



**Impact of visa liberalisation on countries of destination –
contribution of the Slovak Republic**

EMN Study – Questionnaire Form
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Elaborated by: Vladena Baranová

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

National Contact Point of the European Migration Network for the Slovak Republic
International Organization for Migration (IOM) – Office in the Slovak Republic.

Address: Grösslingová 35, 811 09 Bratislava, Slovakia

E-mail: ncpslovakia@iom.int

Tel.: +421 2 52 62 33 35

Web: www.emn.sk, www.ec.europa.eu/emn

Preface

The aim of the study prepared in the questionnaire format is to analyse short- and long-term trends before and after the introduction of visa liberalisation of the SR with the Western Balkans countries and the Eastern Partnership countries. This analysis concerns the Western Balkans countries (FYROM – Macedonia, Montenegro, Albania, Bosnia and Herzegovina, Serbia) and the Eastern Partnership countries (Ukraine, Moldova, Georgia). Based on the statistical data for the 2007 – 2017 period, these countries were assessed from the following perspectives: positive influence of short-term visa liberalisation in the SR, migration risks as well as challenges for the SR since introducing the visa-free regimes connected to their potential abuse.

National and European policy makers who deal with regular and irregular migration, including but not limited to cooperation with third countries in returns and readmissions, asylum trends and border control are the target group of the study.

The methodological approach to the preparation of this study is based mostly on secondary resources, especially on the information on national policy and approaches. Apart from that, the study also relies on available statistical data provided by Eurostat and the national authorities of the SR. The following institutions were asked through the questionnaire to provide documents/information needed to prepare this study: Ministry of Interior of the Slovak Republic¹, Ministry of Economy of the Slovak Republic, Ministry of Labour, Social Affairs and Family of the Slovak Republic, Ministry of Education, Science, Research and Sport of the Slovak Republic, Ministry of Justice of the Slovak Republic, and Ministry of Foreign and European Affairs of the Slovak Republic.

Based on the questionnaires from each EU Member State, the European Commission prepared a synthesis report covering the main findings. The questionnaire form of the study from the Slovak Republic in Slovak and English language as well as the synthesis report) are available on the Slovak EMN National Contact Point website www.emn.sk.

¹From MoI SR, mainly the following were approached: Bureau of the Border and Foreign Police of the Police Force Presidium, Border Control Department of the BBFP PFP, Department of Risk Analysis and Coordination of the BBFP PFP, Department of External Relations of the BBFP PFP, National Unit to Combat Irregular Migration of the BBFP PFP and Migration Office of the MoI SR.

List of abbreviations

AE – administrative expulsion
AVRR - Assisted Voluntary Return and Reintegration Programme
BBFP PFP – Bureau of the Border and Foreign Police of the Police Force Presidium
CE – court expulsion
EC – European Community/European Commission
EES – Entry Exit System
EMN – European Migration Network
ETIAS – European Travel Information and Authorization System
EU – European Union
FDI – foreign direct investments
FPD PF – Foreign Police Department(s) of the Police Force
FT – foreign trade
FYROM – the Former Yugoslav Republic of Macedonia
IOM – International Organization for Migration
MoE SR – Ministry of Economy of the Slovak Republic
MoESRS SR – Ministry of Education, Science, Research and Sport of the Slovak Republic
MoFEA SR – Ministry of Foreign and European Affairs of the Slovak Republic
MoI SR – Ministry of Interior of the Slovak Republic
MoJ SR – Ministry of Justice of the Slovak Republic
MoLSAF SR – Ministry of Labour, Social Affairs and Family of the Slovak Republic
MO MoI SR – Migration Office of the Ministry of Interior of the Slovak Republic
MS – Member State(s)
N – national
N/A - not applicable
NGO – Non-governmental organizations
N/I – no information available
NUCIM BBFP PF – National Unit to Combat Irregular Migration of the Bureau of the Border and Foreign Police of the Police Force Presidium
SR – Slovak Republic
TCN – third-country national

Summary

The European Migration Network (EMN) study "Impact of visa liberalisation on countries of destination" was selected for elaboration by the EMN Steering Board within the scope of the 2018 Work Programme. For each of the Member States, the study is drafted using the same template in the form of answers to questions below.

The results of the study may help the target group consider and decide on the need to change and extend current policies and procedures used to prevent and combat the abuse of the visa-free regime as well as identify positive influences on Member States which have arisen since the introduction of visa liberalisation.

After visa liberalisation with the countries analysed in the present study, the SR has become not only a transit country, but also a target country for monitored nationalities. Based on available quantitative resources, the number of legal external border crossings has increased also due to better conditions for legal migration related to the reception of workers, students or entrepreneurs in the territory of the SR. It has been caused by the change of national legislation of the SR which was introduced to support economic growth and to strengthen the labour market capacity by bringing new workers from abroad.

The first section of the study provides an overview of the scope of experience of the SR after the introduction of the visa-free regime on national level. It also analyses the short- and long-term trends after the visa-free regime came into force, stimulation factors and links between countries of origin and destination.

As the visa liberalisation with Georgia and Ukraine came into effect in 2017, the statistical data provide only information from before the introduction of the visa-free regime. From the perspective of the overall number of persons, i.e. nationals from visa-free countries of the Western Balkans and Eastern Partnership who legally crossed external borders of the SR, all analysed countries have seen a quantitative change in the number of persons during the entire monitored period. The short-term trend for two years after the introduction of visa liberalisation shows that the most predominant were Serbia, Bosnia and Herzegovina and Moldova. Over the long-term trends, Macedonia was most significantly reflected in 2016 and 2017 and Serbia in 2017 which means that for these countries the number of persons increased only several years after the introduction of visa liberalisation.

The following are the indicators which were analysed but did not show an increase in general – in fact the opposite, a decreasing tendency and sometimes even zero occurrences were observed in the overall number of: illegal state border crossings, short-term residence visa applications, rejected short-term residence visa applications, asylum applications, positive and negative asylum decisions, forged or altered identification documents.

As far as the links between the SR and the Western Balkans countries are concerned, the main connections are family and historical ties as well as work and study opportunities thanks to the low language barrier (nationals of Bosnia and Herzegovina, Montenegro but especially Serbia). As far as the Eastern Partnership countries are concerned, the closest link is that with the Ukrainian nationals who have long been a part of regular migration to the Slovak Republic. This is a natural result of the geographical proximity of Slovakia and Ukraine and mutual neighbouring relationships. This is confirmed by the highest number of residence permits issued to Ukrainian nationals.

The process of implementing the liberalization of visa regime is under the responsibility of central government authorities within Ministry of Interior of the Slovak Republic and Ministry of Foreign and European Affairs of the Slovak Republic. In relation to the introduction of the visa-free regime for the Western Balkans and the Eastern Partnership countries, the Slovak Republic was obliged to harmonise its own visa policy in line with the Regulation (EC) No. 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement. As a result, several international agreements between the SR and third countries which were not compatible with the said regulation had to be terminated.

The second section of the study analyses the positive influence of short-term visa liberalisation on

the SR and nationals of the affected countries. It was not possible to analyse data about the number of residence applications as these are not available. The increase in the overall number of first-time residence permits issued by the SR based on remunerated activity was most prominent in the case of Serbian and Ukrainian nationals. In 2017, their numbers were comparable. The Ukrainian nationals were dominant in the overall number of first-time residence permits issued to entrepreneurs in the SR including the self-employed, especially as a short-term trend two years before the introduction of visa liberalisation.

Visa liberalisation influenced the Slovak Republic mainly in terms of simplifying the conditions for entry of passengers and therefore increasing their numbers and influencing both land and air borders. Air companies added several flights, especially from the Eastern Partnership countries, as the Western Balkans citizens travel to or transfer through the territory of the SR mainly through internal land borders. Another positive influence of visa liberalisation was that it became easier to establish working and personal/family contacts as well as to enrol in short-term study visits in the SR.

As far as tourism is concerned, the most tourists come from Ukraine and Serbia. Ukraine has been one of the top 10 countries for incoming tourism for a long time. Given the short period since the introduction of visa liberalisation with the Ukraine, it is not possible to assess its impact on tourism.

Liberalisation of the SR's visa regime in relation to Ukraine positively influenced the development of political, cultural, economic, scientific and education cooperation. From the perspective of the SR, there has been a significant increase in mutual business exchanges, new train and bus connections were established as well as regular flights to and from Ukraine. Visa regime liberalisation creates conditions for the employment of qualified Ukrainian workers in the SR and for the development of cooperation in small and mid-sized entrepreneurship. Generally speaking, since 2009, 2010, 2014 or 2017, a rather positive development of foreign trade of the SR with Ukraine, Serbia, Moldova and Bosnia and Herzegovina can be confirmed. The trend with other monitored countries has been rather ambiguous, even negative.

The Slovak Republic has recorded an increased interest in employment by persons from the Western Balkans (especially Serbian nationals) and Ukraine which is on the rise not only because of the physical proximity of the countries but also because of linguistic closeness.

Based on the available statistical data, in the overall number of first-time residence permits issued for the purposes of remunerated activity to the nationals of the countries with visa-free regime the SR recorded a slight increase regarding Macedonian nationals. After the introduction of visa liberalisation, the number continues to rise. An increase is seen for Serbia, too, but the most dominant interest is that of Ukrainian nationals – even during the two years preceding the introduction of visa liberalisation.

The third section of the study investigates the risks and migration since the introduction of visa-free regimes as well as the capacity of the SR to meet the new challenges following the introduction of visa-free regimes with target countries. The overall number of persons, who were denied entry at external borders, has increased most significantly in the case of Ukrainian nationals – during the three years preceding the introduction of visa liberalisation. The SR does not record a substantial increase in other nationalities. Ukraine also leads these statistics on the overall number of return decisions as well as the overall number of voluntary returns.

The total number of illegally employed Ukrainian and Serbian nationals increased, too. These contributed to the overall increase in the number of unauthorized residences. Ukrainian and Serbian nationals prevail not only in regular migration, but also in the irregular. They choose the SR as their target country because there are large diasporas there, it has a good geographical location, low language barrier and of course there is a possibility to obtain employment as the Slovak labour market lacks qualified labour. These are the reasons why the Ukrainians and the Serbians are the nationalities most often detained due to unauthorized residence. The fact that the residence of Ukrainian and Serbian nationals was unauthorized is proven by the statistical evaluations based on the overall number of persons who overstayed their visa/residence permit.

Since the commencement of visa liberalisation with Ukraine, the Slovak Republic has been facing an increase in border crossings especially in terms of the numbers of Ukrainian nationals crossing

the external land border. The SR is preparing to overcome these challenges by introducing new tools into the border control processes. The Entry-Exit System (EES) and the European Travel Information and Authorization System (ETIAS) created at the EU level should fasten the controls.

Visa liberalisation with selected countries did not have almost any influence on the crime of smuggling in the Slovak Republic. There was no significant change or increase recorded in the SR in the number of identified smugglers related to the visa liberalisation with selected countries.

After the introduction of visa liberalisation with Western Balkan countries, however, the SR encountered a slight increase in the numbers of Macedonian nationals and a significant increase of illegally residing Serbian nationals in 2016 and 2017. In the case of Serbian nationals, it is related to the violation of the visa-free agreement and to illegal work in the territory of the SR.

The Ukrainians have long been the most numerous group contributing to irregular migration into the territory of the SR. Given the visa liberalisation and current Slovak labour market conditions it is probable that this number will continue to rise. The Slovak Republic recorded an increase in the overstayed residences by nationals of Bosnia and Herzegovina but more significantly of Ukraine and Serbia. An increase was recorded also after introducing the visa liberalisation with Moldova.

Following the recast of the Criminal Code and the Criminal Procedure Code in 2005 which tightened the penalties for the crime of smuggling, the participation of Slovak nationals in the smuggling has decreased. The legislation framework change significantly improves the ability of the SR to face challenges and deal with the risks of migration stemming from the introduction of visa-free regimes which are typically accompanied by more difficulties in detection and highly sophisticated activities of smugglers.

The fourth section of the study is concerned with the measures introduced by the SR to deal with possible abuse of visa-free regimes, also in connection with the influx of asylum seekers from the target countries. Based on the statistical data, the Slovak Republic has not experienced an influx of asylum seekers from the monitored countries. The SR can use the suspension mechanism², if the visa liberalisation is abused. However, there was no need to do that and the development of migration in the territory of the SR does not seem to lead in this direction in the future.

Based on the statistical data and other materials from relevant subjects, it is possible to conclude that the visa liberalisation introduced by the Slovak Republic towards the monitored Western Balkans and Eastern Partnership countries did not significantly impact the Slovak Republic in respect of the monitored indicators.

Section 1: The National Framework

Note: Information provided in Section 1 of the study are related to statistical data provided in the whole study.

SECTION 1.1 DESCRIPTION OF NATIONAL SITUATION

Q1.1. Please provide an analysis of the short term (within two years) and long-term (beyond two years) trends which appeared in the SR after the commencement of visa-free regimes with Western Balkans (FYROM, Montenegro, Serbia, Albania, Bosnia and Herzegovina) and Eastern Partnership (Moldova, Georgia, Ukraine) countries.

The Slovak Republic experienced the following development connected to the introduction of visa-free regimes with the Western Balkans and the Eastern Partnership countries and the associated short-term (within two years) and long-term (beyond two years) trends:

- a) the number of persons from visa-free countries who illegally crossed external borders (Table 1.2.1),
- b) illegal state border crossings by nationals from visa-free countries (Table 1.2.2),

² The visa suspension mechanism is a measure regarding the visa-free regime containing the "brake" which could abolish the visa waiver.

- c) applications for short residence visas by nationals from visa-free countries (Table 1.2.3),
- d) refused applications of nationals from visa-free countries for short-term residence visas (Table 1.2.4),
- e) asylum applications from third-country nationals from visa-free countries (Table 1.2.5),
- f) decisions on return of nationals from visa-free countries (Table 3.2.2).

Western Balkans - FYROM, Montenegro, Serbia, Albania, Bosnia and Herzegovina

a) the number of persons from visa-free countries who legally crossed external borders

FYROM – Macedonia

One year before the introduction of visa liberalisation a slightly lower number of persons – Macedonian nationals who legally crossed external borders was recorded in the SR as compared with 2009. (Note.: 2007 – N/A).

Two years after the introduction of visa liberalisation the number of persons – Macedonian nationals who legally crossed external borders increased almost two times as compared to 2009.

The most significant increase was recorded in 2016 and 2017. In 2016, the number of persons – Macedonian nationals who legally crossed external borders increased 50 times as compared to 2009 and in 2017 104 times.

Montenegro

One year before the introduction of visa liberalisation a slightly lower number of persons – Montenegro nationals who legally crossed external borders was recorded in the SR as compared to 2009. (Note.: 2007 – N/A).

