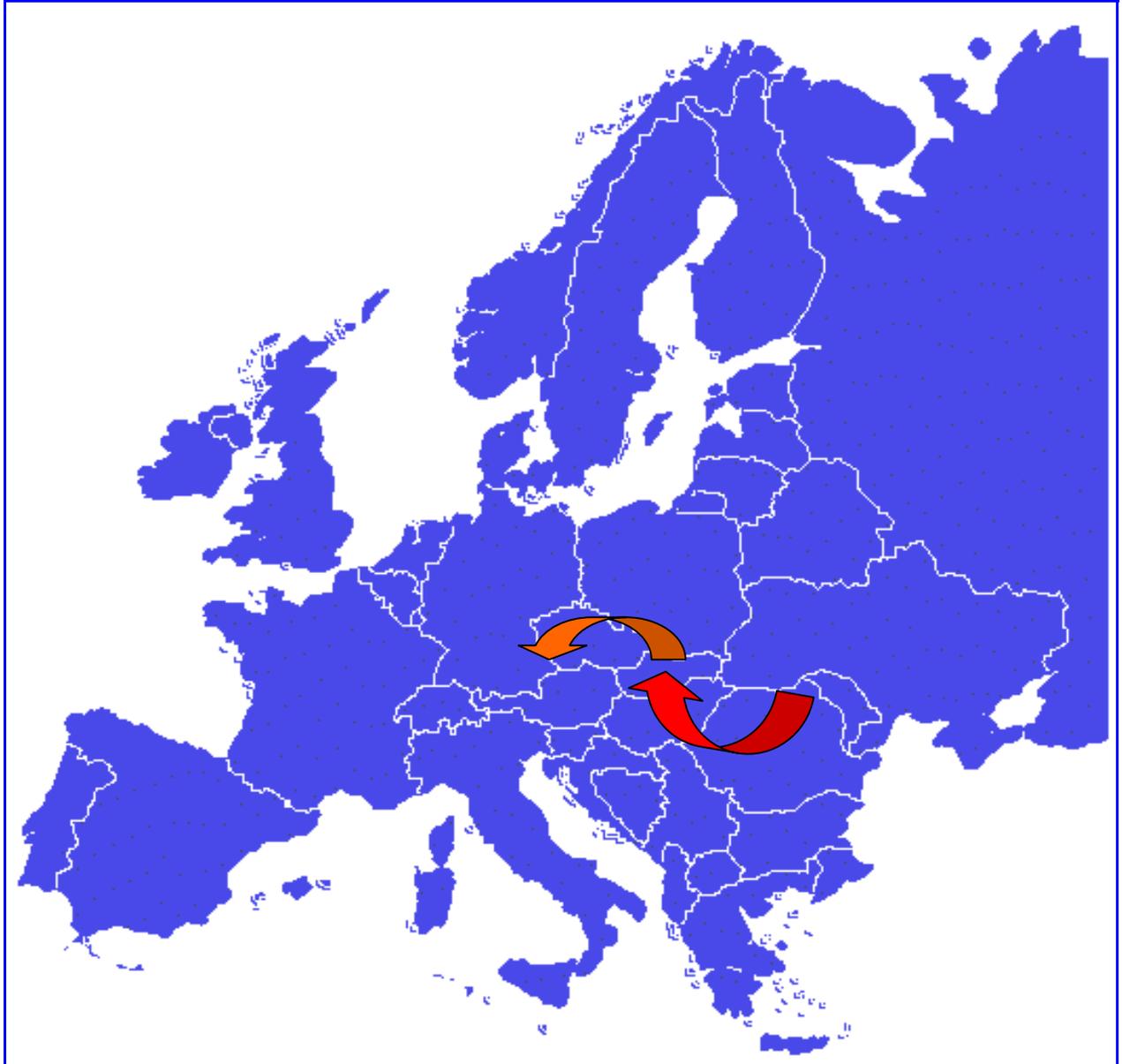


# LEGAL AND ILLEGAL MIGRATION IN THE SLOVAK REPUBLIC



**OFFICE OF FOREIGN AND ALIEN POLICE  
OF THE POLICE**

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## 1. Introduction

State border protection at the border crossings, at the crossings of small border contact and on the so called “green line” as well as the tasks related to the residence of aliens in the territory of the Slovak Republic is provided by **the Office of Border and Alien Police of the Police Force Presidium** (hereinafter referred to as “Office”) in co-operation with other police units, authorities of the Ministry of Interior of the Slovak Republic and other state administration authorities of the Slovak Republic.

The present world is ever more changing not only owing to political and economical changes, but considerably owing to migration flows as well. The substance of migration flows itself has manifold political, social, economic, religious and other reasons. The solution of such issues in Europe became topical especially at the end of 80ties, after social changes in Central and Eastern part of Europe. This situation, the accompanying phenomena of which are worsening of the social-economic conditions, growth of organized crime, drug smuggling, etc. is lasting up till now. Currently, the next serious accompanying phenomenon seems to be the international terrorism.

Migration movement continues and constantly grows in intensity and is directed in particular towards the West European countries (Germany, the Netherlands, Belgium, France). At the beginning the Slovak Republic was merely a transit country but the measures taken for the part of the West European countries contributed to the fact that the foreigners, who utilize migration for improving their economic and social conditions, show interest in the Slovak Republic.

European countries search the solutions of their migration policies in taking the measures at national level:

- *by making the migration acts more stricter,*
- *extending the list of the so called safe countries of origin and safe asylum countries,*
- *concluding the bilateral agreements on mutual time limited employment of the migrating workers*

The Slovak Republic uses information of other European countries and the results of research of international organizations which are involved in migration problems. This information and conclusions of situation analyses in the field of migration in the territory of the Slovak Republic are reflected in internal procedures within the Slovak Republic. The safety risks are defined by the Government. Organized crime, illegal migration and racial problems rank among the safety risks which include international elements and are directly related to stability of political system.

The service of Border and Alien Police fulfils the tasks resulting from association activities of the Slovak Republic in meeting the conditions of its integration into the European Union.

By its resolution No.946/1999 the government of the Slovak Republic approved the “Concept of service of Border and Alien Police in the perspective of integration of the Slovak Republic among the Schengen Agreement countries – protection of the external border of the European Union”. This concept includes the analysis of conditions to be fulfilled in particular activities of service of Border and Alien Police so that all the conditions in the fields of asylum,

migration, free movement of persons, visa policy and protection and administration of state borders will have been met by the reference date of the Slovak integration into the European Union.

Elaboration of this concept was the task, resulting from the basic integration document of the Slovak Republic – the National Program for acceptance of *acquis communautaire*. In its individual time stages the concerned document contains the general tasks in the field of free movement of persons, improvement of border control and administration, improvement of migration control as well as in the field of adaptation of the visa policy of the Slovak Republic to that one of the European Union. These tasks have been analysed in this concept, priorities and particular proceedings were set so that the Slovak Republic will have met the conditions of integration into the European Union by the year 2003.

The concept of service of the Border and Alien Police within the perspective of integration of the Slovak Republic among the Schengen Agreement countries – protection of the external border of the European Union contains in the two time stages of its implementation project the summary of legislative, institutional, personnel and material-technical provisions, the practical implementation of which in policing aims at:

- mobilization of internal forces and service means of the Border and Alien Police, increasing of efficacy and effectiveness of policing in all the fields of activities, in particular granting of residence permits, foreign regime control and repressive means, thus eliminating the increase of undesirable migration,
- rationalization of management and improvement of organization of work of executive bodies in combating the undesirable migration,
- introduction of new forms and techniques of work of the Border and Alien Police, thus increasing the effectiveness of protection of the state border from undesirable migration, reinforcement of police service of executive bodies in the difficult areas of the state border (Ukraine, Hungary),
- stabilization of numerous Border and Alien Police officers, capable of fulfilling their tasks from the professional and moral point of view,
- providing of the optimal operation and stability of the planned new organisational structure of service of the Border and Alien Police with the purpose of increasing the effectiveness and results of their work,
- proposing of new legal norms to the government of the Slovak Republic within the rearrangement of the legal environment and social relations in the field of activity of the service of the Border and Alien Police and acceptance of new internal norms within the departmental legislative process, thus creating convenient environment for suppressing the undesirable migration. To participate at establishment of conditions of gradual approximation of the legal and internal norms of the Slovak Republic to the European Union law in cooperation with intradepartmental bodies, other departments and central state administration bodies, within the service activities of the Border and Alien Police. These activities aim at acceptance of legal and internal norms fully compatible with the law of the European Union;
- improving of the vocational training of policemen and participating of the departmental school system on the programs and projects focused on combating the undesirable migration,
- performing of tasks resulting from the international police cooperation.

The purpose of this statistics is to present the overview of the migration situation on the territory of the Slovak Republic in 2001, as compared with previous years (by extent of the kept files).

## **2. LEGAL MIGRATION**

Legal migration is defined as the cross border movement of persons for the purpose of tourism, short term residence, long term residence and permanent residence and the conditions set forth in the laws of the Slovak Republic and international agreements binding for the Slovak Republic.

### **2.1. Visa policy**

Strictly defined conditions of entry for foreigners to our territory, the visa policy which should be in compliance with the EU states and functional system of granting the entrance visa, the strict observance of the rules and control at the border crossings are the primary filter which may, to a considerable extent, restrict some negative phenomena of migration of the foreigners.

“On June 27, 2001 the Government of the Slovak Republic in its Resolution No. 604/2001 adopted the compliance of visa policy of the Slovak Republic with the EU visa policy on the basis of the valid Regulation of EU Council No. 539/2001 listing the third countries whose nationals must be in possession of visa in crossing external borders and the countries whose nationals are exempted from this obligation. The Government of the Slovak Republic, at the same time, agreed with termination of Agreement between the Government of the Slovak Republic and the Government of the Republic of Seychelles on abolition of visa duty of September 29, 2000, with termination of Agreement between the Government of the Slovak Republic and the Government of the Republic of South Africa on abolition of visa duty of November 4, 1996, agreed to conclude the agreements on abolition of visa duty for the holders of diplomatic and service passports, being in compliance with the specimen agreement on abolition of visa duty for holders of diplomatic and service passports approved by the Resolution of the Government of the Slovak Republic No. 733 of October 12, 1993, with the states as set forth under points B.1. and B.2. of this Resolution further to termination of visa free agreements and agreed to prepare the agreements on abolition of visa duty for holders of all types of travel documents with the following countries: Republic of Bolivia, Republic of Guatemala, Republic of Honduras, Republic of Costa Rica, Republic of Nicaragua, Republic of Panama, Republic of Paraguay, Republic of Salvador and the State of Brunei-Darussalam.

