometimes only probably – see below), the identity is deemed proven (established). In case the results of expertise do not

⁴⁰ Member States may differ significantly in how they deal with applicants for international protection whose statements regarding their identity are not supported by valid documentary evidence, not only in the methods they can or should use, but also in the weight they give to the outcomes of some methods. The aim, therefore, is to highlight these differences, should they exist.

confirm the genuineness of documents and there is a suspicion that the documents have been altered or forged, the applicant's identity is questioned and if, at the same time, the applicant fails to meet the conditions for being granted asylum under Art. 8 and Art. 10⁴¹ and subsidiary protection under Art. 13a and 13b⁴² of the Asylum Act, his/her application is rejected as manifestly unfounded. The MO MoI SR can reject an asylum application as manifestly unfounded only within 60 days after the commencement of the procedure; otherwise, a decision with two sentences is issued – on non-granting of asylum, and on non-granting of subsidiary protection under Art. 12, par. 3 of the Asylum Act.

If the applicant fails to submit the required documents and is evaluated as trustworthy (which does not need to be explicitly stated), his/her identity is considered stable, i.e. as he/she stated. If the applicant fails to submit the required documents and is assessed as untrustworthy (i.e. his/her statement lacks trustworthiness, consistency or coherence), then his/her identity is not established or questioned.

In some cases, the results of expertise can differ, or the expertise can bring a conclusion that “the genuineness of submitted documents cannot be excluded”, since a specimen of a genuine document is been available and, hence, no comparison is possible. In such cases, the standard elements are checked, taking into consideration whether the statement of such applicant is trustworthy.

A grading structure is not used in return procedures either, and the failure to establish identity is justified in the decision.

Are any future measures considered with regard to setting up or further elaborating a “grading” structure? If Yes, outline what these are.

The introduction of a grading structure in the process of establishing identity is not considered at present.

3.2 Decisions taken by competent authorities on basis of outcomes of identity establishment

3.2.1 For the consideration of the application for international protection

What are the potential decisions that can be taken by the competent authorities where identity has been established (even partially) to inform the overall decision taken? For example, does the outcome of identity establishment influence a recommendation to “grant international protection,” “refuse international protection,” “defer decision”?

Pursuant to the Asylum Act, the MO MoI SR shall reject the asylum application as manifestly unfounded with regard to identity issues, if the applicant has not allowed his fingerprints to be taken, or has provided untrue information or documents, or has presented

⁴¹ This refers to the granting of asylum to an applicant who has well-founded fears of being persecuted on grounds of race, ethnic origin or religion, for reasons of holding certain political opinions or belonging to a certain social group in the country of his/her nationality or, in case of a stateless person, in the country of his/her residence and in view of this fear he/she cannot or does not want to return to that country, or to an applicant who is persecuted for exercising political rights and freedoms. This also refers to the granting of asylum for the purpose of family reunification.

⁴² The Ministry of Interior shall not grant asylum when there is grounded suspicion that the applicant

- has committed crime against peace, war crime or crime against humanity under international instruments containing provisions on these crimes;
- has committed serious non-political crime outside the territory of the Slovak Republic prior to applying for asylum.

false or forged documents, or has concealed substantial information or documents which are important for the asylum procedure with the intention to complicate the assessment of the asylum application, and if he/she justifies his/her asylum application with incoherent, contradictory, improbable or unsatisfactory statements on the basis of which the person cannot be considered trustworthy. The asylum application shall also be rejected if the applicant damages or disposes of his/her travel document or other identity document with the intention to create a false identity in the asylum procedure or to complicate the assessment of the asylum application in any other way, or if it is a repeated asylum application in which the applicant presented other personal data.

The MO MoI SR shall not reject an application as manifestly unfounded when asylum is sought by an unaccompanied minor. If it is proven that the applicant is not a minor, the application for international protection can be assessed in the manner described above (rejected as manifestly unfounded if there are reasons for that, see above).

If the applicant fails to support his/her statements with proofs, the MO MoI SR shall not take this fact into consideration in case the applicant makes actual efforts to justify his/her asylum application, presents all the documents he has, and provides an acceptable explanation concerning other missing documents, his/her statements are coherent and trustworthy and do not contradict the available information related to his/her case, or in case the applicant has applied for asylum or subsidiary protection immediately upon entering the territory of the Slovak Republic, or in the case of a legal stay in the territory of the Slovak Republic, immediately after learning about the facts justifying international protection and his/her general trustworthiness has been demonstrated.

The failure to present documents does not have an impact on the final decision in the asylum procedure; the demonstration of the applicant's trustworthiness has a bigger weight in this regard.