Two years after the introduction of visa liberalisation the numbers of persons – Montenegro nationals who legally crossed external borders were changing as compared to 2009. While one year after the introduction of visa liberalisation the number of such persons increased more than two times, in 2011 it went back to the level of 2009.

The most significant increase as compared to 2009 was recorded in 2017 when the number of such persons increased nearly four and a half times.

Serbia

One year before the introduction of visa liberalisation a lower number of persons – Serbian nationals who legally crossed external borders was recorded in the SR as compared to 2009. (Note.: 2007 – N/A).

Two years after the introduction of visa liberalisation the numbers of these persons increased as compared to 2009. One year after the introduction of visa liberalisation of the SR with Serbia they increased 1.7 times and in 2011 2.7 times.

The most significant increase as compared to 2009 was recorded in 2017 when the number of persons – Serbian nationals who legally crossed external borders increased by more than 18 times.

Albania

Both two years before and after the introduction of visa liberalisation the numbers of persons – Albanian nationals who legally crossed external borders were decreasing as compared to 2010.

The most significant increase as compared to 2010 was recorded in 2016 and 2017 when the number of such persons was increasing.

Bosnia and Herzegovina

Two years before the introduction of visa liberalisation the numbers of persons – Bosnia and Herzegovina nationals who legally crossed external borders were decreasing as compared to 2010

while two years after the introduction of visa liberalisation the numbers were increasing.

The most significant increase as compared to 2010 was recorded in 2017 when the number of such persons increased 25 times.

b) illegal state border crossing by nationals from visa-free countries

As seen in Table 1.2.2, the SR recorded in total zero illegal border crossings by nationals of FYROM, Montenegro, Serbia and Bosnia and Herzegovina both two years before and after the introduction of visa liberalisation. In the case of Albania, the number of illegal state border crossings increased only minimally in the second year before and after the introduction of visa liberalisation.

c) applications for short stay visas by nationals from visa-free countries

FYROM – Macedonia

As from the perspective of the overall monitored period, the total number of short stay visa applications was the highest in 2010, one year after the introduction of visa liberalisation. Since this year the recording of numbers of short stay visa applications has commenced. In the second year after visa liberalisation the numbers decreased to a minimum and by the end of the monitored period there were zero applications.

Montenegro

The SR recorded zero short stay visa applications from Montenegro. The data on the number of short stay visa applications for 2007 – 2009 are not available.

Serbia

The overall number of short stay visa applications decreased in the second year following the adoption of visa liberalisation as compared to the first year after the introduction. In the subsequent monitored period the number was fluctuating, but never achieved the overall number of short stay visa applications from the first two years. The data on the number of short stay visa applications for 2007 – 2009 are not available.

Albania

Albania does not take a significant part in the overall number of short stay visa applications in the SR. The highest number of applications was recorded in the year of the introduction of visa liberalisation. However, one year later it decreased 12 times and by the end of the monitored period it remained zero. The data on the number of short stay visa applications for 2007 – 2009 are not available.

Bosnia and Herzegovina

The number of short stay visa applications by nationals of Bosnia and Herzegovina was negligible in the entire monitored period with one exception: a high overall number of applications in the year of the introduction of visa liberalisation. The data on the number of short stay visa applications until 2009 are not available.

d) refused applications of nationals from visa-free countries for short stay visas

Based on the statistical data stated in Table 1.2.4, the SR did not record a significant number of refused applications of nationals from visa-free countries for short stay visas.

e) asylum applications of third-country nationals from visa-free countries

Number of asylum seekers from the Western Balkans countries were very low (0 – 5 applicants) with the exception of Serbia in which case the number of asylum seekers was the highest (up to 20 applications) in 2009, i.e. the year of visa liberalisation introduction. Since 2012, the SR has not recorded any asylum application by nationals from visa-free countries.

f) decisions on return of nationals from visa-free countries

Based on the data in the Table 3.2.2, the overall number of decisions on return issued to nationals of the Western Balkans countries did not increase in the two years preceding visa liberalisation with the exception of Albania.

During two years after the introduction of visa liberalisation of the SR with the Western Balkans countries, the overall number of decisions on return issued to nationals of FYROM, Albania and Bosnia and Herzegovina slightly increased. In the case of Serbia, one year after the introduction, the numbers remained as in 2009. During the second year, however, they decreased to the level of 2008. The most significant increase in the overall number of issued decisions on return in the case of Serbia is that in 2017 when it increased 14 times as compared to 2009. The overall number of decisions on return issued to Montenegro nationals was zero in the entire monitored period apart from 2016.

Eastern Partnership - Moldova, Georgia, Ukraine

a) the number of persons from visa-free countries who legally crossed external borders

Moldova

Two years before the introduction of visa liberalisation the numbers of persons – Moldova nationals who crossed external borders were decreasing as compared to 2014.

Two years after the introduction of visa liberalisation with Moldova the number of persons who legally crossed external borders of the SR increased as compared to 2014.

The most significant increase as compared to 2014 was recorded in 2008 (almost 4 times higher) and 2017 (4.7 times higher).

Georgia

Two years before the introduction of visa liberalisation, the SR did not record an increase in the number of persons – Georgia nationals who legally crossed external borders of the SR as compared to 2017.

The most significant increase in the number of persons who legally crossed external borders as compared to the entire monitored period was recorded in the year of visa liberalisation introduction, i.e. in 2017 (674 persons).

Ukraine

The number of persons – Ukrainian nationals who legally crossed external borders of the SR was increasing in the entire monitored period which showed also in the two years preceding the introduction of visa liberalisation with the SR. The number in that period exceeded one million and in 2017 1.5 million of these crossings.

b) illegal state border crossing by nationals from visa-free countries

Moldova

Two years before the introduction of visa liberalisation, as seen in Table 1.2.2, the SR recorded a continuous decrease of the overall number of illegal crossings of the state border by Moldova nationals. After the introduction of visa liberalisation, the number slightly increased as compared to the year in which the liberalisation was introduced.

Georgia

Two years before the introduction of visa liberalisation, the overall number of illegal crossings by Georgian nationals was three times higher than in 2017. During the entire monitored period, a decrease was recorded.

Ukraine

Two years before the introduction of visa liberalisation, the SR recorded a continuous decrease of the overall number of illegal crossings of the state border also by Ukrainian nationals.

c) applications for short stay visas by nationals from visa-free countries

The overall number of short stay visa applications by Moldovan nationals was decreasing even two years before the introduction of visa liberalisation. The decrease continued until the end of the monitored period. In the case of Georgia, the numbers were negligible. A slight increase was recorded only one year before the introduction of visa liberalisation. The highest overall number of short stay visa applications was that of Ukraine, despite the decreasing tendency which started two years before the introduction of visa liberalisation. The decrease continued until 2017.

d) refused applications of nationals from visa-free countries for short stay visas

Given the very low number of short stay visa applications by Moldovan and Georgian nationals, the number of refused applications is close to zero. Regarding Ukrainian nationals, the number of refused short stay visa applications was decreasing between 2015 (2.3% of the overall number of submitted applications) and 2017 (0.9% of the overall number of submitted applications). Data for the previous period as well as data which would provide for an analysis of long- and short-term trend after the visa liberalisation with Ukraine are not available.

e) asylum applications of nationals from visa-free countries

During the monitored period, the number of asylum applications from Moldova and Georgia was decreasing. In 2017, there were zero applications. The number of Ukrainian asylum applications was decreasing from the beginning of the monitored period until 2012 (5 applications in 2012). However, the number increased 5 times between 2013 and 2016.

f) decisions on return of third-country nationals from visa-free countries

As seen in Table 3.2.2, the overall number of decisions on return issued to Moldovan nationals was decreasing during the entire monitored period until the visa liberalisation introduction. After the introduction, it started to increase. The overall number of decisions on return issued to Georgian nationals two years before visa liberalisation introduction was slightly higher. In the two years preceding visa liberalisation introduction, the most significant increase is that of total decisions on return issued to Ukrainian nationals.

Q1.2. What are the main links between the countries of origin and the SR or the applicable 'pull factors'³?

Western Balkans - FYROM, Montenegro, Serbia, Albania, Bosnia and Herzegovina

Regarding the Western Balkans countries, it is mainly the historical and family ties (especially for Serbia) as well as business or employment opportunities (Serbia, Montenegro, Bosnia and Herzegovina). These are the main factors stimulating the nationals of these countries to come to the Slovak Republic.⁴

The most numerous group constitute the migrants from Serbia due to several reasons. First and foremost, the historical ties – they have a specific position as one of the recognized national minorities. Moreover, in the 1990s after the political changes following the war and the breakup of former Yugoslavia, there was a new wave of migrants who settled in Slovakia. Many of them obtained Slovak citizenship.⁵ Serbian nationals also come to Slovakia to study or work, given the good geographical location, low language barrier and the possibility to obtain employment as there is a lack of labour force especially with lower qualifications in Slovakia.⁶

³ These may include: presence of diaspora, historical links between countries, social assistance received by asylum seekers, probability of receiving a residence permit/long-term visa, schemes (tourism, family ties, business) for attracting certain categories of migrants using visa-free regime.

⁴ Source: MoFEA SR

⁵ BLAŽEK, M., ANDRÁŠOVÁ, S., PAULENOVÁ, N. (2013): Skúsenosti migrantov a migrantiek na Slovensku s násilím [Migrants' Experience with Violence in Slovakia.], IOM, Bratislava.

⁶ Source: BBFP PFP

Eastern Partnership - Moldova, Georgia, Ukraine

Regarding the Eastern Partnership countries, it is especially the Ukrainian nationals who have long been involved in legal migration into the territory of the Slovak Republic. This is caused mainly by Ukraine's geographical location, historical development and mutual neighbouring relations. Ukrainian nationals are one of the traditional national minorities in Slovakia. The minority is composed of Slovak citizens of Ukrainian origin and Ukrainians who were resettled under international agreements of former Czechoslovakia and the former Soviet Union (e.g. from the Chernobyl area). The existence of established minority alongside the cultural, historical and geographical vicinity of Slovakia became the main motivating factor for arrival of new, especially labour, migrants.⁷ The number of residence permits issued to Ukrainian nationals attest to that: they have been the most numerous from the perspective of nationality for a long time. Currently, their interest in residing in Slovakia is increasing due to possibilities of employment, among other things.⁸

Q1.3. Which national institutions and/or authorities are involved in implementing the visa liberalisation process and what is their respective role in this process?

Key national authorities involved in visa liberalisation implementation process are the central government authorities under Ministry of Foreign and European Affairs of the Slovak Republic and Ministry of Interior of the Slovak Republic.

The Ministry of Interior of the Slovak Republic is involved in the implementation of the visa-free regime through the Bureau of the Border and Foreign Police which is one of the bodies of the Police Force Presidium (BBFP PFP). The BBFP PFP's scope of authority regarding the control of Slovak borders is Slovakia-wide and their task is to manage, methodically govern and check the activities of their organizational units from individual directorates to the departments of foreign police. The Ministry of Interior of the Slovak Republic is a central government authority and its responsibilities include, among other things, the protection and governance of state borders, entry into the territory of the Slovak Republic, questions related to persons granted asylum and returnees.⁹

The Ministry of Foreign and European Affairs of the Slovak Republic is a central government authority for foreign policy and relations of the Slovak Republic with other states, international institutions and associations and European institutions. Among other things, they manage diplomatic missions of the Slovak Republic and coordinate the preparation and national negotiations, conclusion, declaration, enforcement, and termination of international contracts.¹⁰

Q1.4. Were there changes in the national legislation of the SR in connection with the introduction of the visa-free regimes? If yes, please explain their scope and impact on nationals coming from the third countries analysed in this study?

⁷BLAŽEK, M., ANDRÁŠOVÁ, S., PAULENOVÁ, N. (2013): Skúsenosti migrantov a migrantiek na Slovensku s násilím [Migrants' Experience with Violence in Slovakia.], IOM, Bratislava.

⁸ Source: BBFP PFP

⁹ Sec. 11 Par. 1 of Act No. 575/2001 Coll. on the Organization of the Activity of the Government and on the Organization of the Central State Administration

¹⁰ Sec. 14 Par. 1 of Act No. 575/2001 Coll. on the Organization of the Activity of the Government and on the Organization of the Central State Administration

Following the introduction of visa-free regimes with the Western Balkans countries and the Eastern Partnership countries, the Slovak Republic was obliged to harmonize its national visa policy with the Regulation (EC) No 539/2001 listing the third countries whose nationals must have visas when crossing the external borders and those whose nationals are exempt from that requirement.

As a result, a number of international agreements between the SR and third countries which were not compatible with the said regulation had to be terminated. The Slovak Republic had to cancel unilateral resolutions which introduced visa requirements for several third countries so that their full compliance with the said regulation was ensured.

Regarding the national legislation of the Slovak Republic there were no changes related to the introduction of the visa-free regimes. The visa-free regime is governed by agreements on the abolition of visa requirements between the Slovak Republic and each respective third country.

Q1.5. Where there any public/policy debates related to the visa liberalisation process in the SR? If yes, what were the main issues discussed and how did this impact national policy?

During the Slovak Presidency of the Council of the EU, the Inter-Parliamentary Conference for the Common Foreign and Security Policy of the EU took place in Bratislava on 2 and 3 September. Minister of Foreign and European Affairs of the SR Miroslav Lajčák touched upon the question of visa liberalisation and negotiated in person with government representatives of several countries which are covered by this study – Macedonia, Georgia, Moldova, Ukraine and Montenegro.¹¹

Visa policy and the related visa liberalisation process was not only discussed in political discussions but also within public discussions and various expert events. They were organized mainly by the Slovak Foreign Policy Association and foreign partners were present. Each expert public discussion in the SR in a way contributed to the direction of the SR visa policy which was then reflected in bilateral agreements and practice.¹²

Media coverage of this topic concerned mainly the information about the visa liberalisation conditions, possible impact on the SR or measures which are or will be necessary in this regard.¹³

Q1.6. Do you have any other remarks relevant to this section that were not covered above? If yes, please highlight them below.

N/A

¹⁵ https://www.mzv.sk/web/en/ministry/minister/activities/-/asset_publisher/nNnVuDsSsgB1/content/p-o-i-n-t-s-t-o-m-a-k-e-minister-of-foreign-european-affairs-of-the-slovak-republic-h-e-miroslav-lajcak-the-western-balkans-and-the-eu-cooperation-and/10182 (cited on 29 October 2018).

¹² Source: MRLIANOVA, A. – SZLOBODOVA, L. – ULRICHOVA, N. – ZOLLEROVA, M.(2011) Vízová politika a jej vplyv na migračné toky do Slovenskej republiky [Visa Policy and the Influence on Migration Flows into the Slovak Republic], European Migration Network, IOM, Bratislava.