The Slovak Republic shall comply its visa policy with that of the EU under the current EU legal rules in force.”

The visa policy is based on analysis of situation on the territory of individual countries and takes into consideration the security aspects of travelling and stays of foreigners in our territory; in particular the countries whose nationals considerably participate at criminality and commission of different offences in the Slovak Republic. The threat of increase of criminality of certain groups of foreigners is also reflected in creation of conception of the visa policy. The Slovak Republic has concluded the visa free agreements with most of the countries.

In connection with the “Concept of Service for Border and Alien Police”, the amendment of the Act of the National Council of the Slovak Republic No. 73/1995 Coll. on the stay of foreigners, which has been in force since April 1, 2000 (Act of the National Council of the Slovak Republic No. 69/2000 Coll.), was adopted. Implementing internal regulations were amended after the adoption of amendment of this act. Issuance of stick-on label visas of the Slovak Republic was introduced in 2000 and has been performed by Slovak embassies abroad ever since; types of visas were harmonised with the visas issued by the EU countries. In the field of visa policy the government of the Slovak Republic adopted the visa policy concept and set forth the procedure of termination of visa free agreements with Ukraine, the Russian Federation, Belarus a Cuba so that the Slovak visa policy will have been fully compatible with that of the EU countries by the date of accession of the Slovak Republic to the European Union.

By abolition of the visa free travels and introduction of visa free duty for the nationals of Ukraine (waiver of the visa free agreement of June 28, 2000) as well as by adoption of the Directive of the Police Force President No. 32/2000 on expulsion procedure of the nationals of Ukraine, the number of checked Ukrainian nationals considerably decreased (approximately nine times), thus eliminating the number of Ukraine nationals, illegally residing in the territory of the Slovak Republic, i.e. without proper permission.

Only the most burning issues arising from the stay of foreigners in the Slovak Republic in the last years were settled by the Act No 69/20000 Coll., amending the Act on the Stay of Foreigners with effect from 1<sup>st</sup> of April 2000. This amendment represents a considerable progress in particular in the field of entries of foreigners onto the territory of the Slovak Republic and permitting their stays.

Currently the new draft bill on the stay of foreigners, prepared by the team of the Office of Border and Alien Police of the Police Force Presidium is being approved in the National Council of the Slovak Republic.

### 2.1.1. Survey of numbers of visas granted

6 one-way visas, 46 tourist visas, 1345 residence and exit visas, 12545 long term residence visas and 8287 permanent residence visas were totally granted in the Slovak Republic in 2000. **These data do not concern the visas granted by foreign missions abroad.** The repressive measures are taken against foreigners infringing legislation of the Slovak Republic such as residence prohibition, administrative and judicial expulsions. In 2000 there were 2927 cases of prohibited entry, 1105 case of administrative expulsions and 52 cases of judicial expulsions.

#### 2.1.1.1. Survey of the visas granted and administrative fees

	Year 2000	Year 2001
<b>One way visas B1 granted</b>	6	21
<b>Two-way visas B2 granted</b>	0	0
<b>Multiple travel visa B3 granted</b>	0	0
<b>Entrance visa C1 granted</b>	0	0
<b>Tourist visa C2 granted</b>	32	207
<b>Multiple visa C3 granted</b>	0	0
<b>Working visa C4 granted</b>	0	0

<b>Residence &amp; Emigration visa C5 granted</b>	1 107	772
<b>Long term residence visa D1 granted</b>	9 965	12 297
<b>Permanent residence visa D2 granted</b>	6 555	3 967
<b>Total number of visa</b>	<b>17 665</b>	<b>17 064</b>
<b>Administrative fees for the visa granted</b>	<b>12 786 700</b>	<b>12 495 600</b>

With regard to actual inaccessibility, the data on the visa granted by foreign missions of the Slovak Republic abroad will be supplemented additionally.

## 2.2. Tourist traffic

Control of fulfilment of the conditions related to crossing of the state border of the Slovak Republic, control of foreigners and Slovak nationals and the periods of stay of foreigners in the territory of the Slovak Republic are performed by the members of units of the Alien Police of the police Force.

### 2.2.1 Survey of number the persons and transport vehicles checked at the border with neighbouring countries in both the migration directions

Year	Number of the persons checked - total		Nationals of the SR	Nationals of neighbouring countries	Nationals of other visa free countries	Visa foreigners	Number of transport vehicles checked
1995	89 072 588	THEREOF	35 810 533	32 800 484	20 021 994	439 577	25 540 582
1996	109 916 732		45 794 258	40 353 693	23 273 815	494 966	30 486 623
1997	110 744 977		45 980 816	42 057 957	22 268 388	437 816	29 493 364
1998	111 625 748		47 141 071	41 980 816	22 013 380	490 481	31 446 020
1999	104 054 947		43 632 785	42 169 072	17 951 472	331 618	29 008 394
2000	96 798 411		39 972 429	40 178 628	16 264 830	382 524	27 146 688
2001	90 408 198		35 924 704	38 509 327	15 516 597	457 570	26 614 519

### 2.2.2. Small border contact with the Republic of Poland

Period	Nationals of the SR		Nationals of Poland (NP)		Transport vehicles (TV)			Returned persons (PR)		
	Departure	Arrival	Departure	A	Departure	A	Total	D	A	T
1998	293 443	242 480	346 435	355 361	88 328	75 802	164 130	1 016	1 242	2 258
1999	293 828	240 686	337 523	348 072	84 280	70 922	155 202	906	1 676	2 582
2000	279 855	229 822	297 587	311 207	77 784	62 910	140 694	688	1 942	2 630
2001	180 152	138 702	190 834	206 836	72 705	62 863	135 568	628	1 988	2 616

**Departure /D/**        - odchod  
**Arrival /A/**         - príchod  
**Total /T/**            - celkom

### 2.2.3. Forging and altering of travel documents /TD/ according to the methods detected

Way of forging of <b>travel documents (TD)</b>	2000	2001
Change of the photograph in TD	200	174
Transcription of data in TD	6	14
Change of pages in TD	2	10
Genuine TD issued by an unauthorized person	4	5
Completely forged TD	16	27
Forged visa of the SR	37	7
Use of a genuine TD by another person	67	30
Genuine TD issued to another person than the holder of the personal data	5	1
<b>TOTAL</b>	<b>337</b>	<b>268</b>

2.2.4. Survey of the foreigners returned upon their arrival to the Slovak Republic according to their nationality and ground of return

Nationality	Total		Returned for insufficiencies in TD		Returned on the grounds of including in <b>Index of undesirable persons /INO/</b>		Returned for other grounds	
	Year 2000	Year 2001	Year 2000	Year 2001	Year 2000	Year 2001	Year 2000	Year 2001
Ukraine	6 518	5 272	1925	1 001	83	21	4 510	4 250
Romania	6 483	6 312	525	436	116	69	5 842	5 807
Czech Republic	5 343	4 856	2 259	2 379	16	24	3 068	2 453
Poland	4 010	4 324	2 161	2 333	52	56	1 797	1 935
Mexico	1 212	1 282	260	234	0	0	952	1 048
Bulgaria	1 188	991	86	221	17	14	1 085	756
Hungary	1 116	1 200	133	173	6	8	977	1 019
Moldavia	1 097	276	340	134	2	1	755	141
Japan	790	636	278	180	2	0	510	456
Germany	779	575	296	243	5	0	478	332
Austria	651	420	386	262	1	4	264	154
Yugoslavia	611	386	271	193	2	0	338	193
Argentina	601	398	181	116	0	0	420	282
Italy	438	377	258	225	5	2	175	150
Others	4 794	4 854	1 930	2 481	27	9	2 837	2 364
<b>Total</b>	<b>35361</b>	<b>32 159</b>	<b>11 289</b>	<b>10 611</b>	<b>334</b>	<b>208</b>	<b>24 008</b>	<b>21 340</b>

- **INO – Index of undesirable persons**
- **TD - Travel document**

### 2.2.4. Survey of activities of units (groups) of Alien Police and Passport Service

		Year 2000	Year 2001
Travel identity cards issued		122	55
Extended visas	number	2 125	1 834
	thereof free of charge	466	191
Registered visa foreigners accommodated	in private	5 134	5 105
	en masse	34 549	45 069
Inflicted coupon fines	number	2 219	1 872
	amount in Slovak crowns	965 305	800 400
Inflicted fines for offences under § 23 Act 73/95 Coll.	number	640	796
	amount in Slovak crowns	494 250	499 808
Decisions issued in administrative procedure	first graded	6 683	9 514
	self-remedy	60	90
Rejected applications for residence permit	long term	302	281
	permanent	36	47
Expulsed foreigners	number	1 157	2 437
	thereof judicially	52	50
	total costs	108 523	59 373
Performed check-ups – control of residence		8 757	11 868
Performed check-ups – control of residence		4 022	4 260
Verified invitations	number	2 178	1 930
	thereof service invitations	1 363	1 431

### 2.2.5. Forging and altering of travel documents of particular countries

Travel document issued by the country	Year 2000	Year 2001
AFG Afghanistan	2	0
AUT Austria	0	0
BEL Belgium	0	3
BGD Bangladesh	7	0
BGR Bulgaria	1	1
BRA Brazil	1	0
CAN Canada	0	1
CZE Czech Republic	6	9
DNK Denmark	1	1
DZA Algiers	1	0
ESP Spain	3	3
FRA France	6	9
GBR Great Britain	9	5
GHA Ghana	2	1
GRC Greece	12	4
GTM Guatemala	1	0
HRV Croatia	25	23