To illustrate cases concerning the determination of applicant's identity and his/her overall trustworthiness, we present several justifications of decisions taken by the Supreme Court of the SR in the given cases. These decisions are individually binding within the Slovak Republic⁴³, but are not considered sources of law as in the Anglo-Saxon legal system.

Quote No. 1 (file no. 1SŽa/2009/33 of 20 October 2009):

The defendant (MO MoI SR) assesses the trustworthiness of the applicant with regard to the absence of documents which could serve for proving his identity or the trueness of his statements on persecution in his country of origin in relation to the general behaviour of the claimant during the administrative proceedings. It is primarily the applicant for asylum who must be concerned with demonstrating the veracity of his statement; his claims must therefore be compact and rational, must not contradict generally known facts about the country of origin, and with his behaviour he must not give reason for questioning the trustworthiness of his personality.

The assessment of the trustworthiness of the applicant for asylum is the result of an overall assessment process and the defendant's reflections on the applicant's personality, taking into consideration the extent of facticity or credibility of the presented reasons for departure from his country of origin in confrontation with the generally known information about the country of origin.

The decisive factor for drawing a conclusion on untrustworthiness of the applicant must not be only some insignificant inconsistencies or uncertainties explained by mistake in the applicant's statements, but fundamental contradictions in the statements that the

⁴³ Binding for the parties to the procedure.

administrative authority (MO MoI SR) can recognise (it should be noted, though, that the inconsistencies in the applicant's statements could not be considered insignificant or negligible, since the claimant also failed to clarify in the procedure of appeal the reasons why he acted under another identity in the first asylum procedure, and also failed to clarify the partly different reasons for which he applied for asylum)⁴⁴.

Quote No. 2 (file no. 1SŽa/2008/73 of 37 May 2008):

With his behaviour during the asylum procedure, when the claimant changed his name, country of origin and the reason for applying for asylum, has justifiably raised doubts about the trustworthiness of his personality⁴⁵.

Quote No. 3 (file no. 1 SžoKS 35/06 of 30 January 2007):

Absence of an identity document or absence of written evidence that would prove the veracity of the claimant's statements may not prejudice the claimant. Hence, the absence of such documents may not be evaluated as prejudicing the claimant's statements, and it is not possible to draw a clear conclusion from the failure to present such documents that the claimant's statements have not been proven and, hence, that the claimant is untrustworthy⁴⁶.

Quote No. 4 (file no. 1 SŽa 1/07 of 18 September 2007):

Though the absence of an identity document or of written evidence proving the veracity of his statement may not be evaluated as prejudicing the asylum applicant, toleration of the absence of evidence does not mean that statements not supported by any evidence shall be inevitably accepted as true even if they are clearly contradictory, or if the applicant is not able to justify the reasons for the change of data concerning his person, or the changes of the reasons for asylum application during the asylum procedure in case they are contradictory and do not fit the general framework of the facts described by the applicant⁴⁷.

Quote No. 5 (file no. 1 SžoKS 35/06 of 30 January 2007):

With regard to the asylum procedure and in relation to the fact that the applicant for asylum must be primarily concerned with demonstrating the veracity of his/her statements, it is inevitable that the applicant proves, in due and reliable manner, his identity and the veracity of his statements about the circumstances which constituted the reasons for his/her departure from the country of origin (reason for which he has applied for asylum)⁴⁸.

Relative to other factors used in making an overall decision, establishing identity is not

⁴⁴ JUDr. Elena Berthotyova, Rozsudky Najvyššieho súdu SR v azylových veciach v rokoch 2008–2010, UNHCR, 2010 Bratislava, p. 33–34, <http://www.unhcr-centraleurope.org/sk/pdf/zdroje/pravne-materialy/narodne-azylove-systemy-v-strednej-europe/rozsudky-najvyssieho-sudu-sr-v-azylovych-veciach-v-rokoch-2008-2010.html> (consulted on 01 August 2012)

⁴⁵ JUDr. Elena Berthotyova, Rozsudky Najvyššieho súdu SR v azylových veciach v rokoch 2008 – 2010, UNHCR, 2010 Bratislava, p. 48, <http://www.unhcr-centraleurope.org/sk/pdf/zdroje/pravne-materialy/narodne-azylove-systemy-v-strednej-europe/rozsudky-najvyssieho-sudu-sr-v-azylovych-veciach-v-rokoch-2008-2010.html> (consulted on 01 August 2012).