¹³ Source: Source: EMN media monitoring. E.g.: <https://www.aktuality.sk/clanok/498065/prilaka-k-nam-bezvizovy-styk-spekulantov-z-ukrajiny-rozhovor/>;
<https://www.webnoviny.sk/schengen-otvo...brany-ukrajincm-s-biometrickymi-pasmi/>;
<http://www.tvnoviny.sk/zahranicne/1873...zu-oddnes-cestovat-do-krajin-eu-bez-viz>

SECTION 1.2 STATISTICAL INFORMATION

Notes referring to each Table of this Section:

*Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).

Green field in the Table refers to the year of the agreement.

In Tables are all available data provided or at a minimum data two years before and after the visa waiver agreement date for each third country (if available).

Table 1.2.1: Total number of external border-crossings (persons) by nationals of visa-free countries¹⁴

Indicator	Period of interest (2007-2017)											Additional Information (e.g. data source(s), explanation of trends and numbers for this indicator)
	<i>As the Slovak Republic officially became a part of the Schengen Area on 21 December 2007, it is not possible to include the requested data for 2007, given that a different information system had been used to collect data about state border crossings.</i>											
Total number of external border-crossings (persons) by nationals of visa-free countries	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
FYROM	N/I	240	251	457	464	388	389	385	294	12 957	26 131	
Montenegro	N/I	30	46	102	48	97	56	54	69	60	206	
Serbia	N/I	853	1 150	1 983	3 134	3 887	4 375	3 679	2 216	5 172	21 142	
Albania	N/I	295	168	256	117	107	71	106	135	596	737	

¹⁴ Information to be provided by inserting national data as gathered by competent authorities. The indicator refers to border-crossings at the external borders of the EU plus Norway.

Bosnia and Herzegovina	N/I	273	223	292	737	887	1 286	795	666	775	7 348	
Moldova	N/I	4 385	2 660	1 938	1 922	1 669	1 341	1 115	1 539	2 634	5 282	
Georgia	N/I	340	270	307	362	374	269	368	282	286	674	
Ukraine	N/I	782 224	672 275	664 251	729 073	766 461	846 387	857 335	935 265	1 210 094	1 554 366	
Total	N/I	788 640	677 043	669 586	735 857	773 870	854 174	863 837	940 466	1 232 574	1 615 886	
Ratio	N/I	78.76	77.97	81.41	81.10	72.22	75.14	70.11	64.54	57.98	42.95	
Total number of external border crossings (persons)¹⁵	N/I	1 001 297	868 340	822 459	907 329	1 071 588	1 136 846	1 232 103	1 457 187	2 125 720	3 762 673	

Source: BBFP PFP

Table 1.2.2: Total number of detections of irregular border-crossings from nationals of visa-free countries¹⁶

Indicator	Period of interest (2007-2017)											Additional Information (e.g. data source(s), explanation of trends and numbers for this indicator)
	<i>The Slovak Republic officially become a part of the Schengen Area on 21 December 2007. The numbers for 2007 include the irregular border crossing with Poland, Czech Republic, Austria, and Hungary.</i>											
Total number of detections of irregular border-crossings from nationals of visa-free countries	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
FYROM	2	0	0	0	0	0	0	0	0	0	1	
Montenegro	0	0	0	0	0	0	0	0	0	0	0	

¹⁵ All nationalities apply, to calculate the proportion out of the total number of border crossings (persons)

¹⁶ Information to be provided by inserting national data as gathered by competent authorities. Also see Frontex: Number of detections of illegal border-crossings by sea and land; Available at: <http://frontex.europa.eu/trends-and-routes/migratory-routes-map/>

Serbia	5	0	0	0	0	0	0	1	0	0	0	
Albania	1	3	0	0	0	4	1	1	1	1	2	
Bosnia and Herzegovina	1	0	0	0	0	0	0	0	0	0	0	
Moldova	903	350	181	175	77	55	32	0	7	4	1	
Georgia	264	203	99	68	41	48	53	6	13	18	6	
Ukraine	524	34	65	55	47	53	79	47	92	87	35	
Total	1 700	587	345	298	165	160	165	55	113	110	45	
Ratio	49.92	59.05	58.08	58.78	42.31	24.32	41.46	22.92	50.90	52.88	18.15	
Total number of detections of irregular border-crossings¹⁷	3 405	994	594	507	390	658	398	240	222	208	248	

Source: BBFP PFP

¹⁷ All nationalities apply, to calculate the proportion out of the total number of irregular border crossings.

Table 1.2.3: Total number of short-stay visa applications by third country¹⁸

Indicator	Period of interest (2007-2017)											Additional Information (e.g. data source(s), explanation of trends and numbers for this indicator)
	<i>The SR does not have the data about the number of short-stay visa applications for 2007 – 2009. Applications for short-term residence visa have been recorded since 1 April 2010.</i>											
Total number of short-stay visa applications by third country	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
FYROM	NI	NI	NI	11	1	0	0	0	0	0	0	
Montenegro	NI	NI	NI	0	0	0	0	0	0	0	0	
Serbia	NI	NI	NI	81	51	16	10	5	19	13	9	
Albania	NI	NI	NI	48	4	0	0	0	0	0	0	
Bosnia and Herzegovina	NI	NI	NI	724	11	2	0	0	0	0	3	
Moldova	NI	NI	NI	0	0	29	12	9	3	2	1	
Georgia	NI	NI	NI	0	0	0	0	0	6	19	9	
Ukraine	NI	NI	NI	0	0	0	0	0	45 749	38 478	16 229	
Total	NI	NI	NI	864	67	47	22	14	45 777	38 512	16 251	
Total number of short-stay visa applications – all third countries¹⁹	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	

Source: MoFEA SR

¹⁸ See DG HOME Schengen Visa statistics, Available at: https://ec.europa.eu/home-affairs/what-we-do/policies/borders-and-visas/visa-policy_en#stats

¹⁹ All nationalities apply, to calculate the proportion out of the total number of short-stay visa applications.

Table 1.2.4: Total number of short-stay visa application refusals by third country²⁰

Indicator	Period of interest (2007-2017)											Additional Information (e.g. data source(s), explanation of trends and numbers for this indicator)
	<i>The SR does not have the data about the number of refused short-stay visa applications for 2007 – 2009. Refused applications for short-term residence visa stated in the Table have been recorded since 1 April 2010.</i>											
Total number of short-stay visa application refusals by third country	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
FYROM	NI	NI	NI	0	0	0	0	0	0	0	0	
Montenegro	NI	NI	NI	0	0	0	0	0	0	0	0	
Serbia	NI	NI	NI	3	10	3	2	0	1	1	0	
Albania	NI	NI	NI	2	0	0	0	0	0	0	0	
Bosnia and Herzegovina	NI	NI	NI	10	0	0	0	0	0	0	0	
Moldova	NI	NI	NI	NI	NI	1	0	0	0	0	0	
Georgia	NI	NI	NI	NI	NI	NI	NI	NI	1	0	5	
Ukraine	NI	NI	NI	NI	NI	NI	NI	NI	1 069	825	162	
Total	NI	NI	NI	15	10	4	2	0	1 071	826	167	
Total number of short-stay visa application refusals – all third countries²¹	1827	3045	2500	1670	NI	NI	NI	NI	NI	NI	NI	

Source: MoFEA SR

²⁰ See DG HOME Schengen Visa statistics, Available at: https://ec.europa.eu/home-affairs/what-we-do/policies/borders-and-visas/visa-policy_en#stats.

²¹ All nationalities apply, to calculate the proportion out of the total number of short-stay visa application refusals.

Table 1.2.5: Total number of asylum applications received from visa-free countries²²

Indicator	Period of interest (2007-2017)											Additional Information (e.g. data source(s), explanation of trends and numbers for this indicator)
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
Total number of asylum applications received from visa-free countries												
FYROM	5	5	5	0	0	0	0	0	0	0	0	
Montenegro	0	0	0	0	0	0	0	0	0	0	0	
Serbia	7	15	20	10	10	0	0	0	0	0	0	
Albania	2	0	0	0	0	0	0	0	0	0	0	
Bosnia and Herzegovina	0	0	0	0	0	0	0	0	0	0	0	
Moldova	208	115	75	40	40	30	5	5	5	0	0	
Georgia	134	120	100	65	65	55	35	15	5	0	0	
Ukraine	36	30	15	20	5	5	15	25	25	25	10	
Total	392	285	215	135	120	90	55	45	35	25	10	
Total number of asylum applications – all third countries²³	NI	895	805	540	490	730	440	330	330	145	160	

Source: 2007 – Department of Documentation and Foreign Cooperation of MO MoI SR, 2008 – 2017 – Eurostat

²² See Eurostat: Asylum and first-time asylum applicants by citizenship, age and sex Annual aggregated data (rounded) [migr_asyappctza]. For Georgia and Ukraine, monthly date may be considered.

²³ All nationalities apply, to calculate the proportion out of the total number of asylum applications.

Table 1.2.6: Total number of positive decisions on asylum applicants from visa-free countries²⁴

Indicator	Period of interest (2007-2017)											Additional Information <i>(e.g. data source(s), explanation of trends and numbers for this indicator)</i>
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
Total number of positive decisions on asylum applicants from visa-free countries												
FYROM	0	0	0	0	0	0	0	0	0	0	0	
Montenegro	0	0	0	0	0	0	0	0	0	0	0	
Serbia	0	0	0	0	0	0	0	5	0	0	0	
Albania	0	0	0	0	0	0	0	0	0	0	0	
Bosnia and Herzegovina	0	0	0	0	0	0	0	0	0	0	0	
Moldova	0	0	0	0	0	0	0	0	0	0	0	
Georgia	0	0	5	0	0	0	0	0	0	0	0	
Ukraine	1	0	5	0	0	0	5	5	15	5	10	
Total	1	0	10	0	0	0	5	10	15	5	10	

Source: 2007 – Department of Documentation and Foreign Cooperation of MO MoI SR, 2008 – 2017 – Eurostat

²⁴ See Eurostat: First instance decisions on applications by citizenship, age and sex Annual aggregated data (rounded) [migr_asydcfsta]; Total positive decisions, including only refugee status and subsidiary protection, rounded up to the unit of 5.

Table 1.2.7: Total number of negative decisions on asylum applicants from visa-free countries²⁵

Indicator	Period of interest (2007-2017)											Additional Information <i>(e.g. data source(s), explanation of trends and numbers for this indicator)</i>
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
Total number of negative decisions on asylum applicants from visa-free countries												
FYROM	3	0	0	0	0	0	0	0	0	0	0	
Montenegro	0	0	0	0	0	0	0	0	0	0	0	
Serbia	3	10	0	5	0	5	0	0	0	0	0	
Albania	0	0	0	0	0	0	0	0	0	0	0	
Bosnia and Herzegovina	0	0	0	0	0	0	0	0	0	0	0	
Moldova	90	25	20	10	5	10	0	0	5	0	0	
Georgia	32	25	5	15	5	10	0	5	0	0	0	
Ukraine	20	15	5	10	5	5	10	5	15	10	5	
Total	148	75	30	40	15	30	10	10	20	10	5	

Source: 2007 – Department of Documentation and Foreign Cooperation of MO MoI SR, 2008 – 2017 – Eurostat

²⁵ See Eurostat: First instance decisions on applications by citizenship, age and sex, Annual aggregated data (rounded) [migr_asydcfsta]

Table 1.2.8: Total number of positive and negative decisions on asylum applicants (top five nationalities, not limited to visa-free countries)²⁶

Indicator	Period of interest (2007-2017)											Additional Information (e.g. data source(s), explanation of trends and numbers for this indicator)	
	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017		
Total number of positive decisions on asylum applicants (top five nationalities, not limited to visa-free countries)													
Afghanistan	6	30	49	39	47	37	17	53	3	8	8		
Iraq	42	33	10	3	2	2	3	5	12	152	5		
Somalia	9	0	11	17	43	82	7	17	3	2	0		
Syria	13	0	0	2	0	0	2	14	7	7	8		
Cuba	0	9	0	0	4	7	0	0	3	0	8		
Total	70	72	70	61	96	128	29	89	28	168	29		
Total number of negative decisions on asylum applicants (top five nationalities, not limited to visa-free countries)													
Pakistan	301	61	95	20	0	0	0	0	0	11	8		
India	331	43	27	0	0	0	0	0	0	7	0		
Afghanistan	0	0	0	23	10	42	18	51	14	9	8		
Macao	90	45	2	0	8	0	0	0	0	0	0		

²⁶ This is to provide a broader context; any nationality may be included in the top five. See Eurostat: First instance decisions on applications by citizenship, age and sex Annual aggregated data (rounded) [migr_asydcfsta]; Total positive decisions, including only refugee status and subsidiary protection, rounded up to the unit of 5.

Russia	97	33	0	0	7	0	7	0	0	0	0	
Total	819	182	124	43	25	42	25	51	14	27	16	

Source: Department of Documentation and Foreign Cooperation of MO of MoI SR

Table 1.2.9: Total number of residence permits applications (all residence permits) by visa-free country²⁷

Indicator	Period of interest (2007-2017)											Additional Information (e.g. data source(s), explanation of trends and numbers for this indicator)
	<i>The SR does not have such statistical data. The only available data about granted first residence permits are as stated in Tables 2.2.3, 2.2.4 and 2.2.5.</i>											
Total number of residence permits applications (all residence permits) by visa-free country	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
FYROM	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	
Montenegro	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	
Serbia	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	
Albania	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	
Bosnia and Herzegovina	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	
Moldova	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	
Georgia	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	
Ukraine	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	
Total	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	
Total number of residence permit applications (all residence permits)²⁸	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	

²⁷ Information to be provided by inserting national data as gathered by competent authorities. Also see Eurostat - Number of first residence permits issued by reason, EU-28, 2008-2016 [migr_resfirst]

²⁸ All nationalities apply, to calculate the proportion out of the total number of residence permit applications.

Table 1.2.10: Total number of identity document fraud instances by visa-free country²⁹

Indicator	Period of interest (2007-2017)											Additional Information (e.g. data source(s), explanation of trends and numbers for this indicator)
	<i>It is not possible to provide the data for 2007 – 2011 as there was no systematic and targeted data collection which would enable to gather data from the submitter until 2012.</i>											
Total number of identity document fraud instances by visa-free country	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
FYROM	N/I	N/I	N/I	N/I	N/I	0	0	0	2	2	2	
Montenegro	N/I	N/I	N/I	N/I	N/I	0	0	0	0	0	0	
Serbia	N/I	N/I	N/I	N/I	N/I	0	0	2	0	1	1	
Albania	N/I	N/I	N/I	N/I	N/I	2	1	1	0	2	1	
Bosnia and Herzegovina	N/I	N/I	N/I	N/I	N/I	0	0	0	2	0	1	
Moldova	N/I	N/I	N/I	N/I	N/I	1	1	0	0	3	2	
Georgia	N/I	N/I	N/I	N/I	N/I	1	4	0	1	0	0	
Ukraine	N/I	N/I	N/I	N/I	N/I	65	63	74	173	119	54	
Total	N/I	N/I	N/I	N/I	N/I	69	69	77	178	127	61	
Total number of identity document fraud instances³⁰	N/I	N/I	N/I	N/I	N/I	186	151	114	235	166	83	

Source: BBFP PF

²⁹ Information to be provided by inserting national data as gathered by competent authorities.