**Legal and Illegal Migration in the Slovak Republic in 2001**

HUN Hungary	32	19
CHL Chile	0	1
CHN China	0	1
IND India	36	5
IRQ Iraq	10	0
ISR Israel	1	2
ITA Italy	14	7
LKA Sri Lanka	1	0
LTU Latvia	3	0
LVA Lithuania	5	0
MKD Macedonia	1	1
MNG Mongolia	1	2
NGA Nigeria	0	3
NLD Holland	3	1
NOR Norway	0	1
PAK Pakistan	4	0
POL Poland	25	40
PRT Portugal	0	3
ROM Romania	10	15
SEN Senegal	1	0
SVK Slovakia	100	66
SVN Slovenia	6	12
SWE Sweden	4	1
UGA Uganda	0	1
UKR Ukraine	0	3
USA United States	0	3
VNM Vietnam	0	10
YUG Yugoslavia	0	1
Office of Border & Alien Police of Police Force Presidium	<b>337</b>	<b>268</b>

### **2.3. Long term and permanent permitted stays**

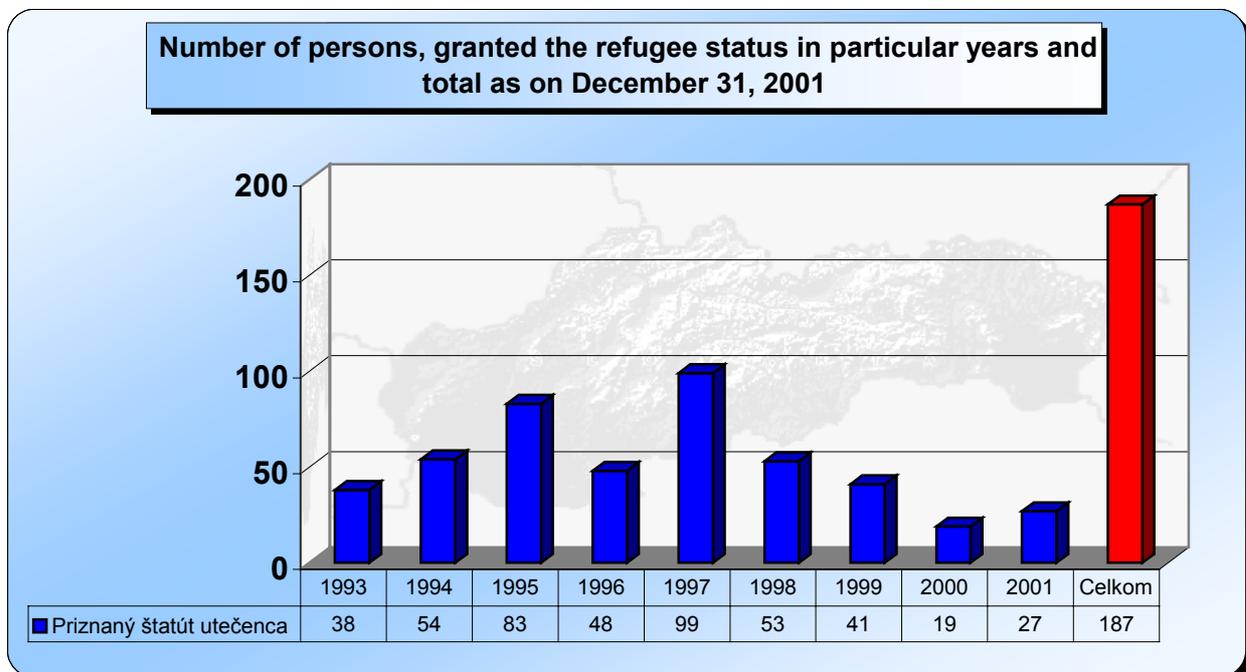
One of the basic problems of the present Europe is increasing inflow of foreigners into the developed European countries, motivated by economic reasons above all. Therefore these countries gradually adopt new amendments of foreigner's residence regime aiming in particular at tightening of the foreigner's immigration conditions. The European countries have been establishing transnational mechanisms by unified visa policy and readmission agreements in order to eliminate the negative phenomena related to international migration.

Increasing inflow of foreigners can also be felt in the Slovak Republic. The number of foreigners with permitted residence, in particular from the critical parts of the world, is increasing. At the same time, the number of often successful attempts to enter the territory of the Slovak Republic illegally – illicit state border crossing - is constantly higher.

So far, the Slovak Republic has not reported more relevant manifestations of xenophobia of citizens towards foreigners. However, based on experiences of other countries it is to be stated that the society is willing to absorb only a certain amount of the heterogeneous elements represented by foreigners. This issue should principally be faced as otherwise there might be the risk of raise of antipathy of the society and succeeding requirement to regulate the inflow of foreigners. Last but not least the unresolved foreign issues might give raise to xenophobia of citizens, eventually resulting in racially motivated criminal acts, possibly endangering the internal order and security as well as the political development inside the country. Considering the complete requirement of the European Union to approximate the legislation of the candidate countries with that of the European Union, the draft of a new act on residence of foreigners in the territory of the Slovak Republic was elaborated and submitted to parliament for approval, coming into force in 2002. This draft of the new act reacts to the development in the field of migration in the territory of the Slovak Republic. The development in Belgium, Germany and in particular in Austria can be an example. In this respect all the European countries are re-evaluating the present legal regulations of stay of foreigners and those of asylum.

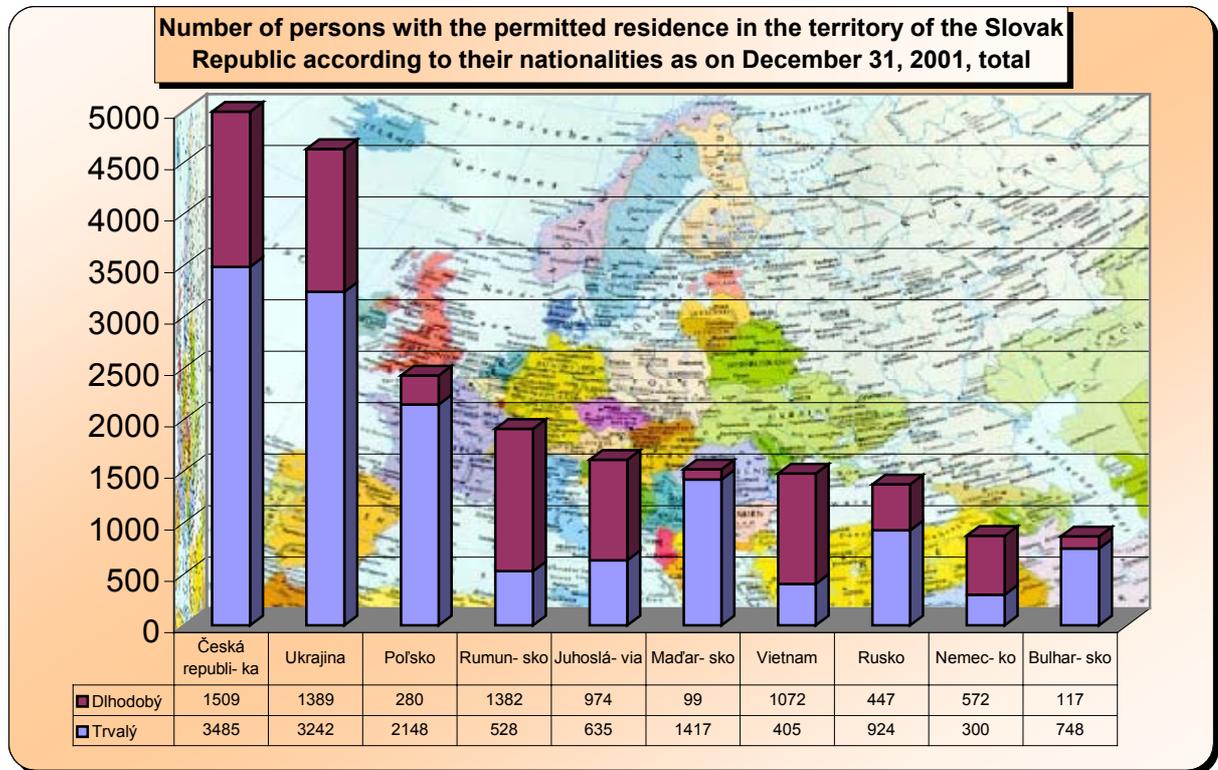
### 2.3.1. Asylum

Part of the legal migration are the extraordinary forms of stay, enabling the foreigners to reside in the territory of our country legally as refugees, i.e. foreigners having been granted asylum in the territory of the Slovak Republic or foreigners, granted the temporary protection by the government of the Slovak Republic within the duration of the military conflict in the country of their origin.