⁴⁶ Mária Kolíková, Lukáš Opett, Rozsudky Najvyššieho súdu Slovenskej republiky v azylových veciach v rokoch 2005 – 2007, UNHR, 2009 Bratislava, p. 15, <http://www.unhcr-centraleurope.org/sk/pdf/zdroje/pravne-materialy/narodne-azylove-systemy-v-strednej-europe/rozsudky-najvyssieho-sudrozsudky-najvyssieho-sudu-sr-u-sr-v-azylovych-veciach-v-rokoch-2005-2007.html> (consulted on 01 August 2012).

⁴⁷ Mária Kolíková, Lukáš Opett, Rozsudky Najvyššieho súdu Slovenskej republiky v azylových veciach v rokoch 2005 - 2007, UNHR, 2009 Bratislava, p. 37, <http://www.unhcr-centraleurope.org/sk/pdf/zdroje/pravne-materialy/narodne-azylove-systemy-v-strednej-europe/rozsudky-najvyssieho-sudrozsudky-najvyssieho-sudu-sr-u-sr-v-azylovych-veciach-v-rokoch-2005-2007.html> (consulted on 01 August 2012).

⁴⁸ Mária Kolíková, Lukáš Opett, Rozsudky Najvyššieho súdu Slovenskej republiky v azylových veciach v rokoch 2005 - 2007, UNHR, 2009 Bratislava, p. 41, <http://www.unhcr-centraleurope.org/sk/pdf/zdroje/pravne-materialy/narodne-azylove-systemy-v-strednej-europe/rozsudky-najvyssieho-sudrozsudky-najvyssieho-sudu-sr-u-sr-v-azylovych-veciach-v-rokoch-2005-2007.html> (consulted on 01 August 2012).

absolutely decisive in the SR.

How important is establishing identity relative to other factors used in making an overall decision? For example, if identity cannot be established, does this de facto lead to a rejected decision? Are other factors such as gender, suspected country of origin, given more weighting than identity determination in some cases?

The problems with establishing identity as such do not lead to a negative decision, though they can have an impact on the duration of the asylum procedure. Each case is assessed on an individual basis. It can happen, for example, that the applicant does not provide his/her correct name, but there are no doubts that he/she comes from a certain country or region of origin and that in the event of a return to this country or region he/she would be exposed to serious injustice. Also other factors can influence the case, such as applicant's illiteracy.

3.2.2 For the return to country of origin

What are the potential decisions that can be taken by the competent authorities where identity has been established (even partially) to inform the overall decision taken? For example, does the outcome of identity establishment influence a recommendation to "defer return"?

The process of establishing identity within the return procedure has an impact on the fact whether the respective alien can be returned to any country. If the country of origin cannot be determined, the person is granted tolerated stay (with the possibility of extension every six months) until the country of origin is determined. In the case of cooperation with the representing authorities of the country of origin, maximum possible evidence must be presented about the applicant being a citizen of the given country or having permanent domicile in that country.

Are the results of the work to establish identity during the international protection process available for work to prepare for forced return?

Yes.

If 'yes': please describe the type of supplementary steps that may be needed with respect to identity documentation before the authorities in the receiving country are prepared to accept the return.

The outcomes of the process of establishing identity are available both in the procedure for granting international protection and in the process of preparation of forced return. Before the receiving country approves the return it is necessary to present evidence proving that the respective alien comes from the country of origin he/she states or that this country has been determined on the basis of investigation in order to be able to return the alien to that country. Fingerprints, support statements by Interpol, etc. are the evidence most commonly presented to the authorities.

If 'no': please describe the type of steps that may be needed with respect to identity documentation before the authorities in the receiving country are prepared to accept the return.

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Section 4

Conclusions

With regard to the aims of this Focussed Study, what conclusions would you draw from your findings? What is the relevance of your findings to (national and/or EU level) policymakers?

The issue of establishing the identity of applicants for international protection or aliens in general is not a key topic in the SR. This topic is covered only marginally by the Slovak media and expert publications, and the Slovak legislation does not define the term identity with regard to international protection or for the purposes of returns. The SR continues to be a transit country for aliens, as a result of which the number of applicants for international protection compared to other EU Member States (especially from Southern and Western Europe) is low. In spite of that, the issue of establishing the identity of aliens is relevant to the Slovak Republic and to the entire EU mainly for security reasons, since entry to the territory of the SR means entry to the Schengen Area, and approximately 90–95 per cent of first applicants for international protection in Slovakia, according to their statements, do not have any identity documents.

The Slovak Republic currently does not dispose of any statistics on the success rate of establishing identity under the asylum and return process. At present, the most problematic country of origin for the SR in terms of the establishment or verification of identity within the asylum and return procedures is Somalia.