³⁰ All nationalities apply, to calculate the proportion out of the total number of identity document fraud instances.

Section 2: Positive impact of visa liberalisation on the SR

Note: Responses to questions in subsection 2.1 are realted to statistical data in sub-section 2.2.

SECTION 2.1 DESCRIPTION OF NATIONAL SITUATION

Q2.1. What impact did the visa liberalisation have on the SR?

First of all, visa liberalisation facilitated the conditions of entry into the territory of the Slovak Republic and therefore of travel in general for the citizens of involved countries. This manifested mainly in increased numbers of passengers crossing land and air borders. Moreover, several flights were added (this concerns mainly the citizens of the Eastern Partnership countries, as the Western Balkans citizens travel to or transfer through the territory of the SR mainly through internal land borders).³¹

Visa liberalisation also facilitated the process of finding business contacts and staying for short-term study visits as well as strengthened personal and family ties.

Q2.1.1. If applicable, please categorise your answer to Q2.1 by third country:

Western Balkans - FYROM, Montenegro, Serbia, Albania, Bosnia and Herzegovina

N/I

Eastern Partnership - Moldova, Georgia, Ukraine

Liberalisation of the SR's visa regime in relation to Ukraine positively influenced the development of political, cultural and economic cooperation. During the monitored period, scientific and educational cooperation intensified (see Q2.2.5.), NGOs activities developed, and political dialogue strengthened. From the perspective of the Slovak Republic, there was also an important +20% increase of trade exchange while exports from the SR into Ukraine increased by approx. 30%. New railway and bus lines were added, and a regular Bratislava-Kiev flight was created (a Bratislava-Lviv flight is planned for the autumn of 2018). It is the visa regime liberalisation which creates conditions for the employment of highly qualified Ukrainian workers in the SR and for the development of cooperation in small and mid-size entrepreneurship.³²

The SR recorded positive trends also regarding the liberalisation of visa regime with Georgia. However, due to large distance they are not as pronounced as in case of Ukraine. The political dialogue, transfer of experience of the SR with the transformation process and cultural cooperation is being successfully developed. There was a slight increase (+2%) of mutual trade exchange while the export of the SR into Georgia is traditionally higher than import. A direct Bratislava-Tbilisi flight was introduced and should contribute to the development of tourism in the future.³³

Q2.2. Did the SR assess the impact of visa liberalisation as positive? If yes, please explain the reasons for your positive assessment and how this was reached (i.e. who was involved in the assessment and how they reached this conclusion). If no, explain why this is the case.

The SR did not perform a special evaluation of the impact of visa liberalisation.

MoFEA SR generally perceives it as a positive step towards the support of reform efforts in

³¹ Source: BBFP PFP

³² Source: MoFEA SR

³³ Source: MoFEA SR

individual countries and as a confirmation of EU MS interest in the creation of closer cooperation with these partners.³⁴

Q2.2.1. Did collaboration of SR with relevant third countries improve within the field of migration since the introduction of visa liberalisation?³⁵ If yes, please provide a short description and specific examples.

Cooperation in readmission with those countries was not influenced by the agreements on visa liberalisation. Readmission agreements with the Western Balkans countries and the Eastern Partnership countries are implemented only very seldom. With regards to Ukraine, the cooperation has been very well developed for a long time. The SR did not record any influence of the visa liberalisation agreements on the number of irregular migrants coming to the SR from these countries.³⁶

Q2.2.2. Did the SR identify specific economic benefits?³⁷ If yes, please list them and provide a short description for each.

Visa liberalisation regime as a factor influencing the foreign trade (FT) or foreign direct investments of the SR (FDI), must be considered as a part of the overall context in which both variables develop. It is not possible to exclude it from the other factors influencing the development of FT and FDI (such as the overall domestic political and security situation of the state, external geopolitical changes and circumstances, changes in national currencies exchange rates as compared to main world reserve currencies etc.) in analyses. It is therefore not possible to determine the rate in which, as a part of the general context, the FT and FDI changes were caused directly by the visa regime liberalisation.

Moreover, except for Ukraine (and to a certain extent Serbia), these countries are less important partners of the SR from the perspective of FT. Lower intensity of mutual trade as well as relative geographical distance cause relatively high fluctuation of trade volume. The trends are therefore not clear. Generally speaking, since 2009, 2010, 2014 or 2017, a rather positive development of FT of the SR with Ukraine, Serbia, Moldova and Bosnia and Herzegovina can be confirmed. The trend with other monitored countries has been rather ambiguous, even negative.

In the case of some partner countries (Ukraine, Georgia), not enough time has passed to draw conclusions about the FDI developments (the necessary data are not available yet, as the visa regime was liberalised in 2017 but FDI data are available only for 2016). The trends with other countries are not clear or the data are not available due to security reasons – protection of individual companies' data.³⁸

Q2.2.3. Did the SR experience a growth in tourism³⁹ from third-country nationals under the visa liberalisation regime? If yes, please provide a short description and specific examples.

Note: Responses are linked with data presented in Table 2.2.1.

As stated in the Table 2.2.1 statistical data, quantitatively speaking, the numbers from Ukraine and Serbia are the most significant with regards to tourism.

³⁴ Source: MoFEA SR

³⁵ For example, in cases of return and readmission.

³⁶ Source: BBFP PFP

³⁷ For example, an increase in direct investments from the respective third countries to the SR.

³⁸ Source: MoE SR

³⁹ For example, third-country national visitors staying in hotels and other accommodation establishments increased.

Serbia

Since 2009, the number of visitors/tourists coming from Serbia to the territory of the SR has been increasing. While the number of visitors in 2013 exceeded 10,000, the increase in 2016 was even more eminent and exceeded 20,000 visitors.

Ukraine⁴⁰

Ukraine, a country neighbouring with the Slovak Republic, has been among the top 10 inbound tourism countries for a long time. It is a priority market for the Slovak Republic, one with an important market potential. The number of visitors coming from Ukraine to the territory of the SR has been increasing in the recent years, apart from the 2008 – 2010 period which was influenced by the world recession and in which the numbers decreased. The decrease was compensated for by a large year-on-year increase in 2011 and especially in 2013 when a historical peak was recorded: 79,988 Ukrainians visiting Slovakia. In 2014, there was a 31% decrease resulting from the coup d'état and the war between Ukraine and the Russian Federation - the "Crimean Crisis". In 2015, the decreasing trend continued: as compared with previous year there were 6.6% less visitors coming to the territory of the Slovak Republic. Currently, the situation in this market is stabilized. The decreasing tendency has stopped and in 2016 there was even a slight increase of 2.4% – 52,850 Ukrainians accommodated in Slovakia.⁴¹ Given the short period since the introduction of visa liberalisation with the Ukraine and the fact that data for 2018 do not exist, it is not possible to assess its impact on tourism.

[Q2.2.4. Did the SR experience an impact on its labour market since the introduction of visa liberalisation? If yes, please provide a short description and specific examples, including background information on the link between visa free travel and access to the labour market in the national context.](#)

Note: Responses are linked with data presented in Table 2.2.3.

The Slovak Republic registered increased interest in employment from persons originally from Western Balkans (especially Serbian nationals). The increase is caused not only by geographical proximity of the countries but by linguistic similarity, too.

Based on the available statistical data, the SR recorded a slight increase in the overall number of first-time residence permits issued to Macedonian nationals for the purposes of remunerated activity. After the introduction of visa liberalisation, the number continues to rise. Increase is present in the case of Serbia, too, but the most evident interest is that of Ukrainian nationals – even during the two years preceding the introduction of visa liberalisation. One of the reasons for this phenomenon might be the economic growth of the SR and therefore the increasing demand for labour force.

The results of analysing the number of first-time residence permits issued for the purposes of remunerated activity to the nationals of the monitored Western Balkans and Eastern Partnership countries related to the introduction of visa liberalisation is as follows:

⁴⁰ Source: Analýzy zdrojových trhov cestovného ruchu Slovenska – Ukrajina [Analysis of source tourism markets of Slovakia – Ukraine]. Minister of Transport and Construction of the SR, Department of Relations with Foreign Markets (consulted on 29/10/2018)

⁴¹ "When talking about the statistics on accommodation, however, it is necessary to say that it is not 100% reliable as there are many Ukrainian visitors coming to the territory of the Slovak Republic individually to visit their family members, friends or acquaintances (13.4%) or using the free-of-charge modes of accommodation (22.6%). Their stay in Slovakia is therefore not officially registered within the statistical information of accommodation facilities which are obliged to report the numbers of accommodated guests." Source: Analýzy zdrojových trhov cestovného ruchu Slovenska – Ukrajina [Analysis of source tourism markets of Slovakia – Ukraine]. Minister of Transport and Construction of the SR, Department of Relations with Foreign Markets (consulted on 29/10/2018)

FYROM

The lowest number of first-time residence permits issued for the purposes of remunerated activity to the nationals of FYROM was registered at the time of visa liberalisation introduction. Since then it has been increasing.

Montenegro

A major increase in the number of first-time residence permits issued for the purposes of remunerated activity to the nationals of Montenegro was not recorded during the entire monitored period. The only exception is the year 2017 when their number more than tripled as compared to 2016.

Serbia

At the time of Slovakia-Serbia visa liberalisation introduction, the overall number of first-time residence permits issued for the purposes of remunerated activity to the nationals of Serbia was more than two times lower than a year before the introduction. After the visa liberalisation introduction, it was fluctuating. The Slovak Republic has been noting a more significant increase since 2015 while the highest number was recorded in 2017 when the overall number of first-time residence permits issued to Serbian nationals was nearly 2,500. This is the highest among all the monitored Western Balkans and Eastern Partnership countries.

Albania, Moldova and Georgia

The Slovak Republic did not record any significant increase in the number of first-time residence permits issued for the purposes of remunerated activity to Albanian, Moldovan and Georgian nationals.

Bosnia and Herzegovina

The lowest ever number of first-time residence permits issued for the purposes of remunerated activity to the nationals of Bosnia and Herzegovina was registered at the time of visa liberalisation introduction. The highest number was registered in 2017.

Ukraine

The Slovak Republic registered the most significant increase in the number of first-time residence permits issued for the purposes of remunerated activity to Ukrainian nationals at the time of visa liberalisation introduction. The number was increasing even two years before the introduction.

[Q2.2.5. Did the SR experience a growth in the number of students arriving from third countries since the introduction of visa liberalisation? If yes, please provide a short description and specific examples.](#)

Note: Responses are linked with data presented in Table 2.2.4.

Based on the available statistical information, the Slovak Republic did register a significant increase in the number of students from Serbia after the visa liberalisation introduction – in 2016 and 2017. The number of students coming from Ukraine has been rising over the entire monitored period and especially two years before the introduction of visa liberalisation. Their number in this category is the highest from all target countries.

The number of foreign students accepted by the SR is limited by the quotas of Slovak government scholarships and scholarships awarded within the National Scholarship Programme of the SR and by quotas determined within bilateral agreements on cooperation in education (Moldova, Montenegro, Serbia and Ukraine). Two years before visa liberalisation introduction, the SR registered increased interest of Ukrainian nationals in scholarships within the National Scholarship Programme. This translated to the number of awarded scholarships within the overall quota. In

this respect it is not possible to clearly evaluate if the increased interest of Ukrainian students in Slovak scholarships was caused by the conflict in Ukraine or by visa liberalisation.⁴²

Q2.2.6. Did the SR experience a growth of entrepreneurship, including of self-employed persons from third countries since the introduction of visa liberalisation? If yes, please provide a short description and specific examples, including background information on the access to self-employment from visa free regimes in the national context.

Note: Responses are linked with data presented in Table 2.2.5.

The SR has experienced an increased interest of Macedonian and Serbian nationals in entrepreneurship including the self-employed. Their numbers have been very similar. However, Ukrainian numbers are the highest: at the time of visa liberalisation introduction, their interest in entrepreneurship including self-employed persons was 15 times higher compared to Macedonians and Serbians.

Regarding access to entrepreneurship including self-employed persons, the SR acts within the valid legislation and within the applied standard conditions, does not prefer nationals of selected third countries as compared to other nationalities.⁴³

Q2.2.7. Did the SR experience a growth in trade with third countries since the introduction of visa liberalisation? If yes, please provide a short description and specific examples (i.e. in which sectors / what type of goods or services).

Regarding the Western Balkans countries: based on the foreign trade statistical data, the SR has registered increased import of goods and services after the introduction of visa liberalisation with Serbia. The year 2015 was an exception to this phenomenon as a 5% decrease was noted as compared to the previous year. A continuous increase of imports from the Eastern Partnership countries was recorded after introduction of visa liberalisation with Moldova.

Regarding export of goods and services from the SR into the Western Balkans and the Eastern Partnership countries, the increase was fluctuating. As far as the Eastern Partnership countries are concerned, the most significant increase was registered after introducing visa liberalisation with Moldova, to a lesser extent with Ukraine. As for the Western Balkans, a lower increase was registered in the case of Macedonia⁴⁴.

Q2.2.8. What other benefit (or positive impact) was identified by the SR in relation to visa liberalisation that was not already captured in the previous questions, if applicable?⁴⁵

N/A

⁴² Source: BBFP PFP, MoESRaS SR

⁴³ Source: BBFP PFP

⁴⁴ Source: MoE SR

⁴⁵ For example: agreements with third countries for exchange of students, scholars; social benefits (social assistance, social trust and cooperation).

SECTION 2.2 STATISTICAL INFORMATION

Notes referring to each Table of this Section:

*Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).

Green field in the Table refers to the year of the agreement.

In Tables are all available data provided or at a minimum data two years before and after the visa waiver agreement date for each third country (if available).

Table 2.2.1: Total number of visitors staying in hotels and other accommodation establishments from the visa-free countries⁴⁶

Indicator	Period of interest (2007-2017)											Additional Information (e.g. data source(s), explanation of trends and numbers for this indicator)
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
Total number of visitors staying in hotels and other accommodation establishments from the visa-free countries												
FYROM	301	523	810	908	813	1925	2471	2728	2778	3451	3395	
Montenegro	6 584	219	112	300	372	511	583	435	612	466	633	
Serbia		4 647	3 301	4 891	7 972	9 738	10 880	11 156	13 261	20 371	23 931	
Albania	659	699	228	240	380	410	443	3624	1562	2000	1270	

⁴⁶ Information to be provided by inserting national data as gathered by competent authorities.