■ granted refugee status /priznaný štatút utečenca/

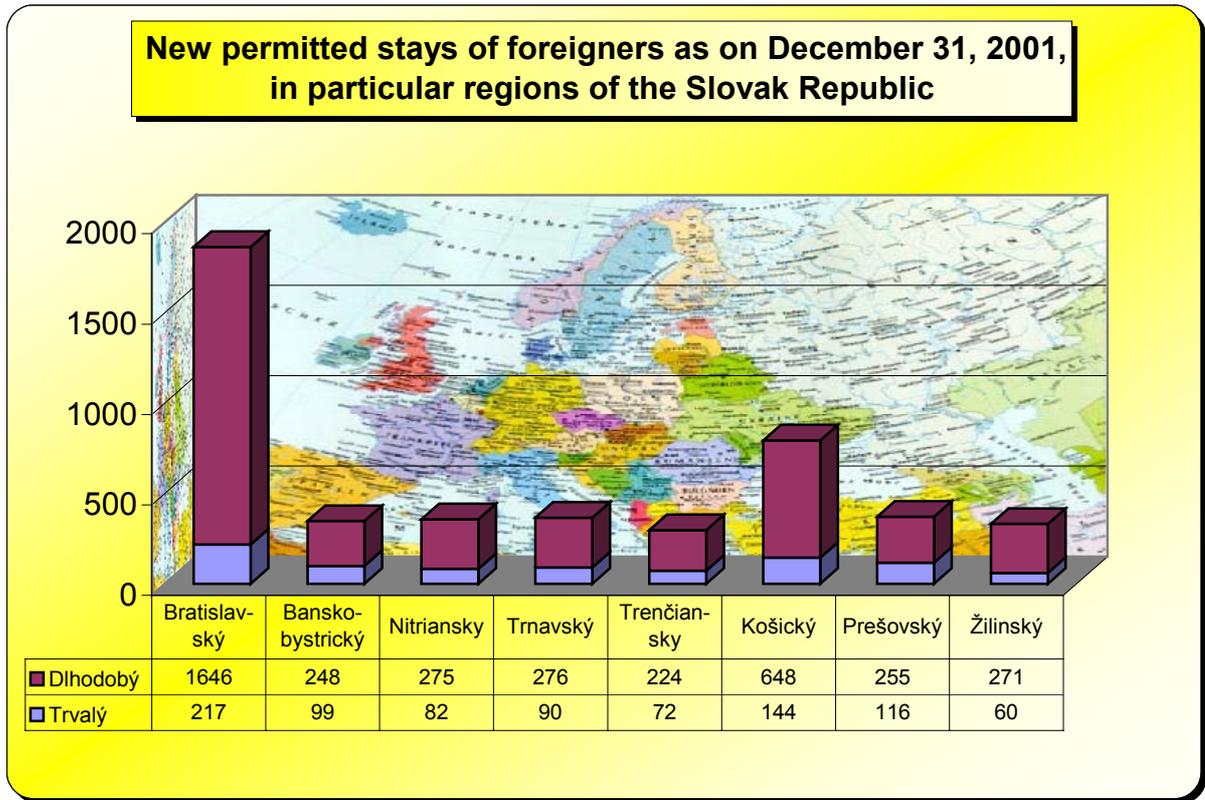
2.3.2. Numbers of persons with the permitted residence in the territory of the Slovak Republic according to their nationalities



- long-term /dlhodobý/
- permanent /trvalý/

- ČR – *Czech Republic*
- Ukrajina – *Ukraine*
- Poľsko – *Poland*
- Rumunsko – *Romania*
- Juhoslávia – *Yugoslavia*
- Maďarsko – *Hungary*
- Vietnam – *Vietnam*
- Rusko – *Russia*
- Nemecko – *Germany*
- Bulharsko – *Bulgaria*

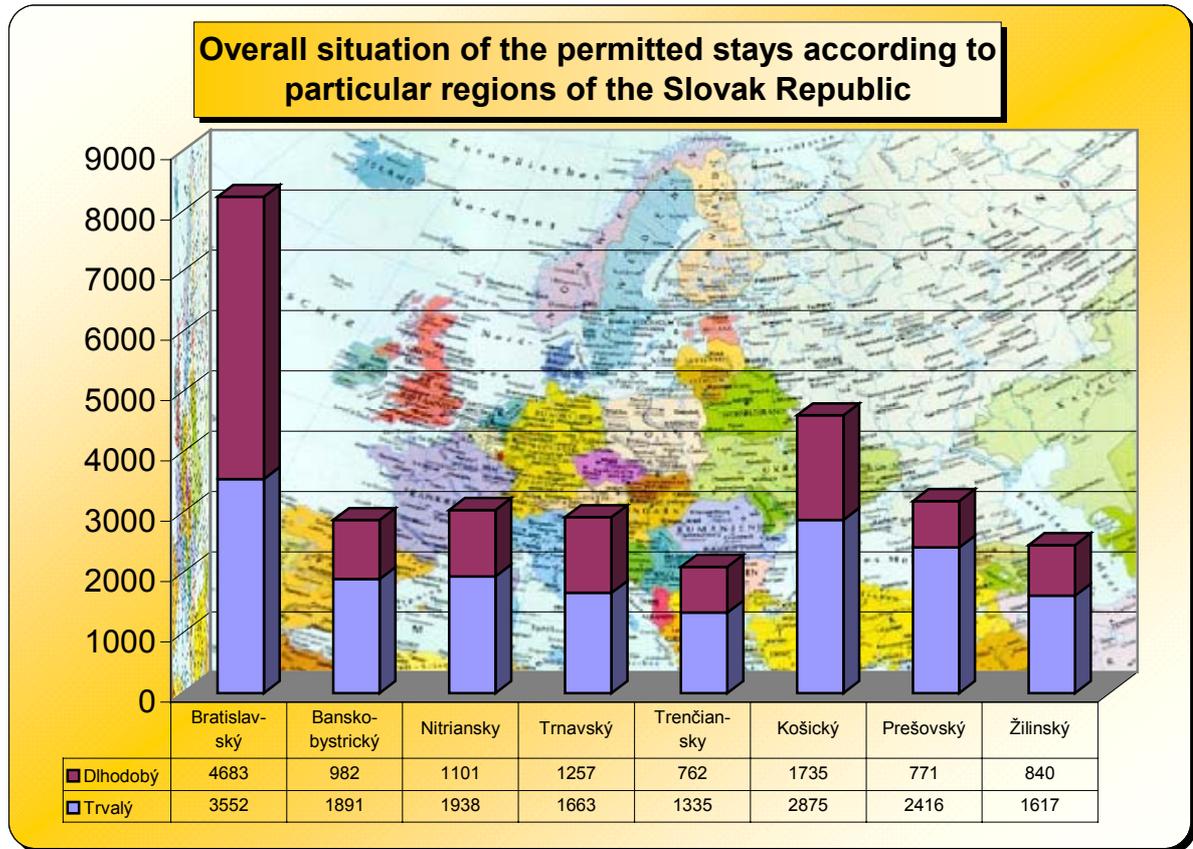
2.3.3. New permitted stays of foreigners in 2001



Bratislava  
 Banská Bystrica  
 Nitra  
 Trnava  
 Trenčín  
 Košice  
 Prešov  
 Žilina

■ long-term /dlhodobý/  
 ■ permanent /trvalý/

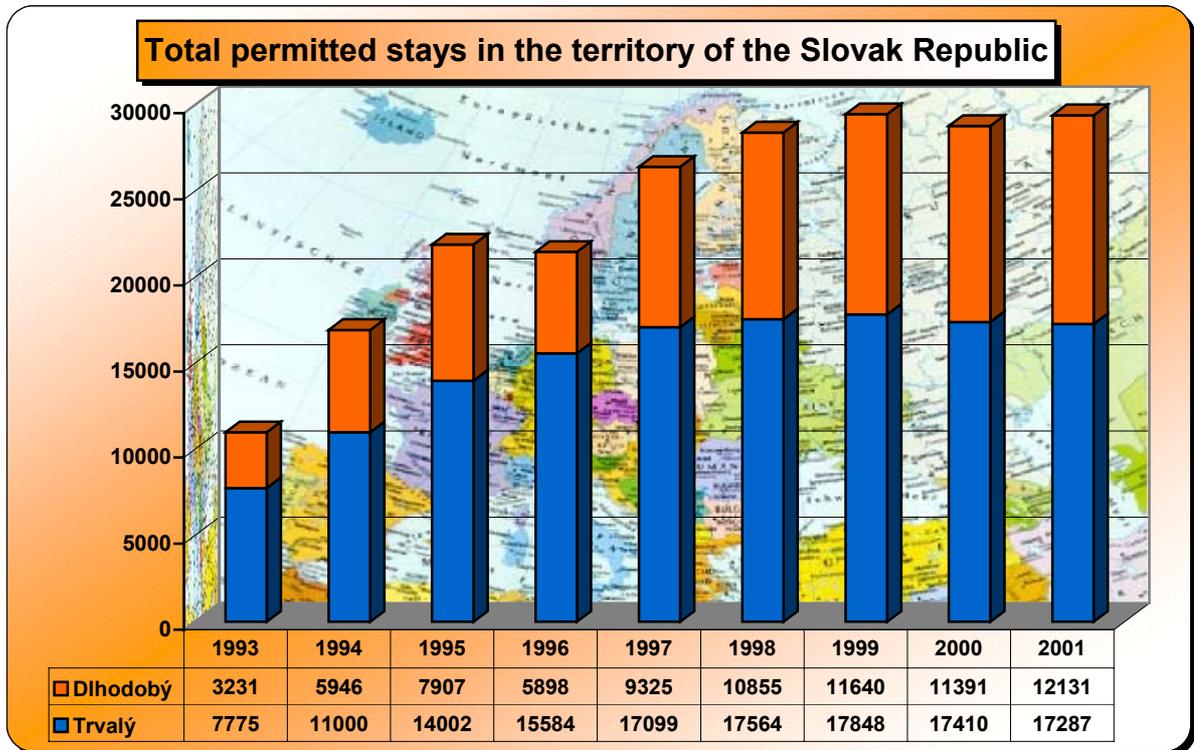
2.3.4. Overall situation of the permitted stays according to regions



Bratislava  
 Banská Bystrica  
 Nitra  
 Trnava  
 Trenčín  
 Košice  
 Prešov  
 Žilina

■ long-term /dlhodobý/  
 □ permanent /trvalý/

2.3.5. Overview of permitted stays in the territory of the Slovak Republic from 1993 until 2001



- long-term /dlhodobý/
- permanent /trvalý/

### **3. ILLEGAL MIGRATION**

#### **3.1. In general**

Definition of illegal migration, the content of definition and the description of illegal migration are considerably different all over the world. In our case this chapter describes illegal migration of aliens as well as of own nationals, it includes the cases when an alien enters the territory of the Slovak Republic illegally for various grounds or he/she leaves the territory of the Slovak Republic illegally. Infringements of the state border regime are detected by the border authorities of the Slovak Republic or by neighbouring states.

If a foreigner enters the territory of the state legally but after the expiry of the period short-term stay he/she does not leave the territory and resides therein without any permit at all, i.e. illegally, he/she violates the conditions of long-term or permanent stay of foreigners, determined by the act (illegal migration of infringement of residence regime). However, as the entrance does not necessarily have to be prohibited to every foreigner, illegally entering or residing in the concerned territory, the data on illegal entries can only be described indirectly by the illegal migration.

Development of the security situation in the Slovak Republic within the viewed period again pointed at the fact that many problems in this area – not only in our country but also elsewhere – are based on situation and level of the state border protection. It is reconfirmed that the countries' borders are a kind of filter through which the international crime enters from one country to another. Border and Alien Police is to be called the first to detect the internationally interconnected organized crime and to provide for the state border protection of the Slovak Republic, i.e. inviolability, sovereignty and territorial integrity.