Various institutions are involved in the process of establishing the identity of applicants for international protection – police departments competent to receive aliens' statements on requesting international protection, other units of the BBAP PFP, the IFS PF and the MO MoI SR. Courts also participate in the assessment of aliens' identities. IFS PF and BBAP PFP have their own databases of documents (genuine and false), and are authorised to access various European databases.

Passports and identity documents (ID cards) are considered the most important and the most trustworthy documents proving identity. For the purposes of establishing identity, support documentation (other types of documents and copies of documents) are also taken into consideration. These, however, have smaller relevance when they are not verified copies.

The Migration Office of the MoI SR which is the competent first-instance administrative body in making decisions on granting international protection must therefore base its decision-making on the identity data provided by the asylum applicant during the asylum procedure or at the time of filing a statement at the competent police department about requesting asylum or subsidiary protection.

Measures aimed at establishing identity in the absence of documentation are demanding in terms of time, financial resources and human resources, and in spite of the efforts made the establishment of identity is not always successful.

In practice, the SR mainly applies the method of taking fingerprints and making photographs for the purpose of comparison with the national and European databases, as well as interviews. Interviews and information about the applicant's country of origin serve for finding out additional information which can either support or negate the applicant's identity and trustworthiness. The authorities examine consistency between the presented documents and the applicant's statement compared to information about the country of origin. In case an alien claims to be a minor and there are doubts about the age of that person, the alien must undergo a medical examination to determine his/her age (hand radiograph). These methods

are laid down in legislation – in the Asylum Act and in the Act on Residence of Aliens. The other methods are optional. In 2012, the SR had its first experience with conducting language analyses within the asylum procedures. Cooperation with third countries in the determination of identity is an optional method, just as DNA analysis which, together with the iris scanning method for the purpose of comparison with the national and European databases, has not been used in connection with establishing identity.

In its decisions, the MO MoI SR does not use a grading structure to denote the degree of identity determination. It rather uses descriptions to denote the degree of identity determination – by either considering it proven or questioning it. In the return process the grading structure is not used either, while the failure to establish identity is justified in the decision.

On the basis of practical experience, the most common problems mentioned by authorities responsible for establishing identity in asylum and return procedures and return procedures are problems related to the submission of documents with or without a photograph which are not verified officially, and non-cooperation by the alien or insufficient willingness of the representing authorities of countries of origin to cooperate with the Slovak authorities.

Failure to submit documents does not have an impact on the final decision in the asylum procedure, as more weight is ascribed to the demonstration of the applicant's trustworthiness. The process of establishing identity within the return process has an impact on the fact whether the alien can be returned to his/her country of origin or to another third country. In the case of cooperation with embassies of the country of origin, maximum possible evidence must be presented proving that the respective person is a citizen of that country or has permanent domicile in that country.

The effectiveness of the return agenda is largely influenced by the quality of cooperation with the embassies of foreign countries which issue travel documents needed for return. Any problems occurring during the verification of identity of third-country nationals and obtaining of emergency travel documents are resolved through diplomatic channels by the Consular Department of the Ministry of Foreign and European Affairs of the Slovak Republic.

The Slovak Republic would welcome an even closer cooperation and exchange of experience with other European countries in the field of establishment and verification of identity. The scope of such cooperation could be based on general information about documents and their issuance in the countries of origin, gathering information about granted visas, experience in verifying identity, common projects focused on the methods of establishing identity (e.g. language analyses), or verification of geographical knowledge or information about every-day life in the country of origin.

ABBREVIATIONS

AFIS – Automated Fingerprint Identification System

BBAP PFP – Border and Aliens Police of the Police Force Presidium

Coll. – Collection of Laws

DATD – Department for Analysis of Travel Documents of the Border Police Section of the BBAP PFP

DISCS – Document Information System of Civil Status

EC – European Commission

EMN – European Migration Network

ERF – European Refugee Fund

EU – European Union

EURODAC – European Fingerprint Database

GDISC – General Directors of European Immigration Services

IFS PF – Institute of Forensic Science of the Police Force

INTERPOL – International Criminal Police Organization

IOM – International Organization for Migration

MDCF – Migrant Detention Centre for Foreigners

MIGRA – migration and international protection information system, joint database of BBAP PFP and MO MoI SR

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

MoI SR – Ministry of Interior of the SR

SR – Slovak Republic

UNHCR – United Nations High Commissioner for Refugees

UNRWA – United Nations Relief and Works Agency for Palestine Refugees

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