Bosnia and Herzegovina	1657	1404	1281	989	1390	1606	3891	1809	1743	2025	2475	
Moldova	673	264	512	440	381	485	654	806	918	1533	1499	
Georgia	N/I											
Ukraine	34 612	28 858	20 618	21 659	35 616	39 458	79 988	55 185	51 591	52 850	53 024	
Total	44 486	36614	26862	29427	46924	54133	98910	75743	72465	82696	86227	
Total number of visitors staying in hotels and other accommodation establishments⁴⁷	1 684 526	1 766 529	1 298 075	1 326 639	1 460 361	1 527 500	1 669 948	1 475 017	1 721 193	2 027 009	2 162 384	Data on all visitors contain only all foreign visitors (i.e. not Slovak citizens).

Source: Statistical Office of the Slovak Republic

⁴⁷ All nationalities apply, to calculate the proportion out of the total number of tourism visitors staying in hotels and other accommodation establishments.

Table 2.2.2: Total number of first-time residence permit applications received from visa-free country nationals⁴⁸

Indicator	Period of interest (2007-2017)											Additional Information <i>(e.g. data source(s), explanation of trends and numbers for this indicator)</i>
	<i>The SR does not have such statistical data. The only available data on granted first residence permits are as stated in Tables 2.2.3, 2.2.4 and 2.2.5.</i>											
Total number of first-time residence applications received from the respective visa-free country	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
FYROM	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	
Montenegro	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	
Serbia	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	
Albania	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	
Bosnia and Herzegovina	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	
Moldova	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	
Georgia	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	
Ukraine	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	
Total	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	
Total number of first-time residence applications⁴⁹	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	

⁴⁸ Information to be provided by inserting national data as gathered by competent authorities.

⁴⁹ All nationalities apply, to calculate the proportion out of the total number of first-time temporary residence applications.

Table 2.2.3: Total number of first residence permits issued for remunerated activities (employ.) reasons to visa-free country nationals⁵⁰

Indicator	Period of interest (2007-2017)											Additional Information (e.g. data source(s), explanation of trends and numbers for this indicator)
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
Total number of permits issued for remunerated activities (empl.) reasons to visa-free country nationals												
FYROM	40	40	29	38	48	45	52	67	70	86	126	
Montenegro	1	2	1	0	1	1	5	6	4	5	16	
Serbia	44	160	69	62	109	167	129	142	300	481	2484	
Albania	0	0	1	1	3	2	2	4	2	4	8	
Bosnia and Herzegovina	26	14	16	2	5	28	26	13	28	23	106	
Moldova	11	35	1	0	0	1	1	4	8	4	17	
Georgia	3	10	10	4	7	6	0	2	6	5	11	
Ukraine	420	1051	834	480	290	399	437	542	1 335	1 241	2 157	
Total	545	1 312	961	587	463	649	652	780	1 753	1 849	4 925	
Total number of permits issued for remunerated activities (empl.) reasons⁵¹	NI	3 984	2 302	1 776	1 321	1 719	1 624	1741	3 142	3 590	7 421	

Source: years 2008 – 2017 – Eurostat, year 2007 – BBFP PFP

⁵⁰ See Eurostat: Number of first residence permits issued by reason, EU-28, 2008-2016 [migr_resfirst]

⁵¹ All nationalities apply, to calculate the proportion out of the total number of permits issued for remunerated activities reasons.

Table 2.2.4: Total number of first residence permits issued for education reasons to visa-free country nationals⁵²

Indicator	Period of interest (2007-2017)											Additional Information (e.g. data source(s), explanation of trends and numbers for this indicator)
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
Total number of permits issued for education reasons to visa-free country nationals												
FYROM	1	3	0	10	14	6	13	6	16	5	7	
Montenegro	0	1	0	0	0	3	0	2	3	1	3	
Serbia	42	14	11	5	12	11	71	65	89	109	81	
Albania	1	0	0	1	4	3	3	3	3	3	4	
Bosnia and Herzegovina	0	0	1	0	6	2	3	4	7	1	6	
Moldova	1	5	2	0	4	1	0	7	7	10	5	
Georgia	2	2	6	12	11	9	6	4	9	12	11	
Ukraine	6	32	30	29	43	89	159	339	639	777	1064	
Total	53	57	50	57	94	124	255	430	773	918	1181	
Total number of permits issued for education reasons⁵³	NI	449	334	353	403	562	829	1082	1475	1723	1989	

Source: years 2008 – 2017 – Eurostat, year 2007 – BBFP PFP

⁵² See Eurostat: Number of first residence permits issued by reason, EU-28, 2008-2016 [migr_resfirst]

⁵³ All nationalities apply, to calculate the proportion out of the total number of permits issued for education reasons.

Table 2.2.5: Total number of first residence permits issued to entrepreneurs (including self-employed persons) from visa-free countries⁵⁴

Indicator	Period of interest (2007-2017)											Additional Information
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
FYROM	14	3	8	20	16	19	21	36	44	51	63	
Montenegro	6	1	0	0	0	0	0	3	2	1	2	
Serbia	1	4	13	7	12	14	8	26	34	40	57	
Albania	0	0	1	0	1	0	0	1	0	2	6	
Bosnia and Herzegovina	3	0	0	1	1	1	4	2	7	4	6	
Moldova	2	2	1	0	0	1	1	2	0	0	3	
Georgia	0	0	0	0	2	0	0	1	3	3	1	
Ukraine	97	113	446	265	128	213	197	351	855	647	907	
Total	123	123	469	293	160	248	231	422	945	748	1 045	
Ratio	15.26	15.91	44.67	41.27	41.13	47.33	64.53	51.34	57.34	43.24	50.88	
All first residence permits for entrepreneurship (incl. self-employed)⁵⁵	806	773	1 050	710	389	524	358	822	1 648	1 730	2 054	

Source: BBFP PFP

⁵⁴ Information to be provided by inserting national data as gathered by competent authorities.

⁵⁵ All nationalities apply, to calculate the proportion out of the total number of first residence permits issued for entrepreneurs (including self-employed persons).

Section 3: Challenges of visa liberalisation on the SR

Note: Responses to questions in subsection 3.1 are related to statistical data in sub-section 3.2.

SECTION 3.1 DESCRIPTION OF NATIONAL SITUATION

Q3.1. Did the SR face certain challenges (if any) since the introduction of visa liberalisation?

The Slovak Republic did not face any challenges which would be primarily or solely related to visa liberalisation. Analysis of the situation and challenges in individual areas which are the focus of this study as well as the rate of their connection to visa liberalisation is stated below.

Q3.1.1. If applicable, please categorise your answer to Q3.1 by third country:

Western Balkans - FYROM, Montenegro, Serbia, Albania, Bosnia and Herzegovina

Regarding issues such as refusal of entry at the external borders, decisions on return and the returns themselves (voluntary or forced) the Western Balkans countries showed zero or minimal and insignificant numbers.

Eastern Partnership - Moldova, Georgia, Ukraine

a) refusal of entry of nationals of the visa-free countries at the external borders

Before visa liberalisation the numbers from Moldova slightly decreased. After the liberalisation they slightly increased. Two years before visa liberalisation, Georgia showed insignificant increase. Three years before visa liberalisation, there was an increase in Ukrainian nationals refused entry at the external borders. This trend continued in 2017.

b) decisions on return issued to the nationals of the visa-free countries

While there was a decrease in the case of Moldova before visa liberalisation, afterwards the numbers slightly increased. Georgia's numbers fluctuated. The most prominent increase was that of Ukraine in the period before the visa liberalisation. Ukrainian nationals were issued up to 2,000 decisions on return.

c) voluntary returns (of all types) of nationals of the visa-free countries

As only data on assisted voluntary return were available in the SR, it is not possible to provide analysis of all types of voluntary returns. As far as Moldova and Georgia are concerned, there is a decreasing tendency for assisted voluntary returns in the monitored period. In 2017, Ukrainian numbers were the highest.

d) forced returns from visa-free countries

Also, in this case the Ukrainian numbers were the highest despite the fact that there was a decreasing tendency two years before the visa liberalisation introduction.

Based on the analysis, the most prominent numbers in the said areas are those of Ukrainian nationals; however, this concerns the period before the introduction of visa liberalisation or the year in which it was introduced. However, since the introduction of visa regime liberalisation with Ukraine, the Slovak Republic has recorded an increase in the number of Ukrainian nationals crossing the border – especially the external land border (see Table 1.2.1). This increase of passengers at border crossing points is a great challenge for the SR. The SR is tackling this challenge by means of implementing modern (smart) elements into the border control process. The Entry-Exit System (EES) and the European Travel Information and Authorization System (ETIAS) should speed up the checking processes.⁵⁶

⁵⁶ Source: BBFP PFP

Q3.1.2. Did the SR encounter a rise in illegal employment since the introduction of visa liberalisation? If yes, please provide a short description and specific examples.

Note: Responses are linked with data presented in Table 3.2.5.

Based on the statistical data in Table 3.2.5 it can be said that the SR encountered a rise in illegal employment as late as in 2016 and especially concerning the nationals of Serbia, Ukraine, Bosnia and Herzegovina and Macedonia. This increase is not a direct result of visa liberalisation introduction with these countries. Overall, the highest increase for all these countries was recorded in 2017: Serbia was the first in numbers with 5.5 times more cases as compared to 2016 followed by Ukraine with 6 times more cases as compared to 2016.

This is confirmed by the BBFP PFP data related to inspection activity concerning residence. The BBFP PFP registers an increase especially in the case of Ukrainian and Serbian nationals who were investigated for breaching the residence condition and activities with signs of illegal work recorded or who were investigated for illegal work itself. In 2017, performance or suspicion of performance of illegal work was registered by the SR in 699 cases of unauthorized residence following authorized entry into the Schengen Area (244.3% increase as compared to 2016). Ukrainians (504) and Serbians (154) form the most substantial part of the cases. Illegal employment was investigated especially in construction or manufacture (assistance construction works) and in enterprises which manufacture electronic components or parts for motor vehicles (especially Ukraine and Serbia). Apart from these cases, illegal work was detected in other areas, too: e.g. in sales of goods, accommodation and food services or administration and support services (see Table 3.2.5).

Illegal employment in the territory of the Slovak Republic is related to establishment of a number of employment agencies residing in third countries but arranging work in the Slovak Republic. They often do not respect valid legislation on entry and residence of third-country nationals.⁵⁷

Q3.1.3 Did the SR encounter a rise in smuggled and/or trafficked persons from the visa-free countries since the introduction of visa liberalisation? If yes, please provide a short description and specific examples.

Note: Responses are linked with data presented in Tables 3.2.6 and 3.2.7.

Based on available statistical data, the Slovak Republic did not experience an increase of human trafficking regarding people from visa-free countries after the introduction of visa liberalisation with the Western Balkans and Eastern Partnership countries.

Visa liberalisation of selected countries did not exert almost any influence on the crime of smuggling in the Slovak Republic which can be seen in the presented statistical data, too. The most notable influence was registered in relation to the unstable political situation in the countries of origin and to the direction of migration routes which are changing alongside the adopted security measures in the countries along the migration route.⁵⁸

Q3.1.4 Did the SR encounter a rise in the number of identified facilitators of unauthorised entry, transit and residence since the introduction of visa liberalisation? If yes, please provide a short description and specific examples.

Note: Responses are linked with data presented in Table 3.2.8.

Based on available statistical data, no significant change or increase in the number of identified smugglers (facilitators of unauthorized entry, transit and residence) was registered in relation to the visa liberalisation of selected countries. The nationality of smugglers (in the cases investigated by the Slovak authorities) changes together with the migration route along which the smuggling

⁵⁷ Source: MoLSAF SR, BBFP PFP, MoFEA SR

⁵⁸ Source: BBFP PFP

services are provided. It also depends on the irregular migrants' country of origin.⁵⁹

Q3.1.5 Did the SR encounter a rise in the number of nationals found to be illegally present from the visa-free countries since the introduction of visa liberalisation? If yes, please provide a short description and specific examples.

Note: Responses are linked with data presented in Table 3.2.9.

Regarding the Western Balkans countries, the SR experienced a slight continuous increase in the number of illegally staying Macedonian nationals. A significant increase was experienced in the 2016 and 2017 numbers of Serbian nationals. It is related to the violation of the visa-free agreement and to illegal employment in the territory of the SR. Of all the monitored Eastern Partnership countries, the increase of the numbers of Ukrainian nationals is statistically most dominant at the time of visa liberalisation introduction but the increasing trend has occurred as early as 2012. The Ukrainian nationals have for a long time been the most numerous nationality contributing to illegal migration in the territory of the SR. In 2017, when visa liberalisation was introduced in the SR, a significant increase in their numbers was registered. Their involvement in the overall illegal migration amounts to 66%. Ukrainian nationals enter the territory of the SR legally or pseudo-legally. It means a transformation of legal migration to illegal as a result of legal migration increase and subsequent violations of residence conditions; in other words – weak spots in Slovak legislation are exploited when obtaining entry and residence, especially in relation to the length of residence. Given the visa liberalization and current Slovak labour market conditions it is probable that the number of Ukrainian nationals will continue to rise.

Q3.1.6 Did the SR encounter a rise in the number of overstayers since the introduction of visa liberalisation? If yes, please provide a short description and specific examples.

Note: Responses are linked with data presented in Table 3.2.10.

As stated in the statistical data in Table 3.2.10 (they are available only from 2013), the Slovak Republic recorded an increase in overstaying the authorized period of residence by nationals of Bosnia and Herzegovina. After the visa liberalisation introduction an increase in overstaying the authorized period of residence was registered by Moldova nationals.

However, the highest increase rates within this indicator are that of the Ukrainian and Serbian nationals. Closer analysis is as follows.