Several substantial changes in legal and illegal migration were reported within 1996 – 2001. These are above all the changes related to substantially increased number of migrating foreigners, in particular from economically less developed countries or countries with unstable military – political regime, foreigners mostly from Asia, some countries of the former Soviet Union and the Balkan countries.

Situation on the state border of the Slovak Republic in 1998 was characterized by dynamic growth of *the pressure of illegal migrants on the state border* \*) of the Slovak Republic, in particular from the south and east. The assumption of increase of the illegal migration movements across the territory of the Slovak Republic, owing to instable situation on Balkan and some of the Asian countries, low economic effectiveness in some East European and Asian countries and the social problems resulting there from, was confirmed. Currently, this increasing trend of illegal migration movements considerably influences combating of terrorism, the intensity of which is enormous. In this connection, the migration of the nationals of Afghanistan considerably increased in 2001.

From the viewpoint of routing of illegal migration movements, the Slovak Republic furthermore ranks among the transit countries. The majority of illegally migrating persons are not interested to reside in our territory. Their goal is get to the Federal Republic of Germany or other West European countries across Austria or the Czech Republic. These countries are searching for the solutions of their migration policy at the national level. These solutions are manifested by tightening of the migration acts, extension of the lists of the safe countries of origin and the safe asylum countries, concluding the bilateral agreements on mutual time-

limited employment and other measures, restricting the illegal migration flows. It results in considerable slowing-down of these flows and some migrants attempt for the illegal crossing of the state border of the Slovak Republic repeatedly. This phenomenon can be denoted as **the secondary illegal migration**, considerably increasing the total figures of the pressure on the state border. Currently, the office is intensively evaluating the secondary migration, thus increasing the real values of the submitted statistical data.

Illegal migrants originate prevailingly from the economically less developed countries, are often without financial means, socially dependent groups of persons, often committing different antisocial activities (ranging from offences up to serious crimes) in the territory of our country, being the source of their living. As the consequence of stricter regulation measures in granting of visas and permitting the entry directly at the border crossings, the illegal migration result in the increased efforts of foreigners to penetrate into our territory by forging the travel documents, visas, vouchers, private invitations or working trips. The internationally based groups of smugglers, offering illegal transport of migrants from the native country to the country of destination in reward of high sums, considerably participate on this serious situation.

According to available information the smuggling organisations smuggle the illegal migrants across the state border in periods of 3 to 5 days and everyday illegal crossings are not unusual. Comparing the detected cases we can state that most of the smuggling actions were successful, the number of smuggled persons is approximately three times that of the detained persons.

From the nationwide viewpoint, the years 1998, 1999 a 2000 are considered the turning points of the Border and Alien Police activities. During these years, high increase of illegal migrants was detected and recorded, in particular at the state border of the Czech Republic in 1998, that of Ukraine in 1999 and 2000 and in the course of 2001. These positive data are resulting from adopted internal rules concerning the activities of border departments of the Police Force and Alien Police departments of the Police Force at the end of 1997. The subject matter and local force were modified in these internal rules, thus directing the activities of departments directly on providing the state border protection.

The movement of the illegal migration flows across the Eastern border and increase of crimes committed by foreigners are typical for 1999 and 2000. The assumptions of high increase of illegal migration movements across the territory of the Slovak Republic in 2001 were confirmed.

Slovakia is a “buffer” state among the Schengen Treaty member states as well as among the risk areas of the world, being the long-term source of emigration towards Europe. For this reason, the Slovak Republic must accede to this trend and react on the actual and assumed immigration development by establishing a new legislation. It must be taken into consideration that a mere legal regulation of entry and residence of foreigners is not sufficient to resolve the immigration of foreigners. This regulation is only a part of the system of measures in migration regulation. This system is based on the legal regulations of employment conditions and enterprising of foreigners, international agreements on co-operation at the state borders and readmission agreements, visa policy, agreements on regulation of inflow of foreigners to the labour market and the effective state border protection against illegal entry into the territory of the Slovak Republic.

### 3.2. Smuggling in human beings and smuggled persons in illegal migration

Activities of the Border & Alien Police are focused on smuggling and criminality, such as offences related to drugs, weapons, explosives, transfer of stolen motor vehicles across the state border and smuggling of radioactive substances.

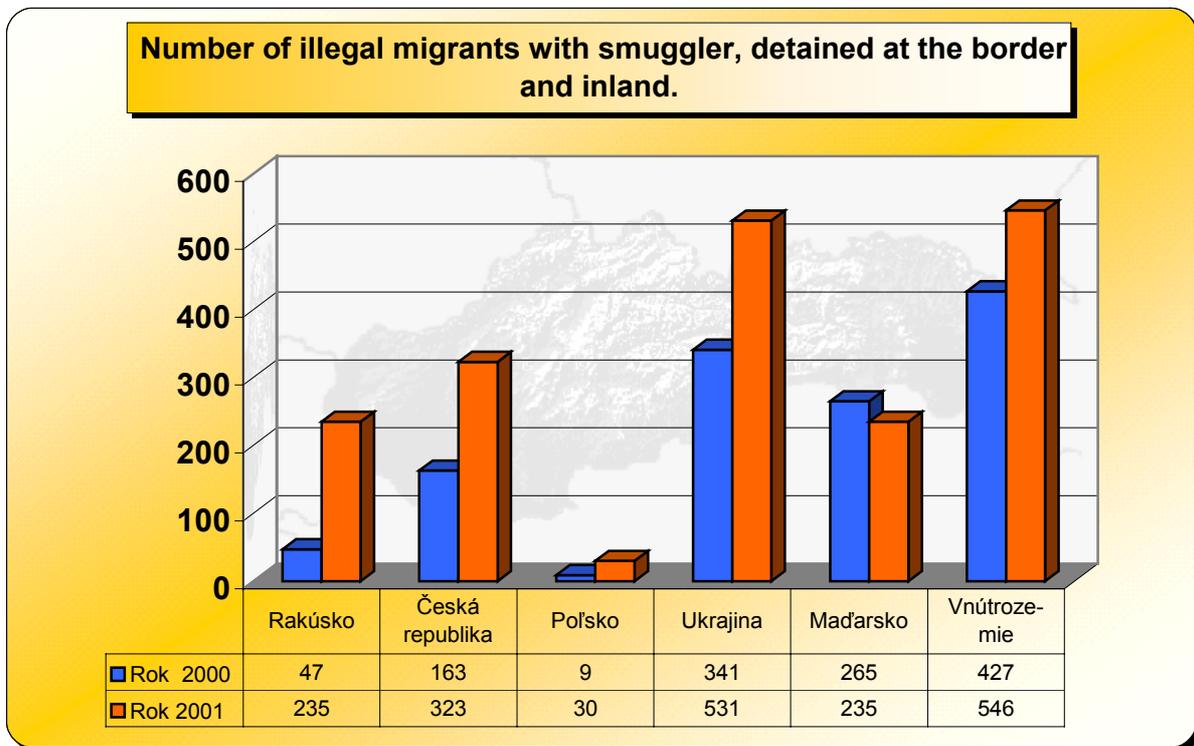
Recently the issue of organized smuggling mostly of third country nationals is becoming more significant. This fact requires prompt and adequate decision-making, in particular on the operative-investigative activities, with the aim of detection and clarification of offences as well as detection and detention of criminal offenders. This is often being carried out in cooperation with other operative bodies of Police Force of the Slovak Republic and operative bodies of neighbouring states as well.

*The departments of investigative activities of Border and Alien Police* dislocated on the territories of individual regional directorates of Police Force of the Slovak Republic as well as the department of operative-investigative activities are dealing with the concerned criminal offences within the organizational structure of Border and Alien Police. Their activities are focused on detection and operative elaboration of cross-border criminal offences, using the forms and methods of operative-investigative activities.

Precedent findings of *the department of operative-investigative activities* confirm that the illegal migrants more often cross the state border at the border crossings. However the illegal migration is substantially assisted by agents and the so called “green border” is frequently used to cross the state border.

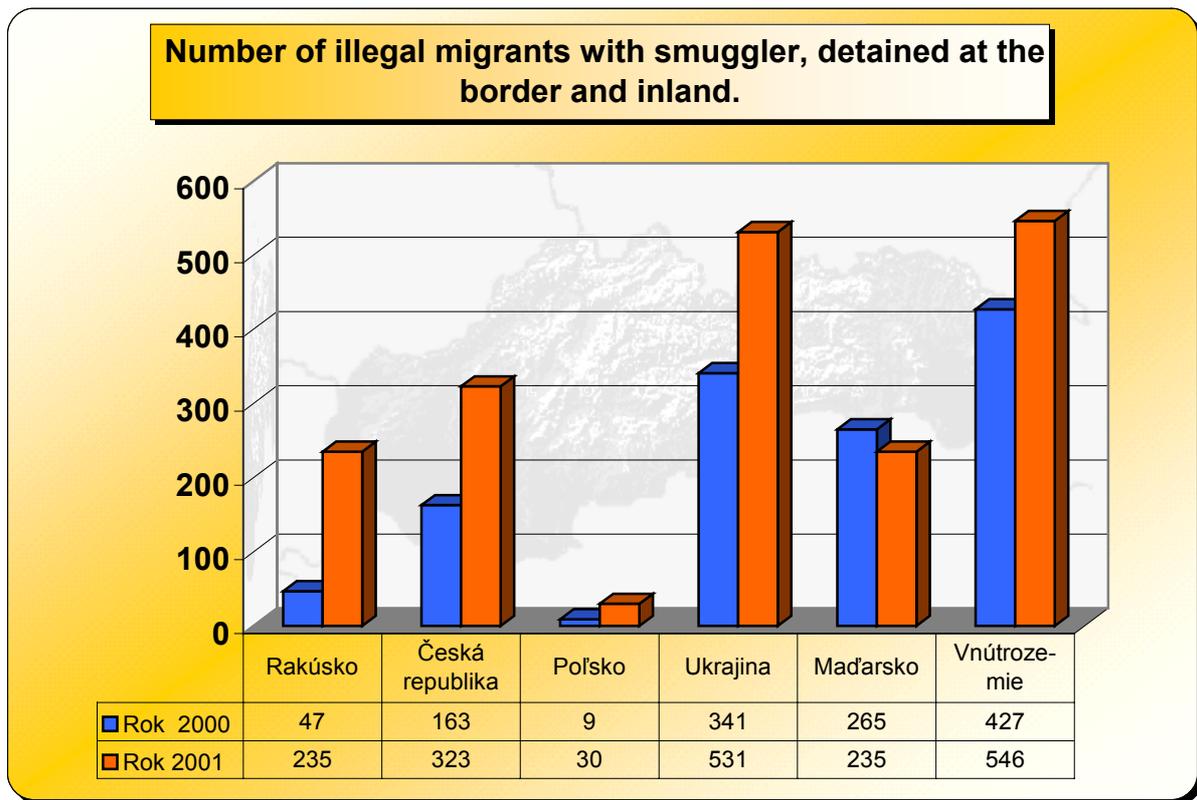
Chapters 3.2.1. and 3.2.2. show the statistical data in graphs, taken over from records of *the operative-searching activities of the office*, specifying only the cases of detained smugglers (with persons migrating illegally), submitted to penal prosecution bodies.