Persons who exceeded their authorized period of residence and were detected inland

Ukrainian nationals who overstaying their authorized period of residence and were detected inland are, due to their number, represented in nearly all types of violation of residence conditions. The most frequent reason for the violation of residence conditions was overstaying their visa or the abuse of the Schengen visa, often in combination with the suspicion of illegal employment. Following the entry into force of the visa waiver agreement which entitles Ukrainian nationals to enter the Schengen Area without a visa if they have a biometric passport, the SR did not register a high increase of their detention in inland Slovakia related to overstaying their residence period defined by the visa waiver agreement. A total of 8 cases was recorded; they were mostly detected at the border crossing point at the exit from the SR. Related to the visa waiver agreement which grants Ukraine certain advantages, a logical decrease in the number of submitted visa applications was recorded (-58.2% as compared to 2016, -64.5% as compared to 2015). However, as the number of Ukrainian nationals entering the territory of the SR through the external border crossing points did not decrease, but increased (+25.2% as compared to 2016, +64.3% as compared to 2015), there is a high probability that also the number of Ukrainian nationals who will reside in the territory of the SR or the Schengen Area longer than defined by the visa waiver agreement will increase as well. Based on past experience, it is also possible that apart from exceeding the period of stay defined by the visa waiver agreement they will also try to obtain

⁵⁹ Source: BBFP PFP

forged border crossing stamps or documents with a different identity (e.g. using the surname of their wife).

The second biggest group in this category were the Serbian nationals in which the SR registers a 90% increase as compared to 2016. This is the result of many Serbian nationals interested in working in the SR entering the territory of the SR since 2016. Their unauthorized residence was mostly related to overstaying the period of residence defined by the visa waiver agreement and to activity which was not in compliance with the international agreement (illegal work).

Persons who breached the authorized period of residence and were detected at border crossing points at the exit from the SR

The Ukrainian nationals dominate in this category of unauthorized residence, as in the previous years. Their share is approx. 95%. Out of the total number of Ukrainian nationals with unauthorized residence detected at border crossing points at the exit from the SR, only a part was residing in the SR for a long period. A majority were only transiting through the territory of the SR on the way to their home country. Based on their statements, 66% of them were residing in the territory of the Czech Republic before entering the SR, however, only approx. one fifth of them had a Czech visa. The rest had Hungarian and Polish visas. Here it is important to note that the Ukrainian nationals often abuse a visa issued for one purpose for another purpose (most often for the purpose of remunerated employment). Such cases of foreigners applying for a visa in one MS but spending most of their residence in another MS will have to be addressed at the EU level.⁶⁰

Q3.1.7 Did the SR encounter any signs of possible misuse of the visa liberalisation?⁶¹ If yes, please provide a short description and specific examples.

See answers to Q3.1.2, 3.1.5 and 3.1.6.

Q3.2. Did the SR as a country of destination face any administrative burden⁶² since the introduction of the visa-free regime? If yes, please provide a short description and specific examples.

Given the increase in legal crossings of the external border since the visa liberalisation with Ukraine, there has been an increased administrative burden during border inspections at border crossing points. There was an increase in the number of refused entries and issued administrative expulsion decisions.

The Foreign Police Departments of the Police Force (FPD PF) have continually been experiencing an increased pressure and levels of activity as a result of legal migration increase. Given the 175% increase in the number of legally residing foreigners (increase of TCNs was 137%), decisions on residence are only one part of the activity within the scope of FPD PF police officers' activities.⁶³

Q3.2.1. If applicable, please list the institutions that faced administrative burdens.

Border Control Departments of the PF located at external land border crossings with Ukraine and Foreign Police Departments of the PF related to increased burden of residence related agenda.⁶⁴

Q3.3. Did the SR as a country of destination face any security risks since the introduction of the visa-free regime? If yes, please provide a short description and specific examples.

Data on security risks are not available.

⁶⁰ Source: BBFP PFP

⁶¹ For example, dealing with cases when persons enter the country legally but later become illegally employed, are staying in the country legally, but are working without a work permit or apply for asylum without reasonable grounds.

⁶² For example, significant increase of residence permit applications, increased demand for work permits, more time-consuming border control procedure due to the lack of visas. etc.

⁶³ Source: BBFP PFP

⁶⁴ Source: BBFP PFP

Q3.3.1. Did the visa liberalisation regime increase the security risks in the SR? If yes, please provide a short description explaining why and provide examples.⁶⁵

An increased incidence of offenses and crimes, especially related to property (theft, robbery, disorderly conduct, possession of narcotics and psychotropic substances) was recorded for Serbian nationals which increases the risks to the internal security of the SR. According to criminal statistics, 102 Serbian nationals were prosecuted in 2017.⁶⁶

Q3.3.2. If applicable, what types of offences⁶⁷ were committed by third-country nationals in the SR after the commencement of the visa-free regime?⁶⁸ Where there any significant differences compared to the time before the visa-free regime started?

Before introducing visa liberalisation with the target countries of the Eastern Partnership and Western Balkans, the SR did not experience an increase in criminal activity. In the case of Serbia, the number of crimes against property slightly increased but only 6 years after the introduction of visa liberalisation. A short analysis and the table below contain the number of nationals of the visa-free countries⁶⁹ by year and crime category⁷⁰. Only the overall number of nationals of respective countries is available, i.e. the number including those living in the SR. It is therefore not possible to state only those who visited Slovakia within a short stay of up to 90 days (as requested by the specifications of the study).⁷¹

Nationals of countries which are the subject of this study committed the misdemeanours or criminal offences stated in the table below in the monitored period.

The most prominent are the numbers of the Ukrainian nationals in the following types:

- illicit trafficking (not drug related),
- offences like fraud, forgery, counterfeiting,
- offences against public order and safety.

Less prominent are the numbers of the Ukrainian and Serbian nationals in the following types:

- economic and financial offences,
- trafficking in human beings and smuggling of migrants,
- offences against property,
- offences against the person,
- offences related to fraud, forgery, counterfeiting,
- offences against public order and safety.

⁶⁵ For example: did your (Member) State identify any increased terrorism risks arising from the entry or residence of respective TCNs.

⁶⁶ Source: BBFP PFP

⁶⁷ Please use this pre-defined list of categories: cybercrime; drugs offences; economic and financial offences; illicit immigration; illicit trafficking (not drug related); offences against property; offences against public order and safety; offences against public trust (e.g. fraud, forgery, counterfeiting); offences against the person; sexual exploitation of children (including child pornography); sexual offences against adults; terrorism-related activity; trafficking in human beings and smuggling of migrants.

⁶⁸ This applies to third-country nationals who do not live your country, but visited (short stay of up to 90 days). Legend: UA – Ukraine, AL – Albania, GE – Georgia, MD – Moldova, MK – FYROM, RS – Serbia, YU – Montenegro, BA – Bosnia and Herzegovina, convicted nationals of Montenegro are included under the "YU"(Yugoslavia) due to the fact that the list of Ministry of Justice of the SR up to 2018 did not include Montenegro nationality.

⁷⁰ The study pre-defined the list of categories: cybercrime; drugs offences; economic and financial offences; illicit immigration; illicit trafficking (not drug related); offences against property; offences against public order and safety; offences against public trust; offences like fraud, forgery, counterfeiting; offences against the person; sexual exploitation of children (including child pornography); sexual offences against adults; terrorism-related activity; trafficking in human beings and smuggling of migrants.

⁷¹ Source: MJ SR

Also, the Moldovan nationals committed the last two categories of offences.

Table A: The number of convicted nationals of visa liberalisation countries by the year and offence category

Category	National	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
terrorism-related activity	UA	1										
Drug crimes	AL					1						
	BA								1	1		
	RS					1		3	1	2		1
	UA	2			2	3					3	
	YU			1						1		
economic and financial offences	AL		1									
	BA				1	1		1		1		
	GE		2									
	MD	1		2	4	1						
	MK	3	3	4	3		5	3	3	5	3	1
	RS					3				1	1	
	UA	7	7	4	13	6	3	3	2	4	3	4
	YU		1	1	2							
cybercrime	UA				1							
illicit trafficking (not drug related)	AL								1			
	BA		1					1		1		1
	MD	2	1		6		1	1				3
	RS									3	1	1
	UA	135	112	77	24	66	42	57	41	58	54	68
	YU							1				
trafficking in human beings and smuggling of migrants	AL										3	
	GE	1		4								
	MD		1	1		1				3		2
	RS										3	
	UA	26	12		1	7	4	6	4	5	10	6
sexual offences against adults	MD				3							
	MK		1									
	RS						1					1
	UA			3								
offences like	AL	1	2				1	2	2	1	4	1
	GE				1							
	MD	116	36	16	1		1				1	

fraud, forgery, counterfeiting	MK	1	4	2	5	3	3	3	5	5	5	
	RS								1	1		
	UA	161	7	21	5	9	5	18	46	99	65	37
	YU	2	3	1		1				1		
offences against property	AL						1		2		1	
	BA					1	2			2		3
	GE	1	2	3	2			1				
	MD	1			4	1		1				
	MK		1	1		2		3		2		1
	RS					2		4	2	1	21	54
	UA	8	9	6	32	1	5	11	5	7	5	10
YU	1	1	1	3	1				1			
offences against public order and safety	AL	1	1			1		1	1			2
	BA			3		1	1	1				
	GE		4	5	2	2	3			1		
	MD	32	27	21	6	6	9	6	1			
	MK	1	1	1	2				2	1	1	1
	RS					2	2	5	6	18	23	18
	UA	27	28	26	22	14	28	22	17	18	17	60
YU	1	1		2		1	1					
offences against the person	AL					1	1					
	BA	1			2	1			1			1
	GE		1		1	3						1
	MD				6		2					
	RS					1	1		7	7	3	12
	UA	9	7	4	23	3	3	6	2	5	4	3
	YU	1	2	1	6			1		1		1

Source: MJ SR

Q3.3.3. If applicable, what was the rate of offences (final court rulings) committed by third-country nationals⁷² in the SR after the commencement of the visa-free regime? Where there any significant differences compared to the time before the visa-free regime started?

N/I

Q3.4. What is the role and impact of irregular migration facilitators that provide their services to third-country nationals with an entry ban? Please provide a short description with specific examples about situation in the SR and make a clear distinction between people who assist migrants and people who are profiting from facilitation.

⁷² See above.

Note: Responses are linked with data presented in Tables 3.2.6, 3.2.7 and 3.2.8.

Under Section 356 of the Criminal Code⁷³, if a person helps irregular migrants for remuneration (financial or material), it is considered a criminal offence. If profiting from such activity is not proven, the activity is not considered a criminal offence. Under Section 355 of Criminal Code, organizing irregular migration is considered as the criminal offence of smuggling, i.e. organizing unauthorized crossing of the state border of the SR, transiting the territory of the SR or enabling or aiding such activity. From that it follows that the transfer through the territory of the SR is considered a crime even if profit is not proven. This means that the provision of humanitarian aid without profit is not a criminal offence except for the transfer itself through/into/from the territory of the Slovak Republic.

Based on the available statistical data, the overall number of smuggled persons from the Western Balkans and the Eastern Partnership target countries in the SR slightly increased two years before the introduction of visa liberalisation with Ukraine. Overall number of persons which were subject to trafficking in human beings from these countries in the monitored period was nearly zero. As for the overall number of identified intermediaries of unauthorized entry, transit through and residence in the SR, the SR experienced a decreasing trend two years before the introduction of visa liberalisation with Ukraine.⁷⁴

Q3.4.1 How did the activities of irregular migration facilitators impact SR?⁷⁵ Please provide a short description with specific examples about situation in the SR.

Following the 2005 recast of Criminal Code and Criminal Procedure Code which tightened rates for the criminal offence of smuggling, there was a more pronounced decrease in the participation of Slovak smugglers in the criminal offence of smuggling. Influence of smugglers' activities on the Slovak Republic was not experienced.⁷⁶

Q3.4.2. If applicable, please list and explain any challenges and risks identified by the SR related to the activities of irregular migration facilitators, while making a clear distinction between people who assist migrants and people who are profiting from facilitation.

Migration risks include especially the more difficult detection and high sophistication of smugglers' activities which are related to their use of modern telecommunication means as when coordinating smuggling activities, it is sufficient to own a mobile device with available communication applications (Viber, WhatsApp etc.) and navigation.⁷⁷

Q3.5. What other challenge (or negative impact) was identified by the SR in relation to visa liberalisation that was not already captured in the previous questions, if applicable?

N/A

⁷³Act No. 300/2005 Coll. Criminal Code as amended

⁷⁴ Source: BBFP PFP

⁷⁵ E.g. Did their activities lead to increases in irregular border-crossings, enhanced border controls or document fraud?

⁷⁶ Source: BBFP PFP

⁷⁷ Source: BBFP PFP

SECTION 3.2 STATISTICAL INFORMATION

Notes referring to each Table of this Section:

*Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).

Green field in the Table refers to the year of the agreement.

In Tables are all available data provided or at a minimum data two years before and after the visa waiver agreement date for each third country (if available).

Table 3.2.1: Total number of nationals from the visa-free countries refused entry at the external borders⁷⁸

Indicator	Period of interest (2007-2017)											Additional Information (e.g. data source(s), explanation of trends and numbers for this indicator)
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
Total number of nationals from the visa-free countries refused entry at the external borders												
FYROM	N/A	0	0	0	0	0	0	0	0	0	15	
Montenegro	N/A	0	0	0	0	0	0	0	0	0	0	
Serbia	N/A	0	0	0	0	0	0	0	0	0	25	
Albania	N/A	0	0	0	0	0	0	0	0	0	10	
Bosnia and Herzegovina	N/A	0	0	0	0	0	0	0	0	0	5	
Moldova	N/A	30	30	15	5	5	0	10	5	15	45	

⁷⁸ See Eurostat: Third-country nationals refused entry at the external borders - annual data (rounded) [migr_eirfs]

Georgia	N/A	0	5	0	5	0	5	0	5	5	5	
Ukraine	N/A	1435	750	790	550	530	395	410	440	705	925	
Total	N/A	1465	785	805	560	535	400	420	450	725	1030	
Total number third-country nationals refused entry at the external borders⁷⁹	N/A	1540	855	840	595	595	435	455	465	750	1085	

Source: Eurostat 2008 – 2017

⁷⁹ All nationalities apply, to calculate the proportion out of the total number third-country nationals refused entry at the external borders.

Table 3.2.2: Total number of return decisions issued to nationals from the visa-free countries⁸⁰

Indicator	Period of interest (2007-2017)											Additional Information (e.g. data source(s), explanation of trends and numbers for this indicator)
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
Total number of return decisions issued to nationals from the visa-free countries												
FYROM	N/A	0	5	5	10	5	10	10	20	20	15	
Montenegro	N/A	0	0	0	0	0	0	0	0	5	0	
Serbia	N/A	10	15	15	10	10	0	30	25	90	215	
Albania	N/A	5	5	0	0	5	5	5	5	10	5	
Bosnia and Herzegovina	N/A	0	0	0	0	5	0	5	5	5	15	
Moldova	N/A	320	180	145	65	60	50	5	15	25	30	
Georgia	N/A	135	95	55	10	25	40	15	15	20	10	
Ukraine	N/A	580	400	355	290	200	230	480	770	1160	1730	
Total	N/A	1050	700	575	385	310	350	550	855	1335	2020	
Total number of return decisions issued to third-country nationals⁸¹	N/A	1655	1180	870	580	490	545	925	1575	1735	2375	

Source: 2008 – 2017 Eurostat

⁸⁰ See Eurostat: Third-country nationals ordered to leave - annual data (rounded) [migr_eiord]

⁸¹ All nationalities apply, to calculate the proportion out of the total number of nationals ordered to leave.

Table 3.2.3: Total number of voluntary returns (all types) by nationals of visa-free countries⁸²

Indicator	Period of interest (2007-2017)											Additional Information (e.g. data source(s), explanation of trends and numbers for this indicator)
	<i>The data are for the assisted voluntary returns by the IOM. The rest of the statistical data for all types of voluntary returns is not available.</i>											
Total number of voluntary returns (all types) by nationals of visa-free countries	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
FYROM	0	0	N/I	0	0	0	0	0	0	0	0	
Montenegro	0	0	N/I	0	0	0	0	0	0	0	0	
Serbia	4	1	4	0	4	1	0	1	0	0	4	
Albania	0	1	2	0	0	0	0	0	0	1	0	
Bosnia and Herzegovina	0	0	1	0	0	0	0	0	0	0	0	
Moldova	89	45	16	14	6	11	6	3	0	0	1	
Georgia	2	1	11	25	5	1	2	3	1	0	1	
Ukraine	0	1	5	12	26	2	7	10	0	9	9	
Total	95	49	39	51	41	15	15	17	1	10	15	
Total number of voluntary returns (all types) – all third-country nationals⁸³	153	96	139	127	95	54	50	57	92	119	43	

Source: 2007 – 2016: <http://avr.iom.sk/sk/o-programe-sp-9616/statistiky.html>(citované 29.10.2018); 2017: Výročná správa o migrácii a azyle v SR 2017

⁸² Information to be provided by inserting national data as gathered by competent authorities. Also see Eurostat: Number of voluntary and forced returns [migr_eirt_vol];

⁸³ All nationalities apply, to calculate the proportion out of the total number of voluntary returns.

Table 3.2.4: Total number of forced returns by visa-free country⁸⁴

Indicator	Period of interest (2007-2017)											Additional Information <i>(e.g. data source(s), explanation of trends and numbers for this indicator)</i>
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
FYROM	N/I	N/I	N/I	N/I	0	0	0	0	5	5	0	
Montenegro	N/I	N/I	N/I	N/I	0	0	0	0	0	0	0	
Serbia	N/I	N/I	N/I	N/I	0	0	0	0	5	15	20	
Albania	N/I	N/I	N/I	N/I	0	0	0	0	0	5	0	
Bosnia and Herzegovina	N/I	N/I	N/I	N/I	0	0	0	0	0	0	0	
Moldova	N/I	N/I	N/I	N/I	0	0	0	0	10	5	5	
Georgia	N/I	N/I	N/I	N/I	0	0	0	10	15	15	5	
Ukraine	N/I	N/I	N/I	N/I	0	0	0	100	165	145	110	
Total	N/I	N/I	N/I	N/I	0	0	0	110	200	190	140	
Total number of forced returns - all third-country nationals⁸⁵	N/I	N/I	N/I	N/I	N/I	N/I	N/I	275	560	315	355	

Source: Eurostat

⁸⁴ Information to be provided by inserting national data as gathered by competent authorities. Also see Eurostat: Number of voluntary and forced returns [migr_eirt_vol];

⁸⁵ All nationalities apply, to calculate the proportion out of the total number of forced returns.

Table 3.2.5: Total number of nationals from the visa - free countries found in illegal employment⁸⁶

Indicator	Period of interest (2007-2017)											Additional Information (e.g. data source(s), explanation of trends and numbers for this indicator)	
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017		
Total number of nationals from the visa-free countries found in illegal employment													
FYROM	0	0	0	0	0	0	1	2	0	5	38	Accommodation and food service activities; Administration and support services	
Montenegro	0	0	0	0	0	0	0	0	0	0	0	-	
Serbia	0	0	0	0	0	1	0	2	3	138	762	Manufacturing, Administrative and support services, Real estate, Wholesale and retail trade, Construction	
Albania	0	0	0	0	0	0	2	0	0	1	0	Industrial manufacture, Accommodation and food service activities	
Bosnia and Herzegovina	0	0	0	0	0	0	0	0	0	0	57	Administrative and support service activities, Manufacturing, Wholesale and retail trade, Real estate	
Moldova	0	0	0	0	0	0	0	0	0	0	1	Wholesale and retail trade	
Georgia	0	0	0	0	0	0	0	0	0	0	0	-	
Ukraine	41	9	12	0	5	0	0	1	2	47	276	Administrative and support service activities, Construction, Wholesale and retail trade, Activities of extraterritorial organisations and bodies,	

⁸⁶ Information to be provided by inserting national data as gathered by competent authorities. Also see Eurostat: Third-country nationals found to be illegally present - annual data (rounded) [migr_eipre]

												<i>Manufacturing</i>
Total	41	9	12	0	5	1	3	5	5	191	1134	<i>The table contains the number of illegally employed, legally or illegally staying third-country nationals (Section 2 of Act No 82/2005 Coll.)</i>
Total number third-country nationals found in illegal employment⁸⁷	60	25	17	6	10	4	10	31	27	195	1147	

Source: National Labour Inspectorate

⁸⁷ All nationalities apply, to calculate the proportion out of the total number third-country nationals found in illegal employment.

Table 3.2.6: Total number of smuggled persons from the visa-free countries (final court rulings)⁸⁸

Indicator	Period of interest (2007-2017)											Additional Information (e.g. data source(s), explanation of trends and numbers for this indicator)
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
Total number of smuggled persons from the visa-free countries (final court rulings)												
FYROM	0	0	0	0	0	0	0	0	0	0	0	
Montenegro	0	0	0	0	0	0	0	0	0	0	0	
Serbia	0	0	0	0	0	0	0	0	0	3	0	
Albania	0	0	0	0	0	0	0	0	0	3	0	
Bosnia and Herzegovina	0	0	0	0	0	0	0	0	0	0	0	
Moldova	0	1	1	0	1	0	0	0	3	0	2	
Georgia	1	0	4	0	0	0	0	0	0	0	0	
Ukraine	26	12	0	1	7	2	6	4	5	7	5	
Total	27	13	5	1	8	2	6	4	8	13	7	
Total number of smuggled persons from third countries (final court rulings)⁸⁹	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	

Source: MJ SR

⁸⁸ Information to be provided by inserting national data as gathered by competent authorities.

⁸⁹ All nationalities apply, to calculate the proportion out of the total number of smuggled persons from third countries.

Table 3.2.7: Total number of trafficked persons from the visa-free countries (final court rulings)⁹⁰

Indicator	Period of interest (2007-2017)											Additional Information (e.g. data source(s), explanation of trends and numbers for this indicator)
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
Total number of trafficked persons from the visa-free countries (final court rulings)												
FYROM	N/I	N/I	N/I	0	0	0	0	0	0	0	0	
Montenegro	N/I	N/I	N/I	0	0	0	0	0	0	0	0	
Serbia	N/I	N/I	N/I	0	0	0	0	0	0	0	0	
Albania	N/I	N/I	N/I	0	0	0	0	0	0	0	0	
Bosnia and Herzegovina	N/I	N/I	N/I	0	0	0	0	0	0	0	0	
Moldova	N/I	N/I	N/I	0	0	0	0	0	0	0	0	
Georgia	N/I	N/I	N/I	0	0	0	0	0	0	0	0	
Ukraine	N/I	N/I	N/I	0	0	0	0	1	0	0	0	
Total	N/I	N/I	N/I	0	0	0	0	1	0	0	0	
Total number of trafficked persons from third countries (final court rulings)⁹¹	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	

Source: BBFP PFP

⁹⁰ Information to be provided by inserting national data as gathered by competent authorities.

⁹¹ All nationalities apply, to calculate the proportion out of the total number of trafficked persons from third countries.

Table 3.2.8: Total number of identified facilitators⁹² of unauthorised entry, transit and residence⁹³ from the visa-free countries (final court rulings)⁹⁴

Indicator	Period of interest (2007-2017)											Additional Information (e.g. data source(s), explanation of trends and numbers for this indicator)
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
Total number of identified facilitators of unauthorised entry, transit and residence from the visa-free countries (final court rulings)												
FYROM	2	2	0	2	1	0	0	1	3	0	0	
Montenegro	0	0	0	0	0	0	0	0	0	0	0	
Serbia	0	0	0	0	1	1	0	0	4	1	0	
Albania	0	0	0	0	0	0	0	0	0	3	0	
Bosnia and Herzegovina	0	0	0	0	0	0	0	0	0	0	0	
Moldova	4	6	0	3	0	1	0	0	2	0	0	
Georgia	0	1	4	1	0	0	0	0	0	0	0	
Ukraine	30	10	2	19	21	20	26	5	12	6	1	

⁹² This refer to the nationality of the facilitators. EU nationalities are provided in the second part of the table.

⁹³ Facilitators of the unauthorised entry, transit and residence - intentionally assisting a person who is not a national of an EU Member State either to enter or transit across the territory of a Member State in breach of laws on the entry or transit of aliens, or, for financial gain, intentionally assisting them to reside within the territory of a Member State in breach of the laws of the State concerned on the residence of aliens (see Article 1(1)(a) and (b) of Council Directive 2002/90/EC).

⁹⁴ Information to be provided by inserting national data as gathered by competent authorities.

Total	36	19	6	25	23	22	26	6	21	10	1	
Total number of identified facilitators of unauthorised entry, transit and residence (final court rulings)⁹⁵	225	112	92	84	92	87	91	81	98	128	18	
Slovak Republic	161	59	53	43	55	49	46	33	35	64	12	<i>Number of identified facilitators of unauthorised entry, transit and residence from EU MS (top 5 EU nationalities).</i>
Czech Republic	8	0	1	0	1	1	1	0	0	0	0	<i>Please see above.</i>
Hungary	6	0	1	0	0	0	0	1	4	7	0	<i>Please see above.</i>
Austria	1	0	0	0	1	0	0	0	4	0	0	<i>Please see above.</i>
Poland	0	0	0	0	0	0	0	4	1	0	0	<i>Please see above.</i>

Source: BBFP PFP

⁹⁵ All nationalities apply, to calculate the proportion out of the total number of identified facilitators of unauthorised entry, transit and residence.

Table 3.2.9: Total number of nationals found to be illegally present from the visa-free countries⁹⁶

Indicator	Period of interest (2007-2017)											Additional Information
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
FYROM	N/A	5	5	5	15	10	10	15	20	20	15	
Montenegro	N/A	0	0	0	0	0	0	0	0	5	0	
Serbia	N/A	15	30	20	15	30	25	30	45	115	220	
Albania	N/A	5	5	0	0	5	5	5	0	10	5	
Bosnia and Herzegovina	N/A	0	0	0	0	5	5	5	5	10	15	
Moldova	N/A	470	260	240	100	95	55	5	15	20	30	
Georgia	N/A	230	130	85	40	65	55	15	15	20	10	
Ukraine	N/A	600	410	365	370	335	355	500	785	1165	1 740	
Total	N/A	1 325	840	715	540	545	510	575	885	1 365	2 035	
Ratio	N/A	57.11	48.98	49.65	47.16	39.07	49.76	49.78	44.58	67.08	78.57	
Total number of persons found to be illegally present⁹⁷	N/A	2 320	1 715	1 440	1 145	1 395	1 025	1 155	1 985	2 035	2 590	

Source: years 2008 – 2017 Eurostat

⁹⁶ Information to be provided by inserting national data as gathered by competent authorities. Also see Eurostat: Third-country nationals found to be illegally present - annual data (rounded) [migr_eipre]

⁹⁷ All nationalities apply, to calculate the proportion out of the total number of third-country national found to be illegally present.

Table 3.2.10: Total number of overstayers from the visa-free countries⁹⁸

Indicator	Period of interest (2007-2017)											Additional Information (e.g. data source(s), explanation of trends and numbers for this indicator)
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
Total number of overstayers from the visa-free countries												
FYROM	N/A	N/A	N/A	4	9	6	14	7	18	18	14	
Montenegro	N/A	N/A	N/A	0	0	1	0	1	0	3	0	
Serbia	N/A	N/A	N/A	11	3	24	17	28	34	109	214	
Albania	N/A	N/A	N/A	1	0	2	1	2	1	8	2	
Bosnia and Herzegovina	N/A	N/A	N/A	1	1	5	3	6	4	7	16	
Moldova	N/A	N/A	N/A	2	2	3	3	1	6	19	30	
Georgia	N/A	N/A	N/A	0	0	1	1	3	0	2	3	
Ukraine	N/A	N/A	N/A	276	332	317	298	470	750	1 129	1 730	
Total	N/A	N/A	N/A	295	347	359	337	518	813	1 295	2 009	
Ratio	N/A	N/A	N/A	64.41	71.25	62.43	67.54	73.68	82.79	84.47	93.23	

⁹⁸ Information to be provided by inserting national data as gathered by competent authorities. Also see Eurostat: Third-country nationals found to be illegally present - annual data (rounded) [migr_eipre]

Total number of overstayers⁹⁹	N/A	N/A	N/A	458	487	575	499	703	982	1533	2 155	
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Source: BBFP PFP

⁹⁹ All nationalities apply, to calculate the proportion out of the total number of third-country national overstayers.

Section 4: Measures put in place to deal with possible misuse of visa-free regimes by the SR

SECTION 4.1 DESCRIPTION OF NATIONAL SITUATION

Q4.1. Did the SR implement certain measures (if any) to deal with the challenges that appeared after the commencement of the visa-free regime?

After the establishment of visa liberalisation, there were no important challenges requiring special measures in any of the countries. Below we state measures within the fight against the illegal employment of Serbian and Ukrainian nationals. However, this phenomenon is not primarily related to the introduction of visa liberalisation. In the case of Ukraine, one impact of visa-free regime introduction is the increased burden at border crossing points. As a result, they were strengthened both in terms of personnel and equipment.

Q4.1.1 If applicable, please categorise your answer to Q4.1 by third country:

Western Balkans - FYROM, Montenegro, Serbia, Albania, Bosnia and Herzegovina

See 4.1

Eastern Partnership - Moldova, Georgia, Ukraine

See 4.1

Q4.1.2. If applicable, did the SR implement measures to increase the efforts to promote voluntary return? If yes, for which nationalities and explain their impact.

The SR did not organize any national campaign to increase voluntary returns.