#### 3.2.1. Number of detained smugglers:



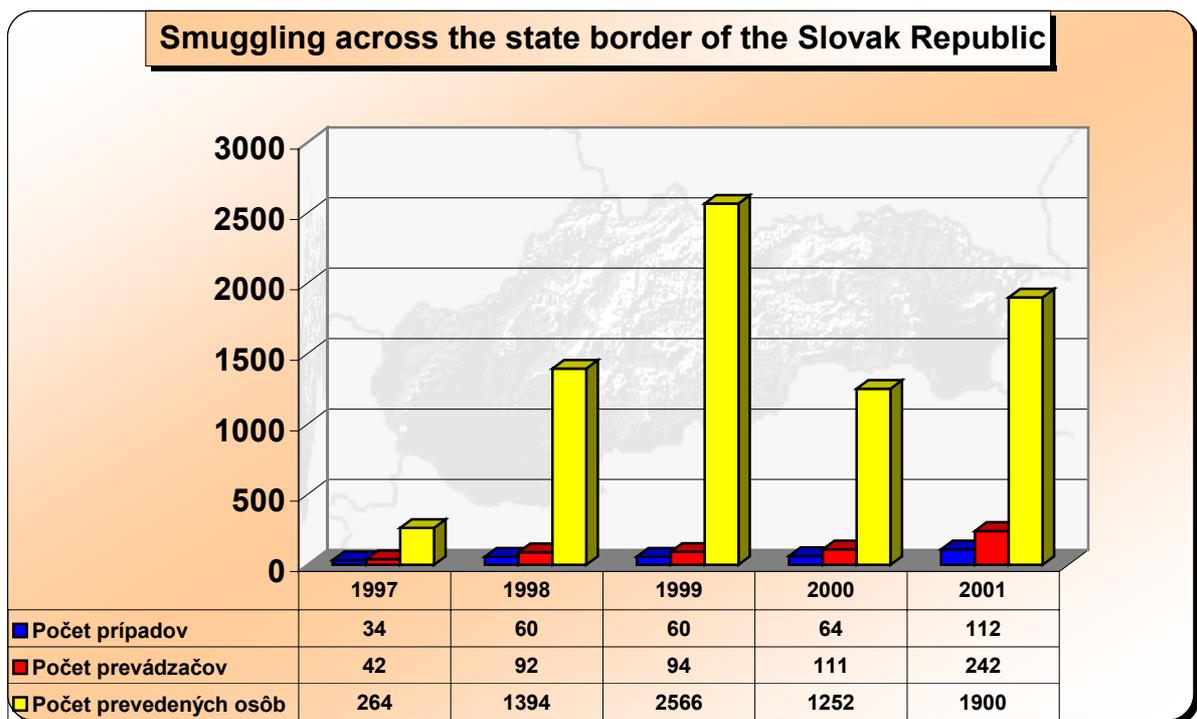
Austria, the Czech Republic, Poland, Ukraine, Hungary, inland

3.2.2. Number of detained illegal migrants smuggled across the state border:



Austria, the Czech Republic, Poland, Ukraine, Hungary, inland

3.2.3. Overview of detected participation of smugglers on illegal state border crossings of the Slovak Republic:



■ Number of cases ■ Number of smugglers ■ Number of smuggled persons

### 3.2.4. Smuggling analysis in illegal migration

Activities of smuggling groups are prevailingly focused on traditional smuggling methods such as walking across the so called green state border. At present together with transport of illegal migrants there is an increasing number of cases of state border crossings in especially adjusted shelters in trains, trucks or other transport vehicles. Recently the illegal migration in store areas of articulated truck trains is more frequent.

The smuggling groups sometimes provide the illegal migrants with false or altered travel documents. Altered travel documents of the Slovak Republic are often used abroad mostly by nationals of Vietnam and China as well as nationals of the Slovak Republic of Romany origin in their asylum requests.

Airlines from Asian countries transport the illegal migrants into the territory of the Slovak Republic and migrants hold genuine or false entrance visa of the Slovak Republic, professionally produced or they are furnished with dummy vouchers of various travel agencies. This method is mostly used by nationals of Vietnam and China.

In case of illegal migration of persons originating in Asian or Arabic countries, the organizers of the smuggling activities are often various travel agencies located abroad, organizing costly trips to the Slovak Republic. The potential emigrants are then being transported by the organizers to other European countries across the green state border in special shelters in transport vehicles or they equip the migrants with altered travel documents, false entrance visa or false transit stamps, produced professionally.

According to information of *the operative-searching activities of the office*, payment for the organized transport of illegal migrants from the native country into the target country (some of the west European countries) ranges from 5 000 up to 8 000 USD per person, paid by migrants to organizers. Payment is usually effected in their home country or in the target country, depending on the means chosen by the organizing group of smugglers.

There are groups of various sizes, usually ranging from 5 to 100 persons. Nationality of smuggled groups is both mixed and “one-national”.

The 2001 statistics of *the department of operative-searching activities of the office*, on the illegal migrants, number of smuggling cases and number of smugglers shows that most of the smuggled persons come from India (32,37%), Afghanistan (31,84%), Vietnam (14,38%), Iraq (10,49%), China (4,95%), Sri Lanka (1,97%), Turkey (0,85%), Bangladesh (0,59%), etc. Nationalities of detected smugglers in 2001 are the following: Slovaks (91, 90%), Czechs (3, 24%), Ukrainians (2, 02%), Vietnamese (0, 81%), Turkish (0, 81%), Mongols (0, 40%), Moldavians (0, 40%) and Albanese (0, 40%).

Comparing the graphic overviews, shown in chapters 3.2.1. to 3.2.3. it is obvious that during the compared periods of 2000 and 2001, the number of detected smuggling cases increased by 75,00%, the number of detained smugglers increased by 118,02% and the number of detained smuggled illegal migrants also raised by 51,76%.

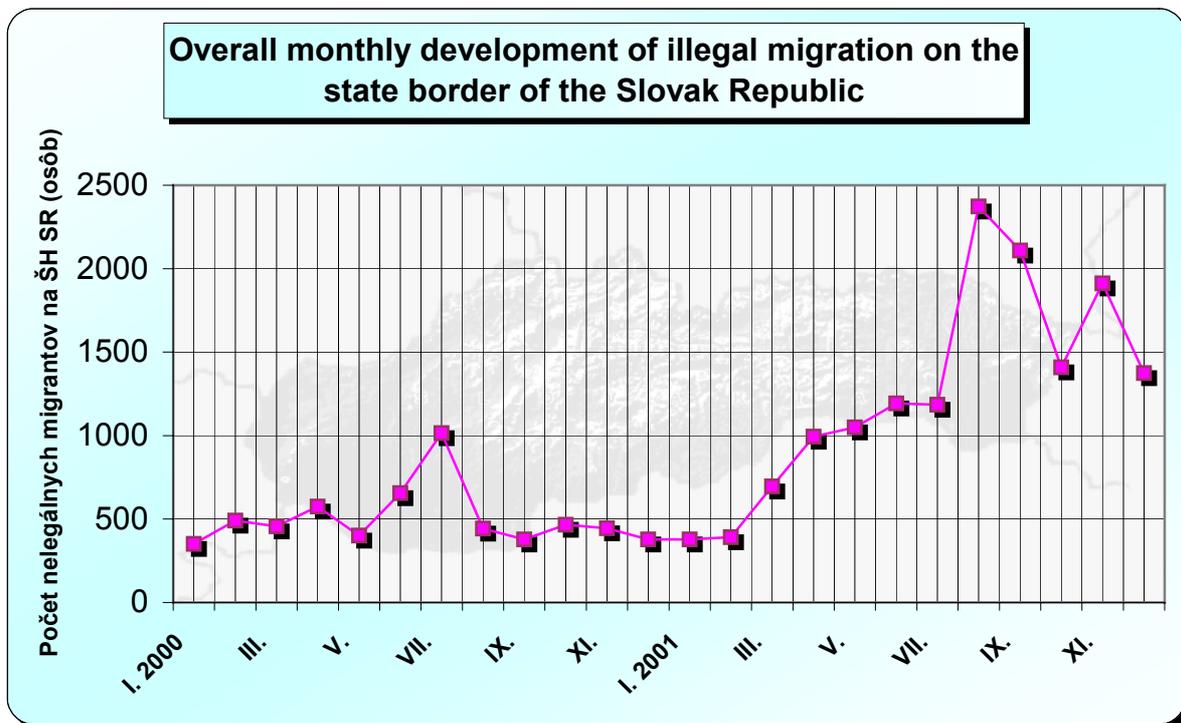
Organised smuggling, illegal migration and smuggling in human beings have in the past few years become an undesirable phenomenon in our society. Documentation and evidence of this criminality is rather complicated and it is necessary to change the legislation and to introduce

stricter criminal sanctions for committing these crimes. Smuggling has become a lucrative 'business', involving ever more persons. Some cases of cooperation among smugglers and the all the village people in Eastern Slovakia are well-known. Another negative feature of illegal migration is commitment of offences and various crimes by illegal migrants, residing at the territory of the Slovak Republic.

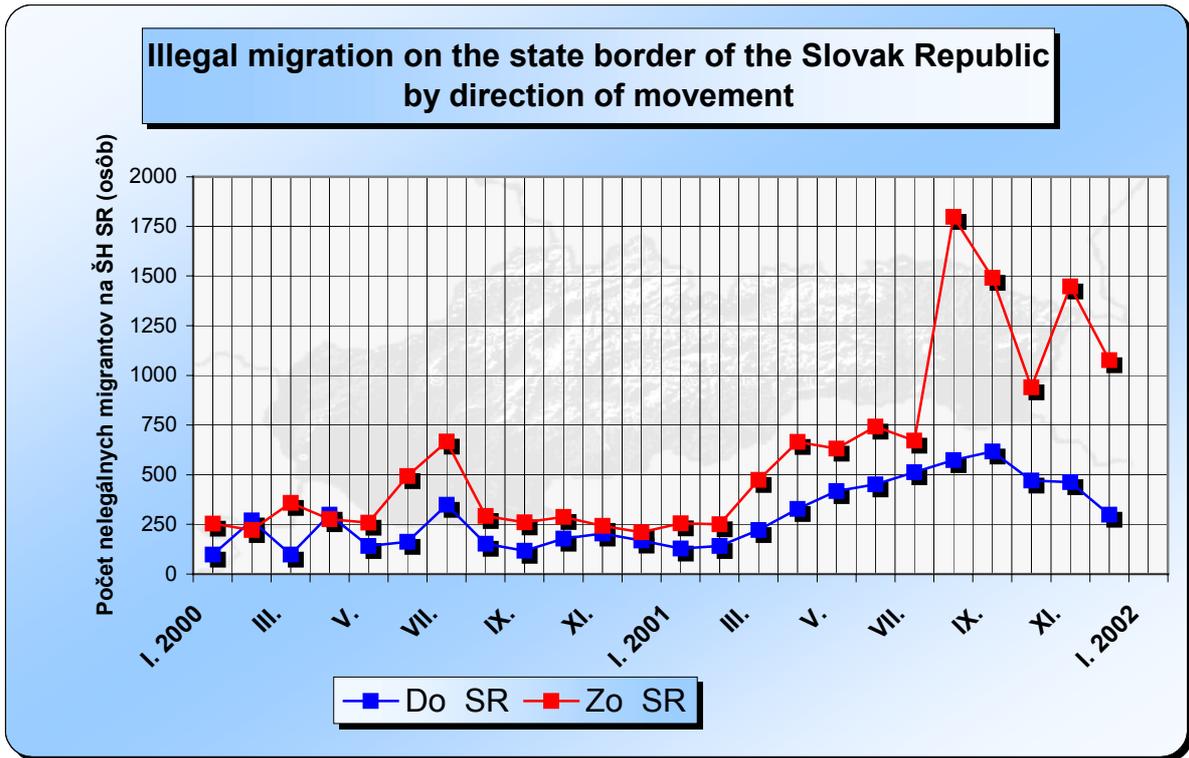
### 3.3. Pressure of illegal migrants on the state border.

Based on the materials of particular departments subordinate to the office, the statistical data in this chapter are collected, filed and processed at *the systems and information department of the office*

#### 3.3.1. Monthly development of illegal migration on the state border of the Slovak Republic



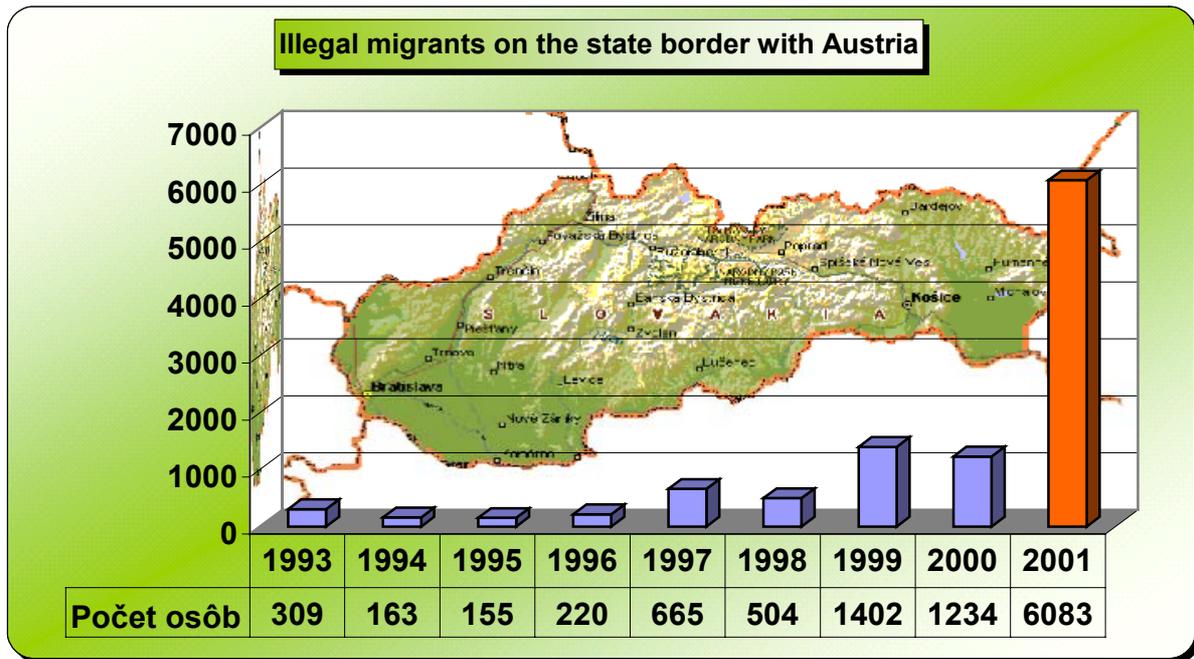
*Number of illegal migrants on the SB of the SR (persons)*



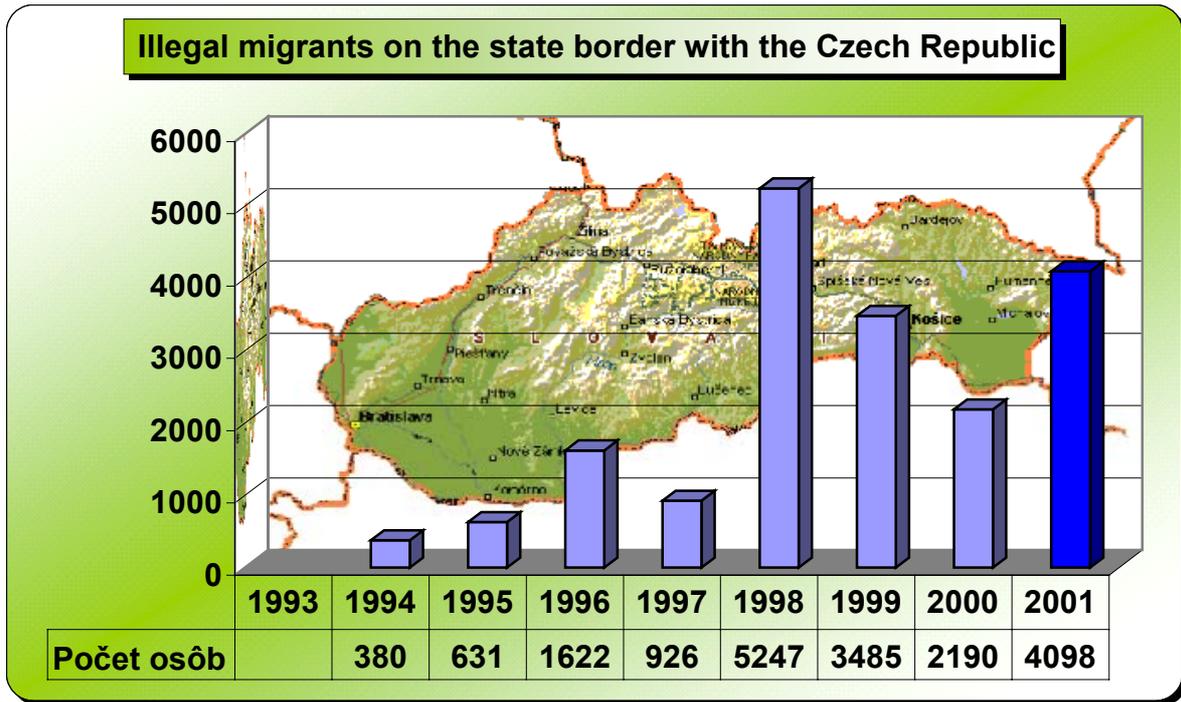
Number of illegal migrants on the SB of the SR (persons)