Informing the migrants about the assisted voluntary returns is primarily within the responsibility of the International Organization for Migration (IOM) which is implementing the Assisted Voluntary Return and Reintegration Programme (AVRR) in the SR. The IOM has also organized information campaigns in order to increase the knowledge level of target group about the AVRR programme, its possibilities, procedures and services. These campaigns, however, were not focused on specific migrant nationalities.¹⁰⁰

Q4.1.3. If applicable, did the SR implement measures to expand the legal possibilities of stay? If yes, for which nationalities and explain their impact.

No, the SR did not implement any measures to expand the possibilities of legal residence in its territory for nationals of the mentioned countries after the introduction of visa liberalisation. Legislative changes implemented into the Act on Residence of Foreigners in the field of residence fully fulfil the needs of practical application and are applied generally, not only for selected nationalities.¹⁰¹

Q4.1.4. If applicable, did the SR implement measures to fight illegal employment? If yes, please explain their impact and add specific examples.

The SR has recently implemented several measures aiming to suppress and detect illegal employment. The measures, however, are mostly of a general nature and were not specifically introduced for the citizens of the countries which are the subject of this study.

Below, the measures which concerned the Ukrainian and Serbian nationals are stated. However, they stemmed from the information and experience from the work of inspection authorities

¹⁰⁰ Source: IOM, BBFP PFP

¹⁰¹ Source: BBFP PFP

obtained in the course of inspections and were not primarily related to visa liberalisation introduction.¹⁰²

In 2017, cases of illegal employment by Serbian and Ukrainian nationals in factories owned by companies based in Slovakia occurred repeatedly. The workers were employed by agencies. They usually signed the Work Agreement in factories in Slovakia from where they were later sent, by means of a Framework Agreement, to pre-defined manufacturing factories in the Czech Republic. The Slovak Republic (responsibility of NUCIM BBFP PF) and the Czech Republic therefore signed the Agreement on Establishing a Joint Investigation Team with the Czech Republic in June 2017. The new joint investigation team is to facilitate international justice cooperation regarding criminal matters of tax offenses and illicit employment of foreigners without a work permit in the Czech Republic and the Slovak Republic.¹⁰³

In 2017, the SR also signed the Protocol on Mutual Cooperation with Serbia Regarding Work and Employment which focuses on mutual cooperation and aims to suppress the illegal employment which is directly connected to illegal presence of TCNs in Slovakia as well as on information exchange and preventing the threats of social dumping. The cooperation within this Protocol is focused especially on work and employment.¹⁰⁴

Q4.1.5. If applicable, did the SR implement measures to fight the smuggling and/or trafficking of persons from the visa-free countries? If yes, please explain their impact and add specific examples.

The SR did not implement any measures to fight human trafficking which would be directly aimed at the nationals of the countries which are the subject of this study. Measures such as controls, identification of victims of human trafficking, trainings or capacity building in this area, information materials etc. are all applied and targeted generally and regardless of nationality. They take into consideration e.g. specific situation of foreigners, minors etc.

Q4.1.6. If applicable, did the SR implement measures to fight the activities of facilitators of unauthorised entry, transit and residence? If yes, please explain their impact and add specific examples.

The 2005 recast of Criminal Code and Criminal Procedure Code tightened penalties for the criminal offence of smuggling. The legislation change did not relate directly to visa liberalisation but is applicable also to the smugglers from the Western Balkans and Eastern Partnership countries.¹⁰⁵

Q4.1.7. If applicable, did the SR implement measures to reduce the incidence of nationals found to be illegally present in your country? If yes, please explain their impact and add specific examples.

N/A

Q4.1.8. If applicable, what was the effectiveness of the measures listed above and which of them were most successful in reaching their intended goals? Please provide any good practices / lessons learned you have identified.

N/I

Q4.2. Did the SR implement measures to deal with administrative burdens since the introduction of the visa-free regime?¹⁰⁶ If yes, please list and explain these measures,

¹⁰² Source: MoLSAF SR

¹⁰³ Source: Mészárosová, S., Oboňová, S. (2018): Annual Report on Migration and Asylum in the SR 2017. European Migration Network, IOM, Bratislava. (consulted on 20/9/2018)

¹⁰⁴ Source: Mészárosová, S., Oboňová, S. (2018): Annual Report on Migration and Asylum in the SR 2017. European Migration Network, IOM, Bratislava. (consulted on 20/9/2018)

¹⁰⁵ Source: BBFP PFP

¹⁰⁶ For example: significant increase of residence permit applications, increased demand for work permits, more time-consuming border control procedure due to the lack of visas. etc.

their impact / effectiveness and add any good practices / lessons learned you have identified.

The liberalisation of the visa regime with the Ukrainian nationals significantly influenced the work at state borders and the performance of border controls. In 2017, the BBFP PFP strengthened, both in terms of personnel and equipment, its presence at border crossings with Ukraine and in their vicinity. Liberalization of the visa regime for holders of Ukrainian biometric passports resulted in a significant increase of number of persons crossing the external border of the SR and in prolonged waiting periods at border crossing points. Measures to shorten the waiting periods at border control were adopted: performing border control using mobile screening in the Central Screening Console (CSC) and enhancing the performance of service.¹⁰⁷

Q4.3. Did the SR implement measures to deal with the possible misuse of visa liberalisation?¹⁰⁸ If yes, please list and explain these measures, their impact / effectiveness and add any good practices / lessons learned you have identified.

Related to the Regulation 2017/850 of the European Parliament and of the Council coming into effect which included Ukraine into the list of countries whose nationals are exempt from visa requirement when crossing external borders and given the regular reassessment of Art. 22 of the Visa Code and migration threats analysis, the SR made the changes to the consultation procedure, as of 1 December 2017.

Moreover, the SR can use the suspension mechanism if needed in case of visa liberalisation abuse. Since the introduction of visa liberalisation with the countries which are the subject of this study, however, there was no need to use such mechanism. The development of migration in the territory of the SR does not lead in this direction in the future.¹⁰⁹

Q4.4. How did the SR deal with cases when third-country nationals entered the country legally, but did not legalize their stay after 90 days (overstayers)? Please provide a short description of such instances while highlighting any measures implemented by the SR to deal with this. If applicable, what was the impact / effectiveness of these measures and are there any good practices / lessons learned you have identified?

When suspicions of illegal work arise, foreigners in Slovakia are usually investigated for the unauthorised residence. In most cases, based on legal reasoning, also a decision on administrative expulsion (AE) is issued or the court imposes a penalty of expulsion to the foreigner. In such cases, the following is the reason for AE: the foreigner's residence is unauthorized i.e. s/he overstayed his/her visa, residence permit of visa-free agreement, s/he performed other activities than for which the temporary residence or visa was granted for, they resided in the territory of the SR while in breach with an international agreement or a decision of the Slovak government, s/he was lawfully convicted for deliberate criminal offence and were not imposed a penalty of expulsion.

The group of foreigners who are "under suspicion of illegal work" includes also the foreigners in whose case unauthorized residence was detected and who at the same time fulfilled one of the following conditions: they performed remunerated activity without the authorisation of relevant authorities and illegal work was confirmed by the Office of Labour, Social Affairs and Family; they were suspected of illegal work and this illegal work was detected by the activity of basic BBFP PFP units (proving illegal work has not even started in these cases as the decision on AE/JE was issued based on other legal grounds).

¹⁰⁷ Source: Mészárosová, S., Oboňová, S. (2018): Annual Report on Migration and Asylum in the SR 2017. European Migration Network, IOM, Bratislava. (consulted on 13/10/2018)

¹⁰⁸ For example, dealing with cases when persons enter the country legally but later become illegally employed, are staying in the country legally, but are working without a work permit or apply for asylum without reasonable grounds.

¹⁰⁹ Source: Mészárosová, S., Oboňová, S. (2018): Annual Report on Migration and Asylum in the SR 2017. European Migration Network, IOM, Bratislava., BBFP PFP

In most decisions on AE issued to this group of foreigners, a deadline for leaving the country is set (obligation to leave the territory of the SR) and they are not detained.

Further analyses found that a large group of foreigners indeed undertakes illegal work in the territory of the Slovak Republic, but this illegal work was not subsequently confirmed by the Office of Labour, Social Affairs and Family, due to many legal obstructions during the confirmation process.¹¹⁰

Q4.4.1 In the case of overstayers from the visa-free countries, does the SR apply a different return procedure compared to the usual procedure? If yes, please provide a short description of such instances while highlighting any good practices / lessons learned you have identified.

No, it does not. Regarding the citizens of visa-free third countries who overstayed the authorized period of residence, the SR does not apply a specifically altered return procedure as compared to the regular procedure.¹¹¹

Q4.4.2 Does the SR apply any special procedures in cases where overstayers have lost their identification documents or in instances where there are problems with their identification? If yes, please provide a short description of such instances while highlighting any good practices / lessons learned you have identified.

No, in these cases, the SR has no special procedures for persons from the countries with visa liberalisation. The SR uses standard tools which are available under national legislation according to the internal rules and existing practice. Each case is individual. Therefore, tools which will lead to the desired effect and trusted identification are preferred. Specific example: a Serbian citizen lost his identification documents after an accident and was hospitalized in Slovakia. Domestic embassy based in the SR and the IOM (which was to return him via assisted voluntary return) helped with his identification. After contacting his family, they came to the territory of the Slovak Republic and then he left the country voluntarily. No specific approach was used since he came from a visa-free country. However, an individual approach based on the nature of the case was used.¹¹²

Q4.4.3 If applicable, what was the effectiveness of these procedures (see Q4.4.1 and Q4.4.2) and were they successful in reaching their intended goals? Please provide any good practices / lessons learned you have identified.

N/A

Q4.5. How did the cooperation with the visa-free countries evolve over time in terms of assistance and information exchange, before and after the visa-free regime commencement?¹¹³ Please provide a short description and specific examples of your national situation disaggregated by region and third countries of interest.

Western Balkans - FYROM, Montenegro, Serbia, Albania, Bosnia and Herzegovina

No specific development recorded in this area.

Eastern Partnership - Moldova, Georgia, Ukraine:

N/A

¹¹⁰ Source: BBFP PFP

¹¹¹ Source: BBFP PFP

¹¹² Source: BBFP PFP

¹¹³ For example, in terms of information campaigns in the third countries working on the elimination of 'push factors' – unemployment, poverty, poor conditions in the national health system, assistance to visa-free countries from Member States and reintegration assistance to returnees.

Q4.5.1. If applicable, how effective was the cooperation with third countries to reach your desired goals? Where there any particular differences in your interactions with different third countries and did you identify any good practices / lessons learned?

N/A

Q4.6. If applicable, how did the SR respond to the influx of asylum seekers from the visa-free countries? Please provide a short description of the measures taken and any good practices / lessons learned you have identified.¹¹⁴

As follows from the statistical data stated in the Table 1.2.5, the Slovak Republic did not experience an influx of asylum seekers from the visa-free countries. Based on the Table 1.2.8, Afghanistan, Somalia, Iraq and Syria were the main countries of origin in the monitored period. The SR did not face changes in the numbers of asylum applications as a result of visa liberalisation in the monitored period, nor does it face them now.

Thanks to foreign cooperation, the Migration Office of the Ministry of Interior of the Slovak Republic has regular access to the data from other MS which provide information on migratory movements (or the movement of asylum seekers including the visa-free countries). These information are monitored and so if such a situation happened in the SR, MO MoI SR informs other relevant institutions such as MoFEA SR in order to prepare the necessary measures.¹¹⁵

Q4.6.1 If applicable, were the measures of the SR effective to manage the influx of asylum seekers from the visa-free countries? Please provide a short description of your national situation highlighting any good practices / lessons learned you have identified.

N/A

Q4.6.2 If applicable, how did the SR cooperate with other (Member) States found in a similar situation (i.e. influx of asylum seekers from the visa-free countries)? Please provide a short description of your national situation and any good practices / lessons learned you have identified.

No cooperation was initiated in this area.¹¹⁶

Q4.6.3 Did SR receive assistance from the EU to deal with the influx of asylum seekers from the visa-free countries? If yes, how effective was the assistance? Please provide a short description of your national situation and any good practices / lessons learned you have identified.

N/A

Q4.7. What other measure (or good practice / lesson learned) was adopted by the SR in relation to visa liberalisation that was not already captured in the previous questions, if applicable? At the same time, are there any planned measures that will be adopted in the nearby future?¹¹⁷

N/A

¹¹⁴ For example, using the concept of safe country of origin.

¹¹⁵ Source: Department of Documentation and Foreign Cooperation, MO MoI SR

¹¹⁶ Source: Department of Documentation and Foreign Cooperation of MO MoI SR

¹¹⁷ For example, in relation to Ukraine or Georgia for which the visa waiver agreement entered into force in 2017.

Section 5: Conclusions

Q5.1. With regard to the aims of this Study, what conclusions would you draw from the findings reached in elaborating your National Contribution?

In 2017, the SR registered the highest number of irregular migrants since becoming a part of the Schengen Area. The number of persons with unauthorized residence in the SR (e.g. persons who did not leave Slovakia after the end of their legal residence) increased. These were especially the Serbian and Ukrainian nationals who together amount to almost 75% of overall irregular migration in the SR in 2017. Given the visa liberalization and current Slovak labour market situation with a lack of qualified labour force, it is probable that their numbers will continue to rise. Thus, the Slovak Republic is becoming one of the target countries for third-country nationals especially from Europe and Asia. Following the introduction of visa liberalisation with Ukraine for biometric passports, it is expected that a number of Ukrainians will use the easier entry into the Schengen Area in order to stay here illegally. In such cases, at border control points, persons who, based on visa liberalisation, entered the Schengen Area with a biometric passport and later returned to the Schengen Area with a non-biometric passport with a visa, were recorded.

The law was broken most often by the Serbians and the Ukrainians primarily as a result of:

- not fulfilling the purpose of stay or breaching the conditions stated in the visa-free agreements,
- unauthorized residence based on an invalid visa or residence permit and in a majority of cases, the performance of illegal work.

As each detected case of violation related to residence of a particular foreigner is individual as to the purpose of stay, it is not possible to exactly and precisely assess all the motives and reasons which preceded the unauthorized residence. Abuse of visas by nationals of third countries and their staying in another MS than that where the visa was issued for a particular purpose is a challenge which should be addressed on the European level.

Regarding the submission of irregular documents at border controls, the SR is preparing the adoption of a Europe-wide measure – the Entry/Exit System – EES which will be based on scanning biometric identifiers – fingerprints and face. Testing of operation is planned for 2021.

Visa liberalisation did not have a direct influence on the Slovak Republic in terms of indicators observed in this study. Generally, however, it contributed to the development of tourism as well as of the economy given its progress in the recent period in which the Government of the Slovak Republic, through incentives for the less developed regions and by legislative changes, expressed its efforts and positive attitude towards the third-country nationals as a qualified labour force.

Q5.2. What do you consider to be the relevance of your findings to (national and/or EU level) policymakers?

See Q5.1.