- inwards Slovak Republic
- outwards Slovak Republic

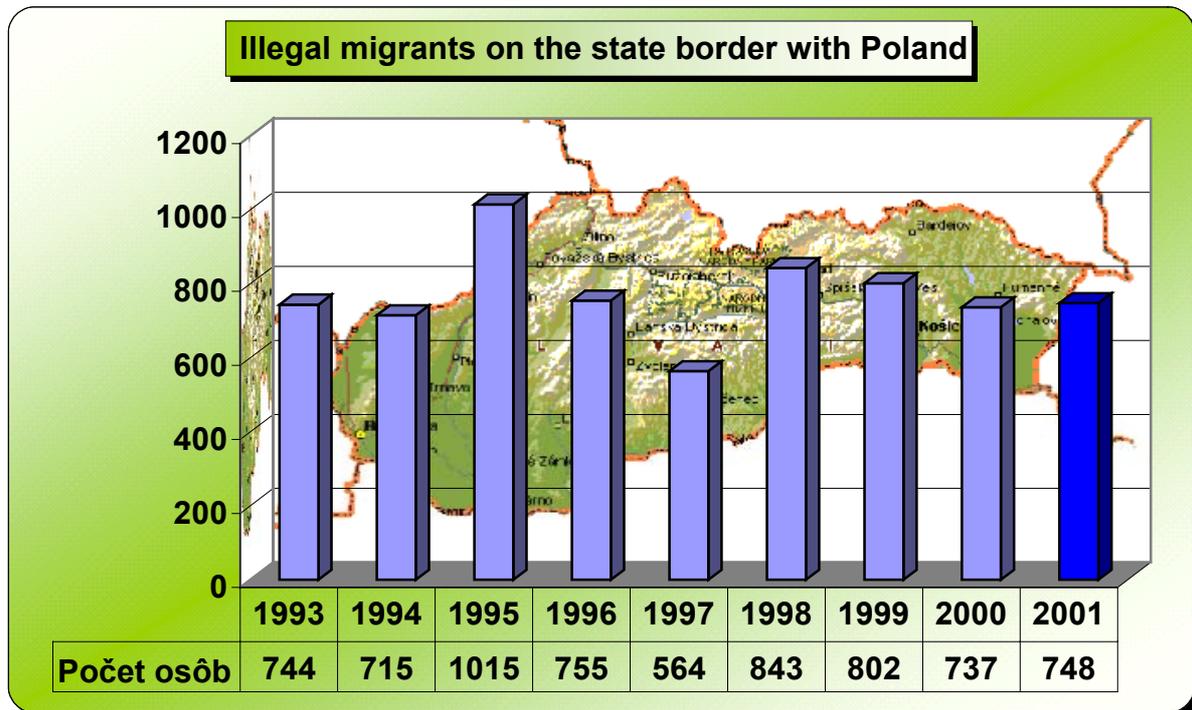
**3.3.2. Overview of pressure of illegal migrants on the state border of the Slovak Republic by sections of neighbouring states**



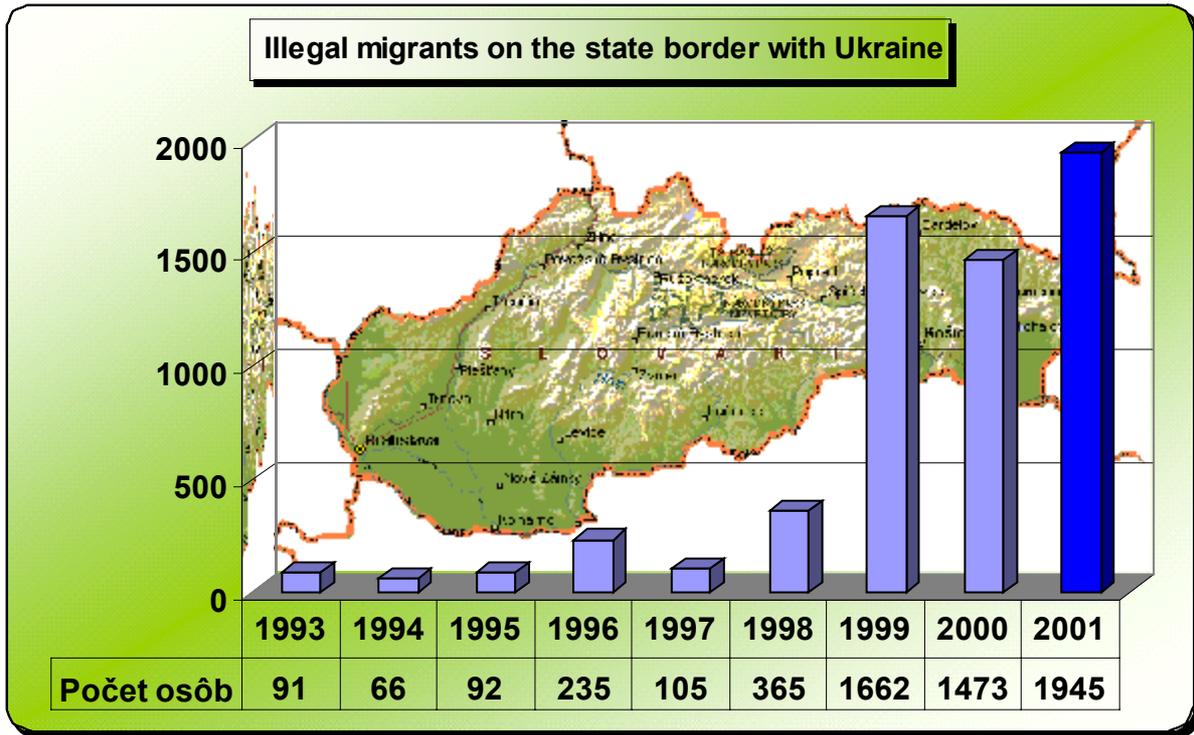
Number of persons



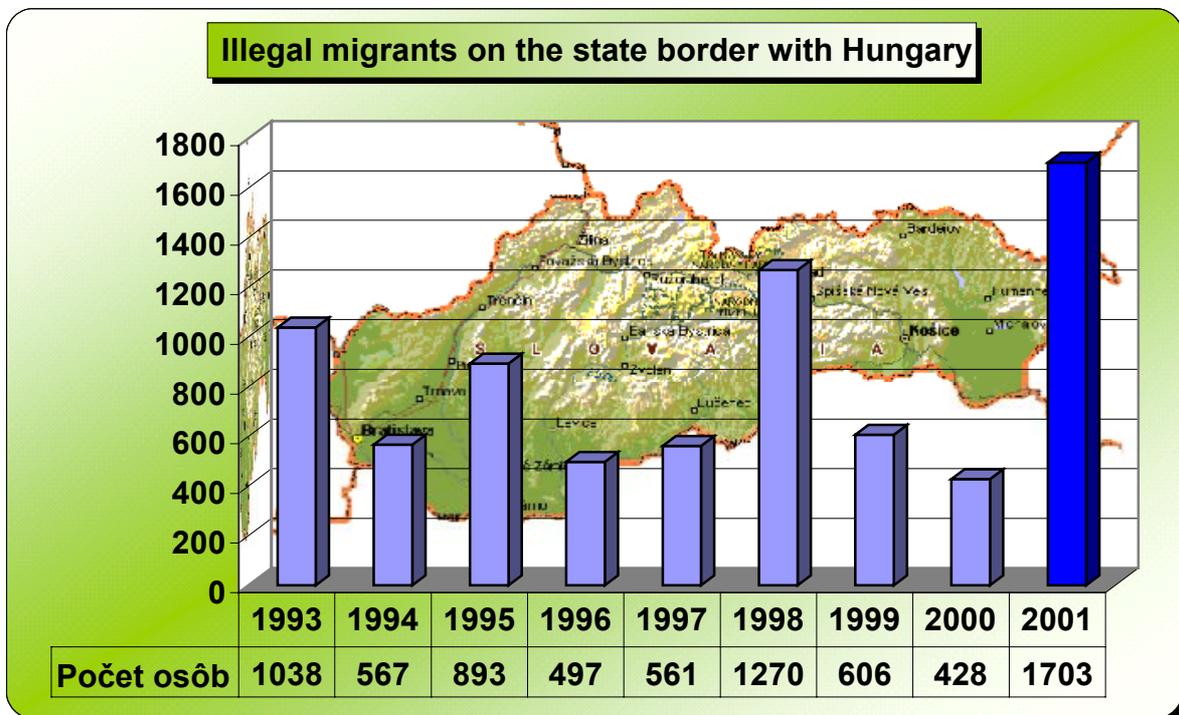
Number of persons



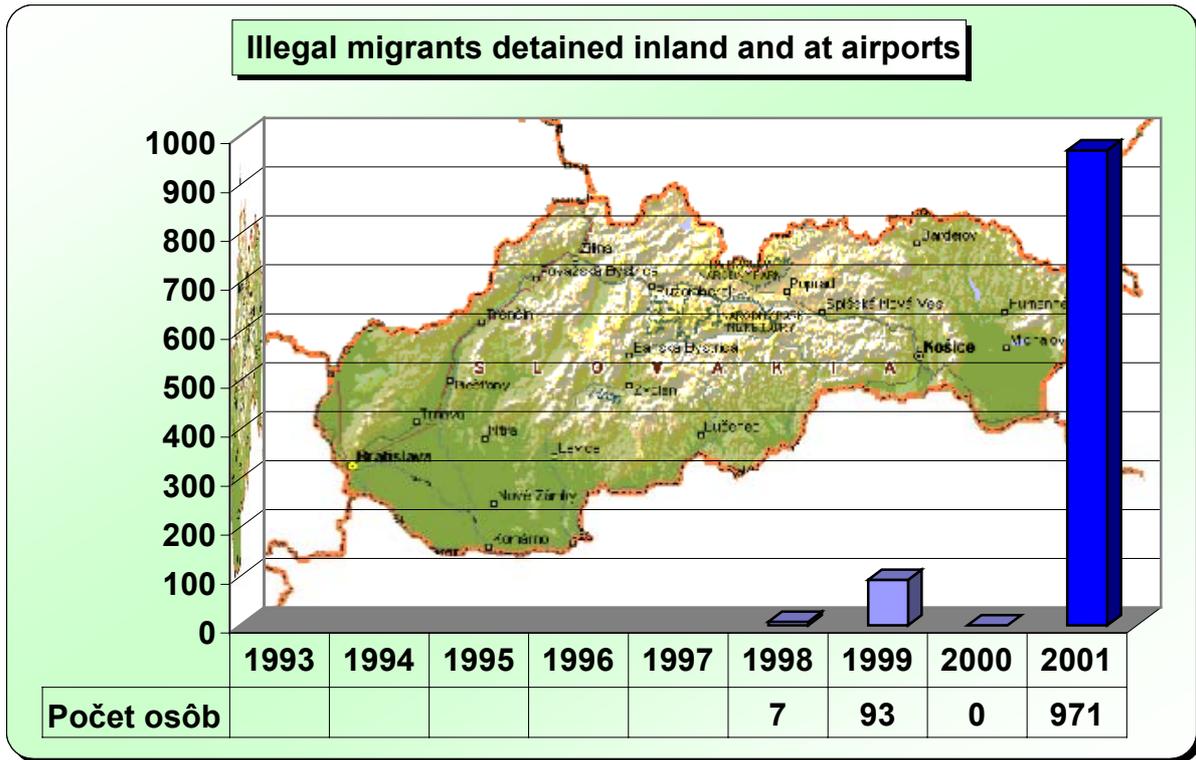
Number of persons



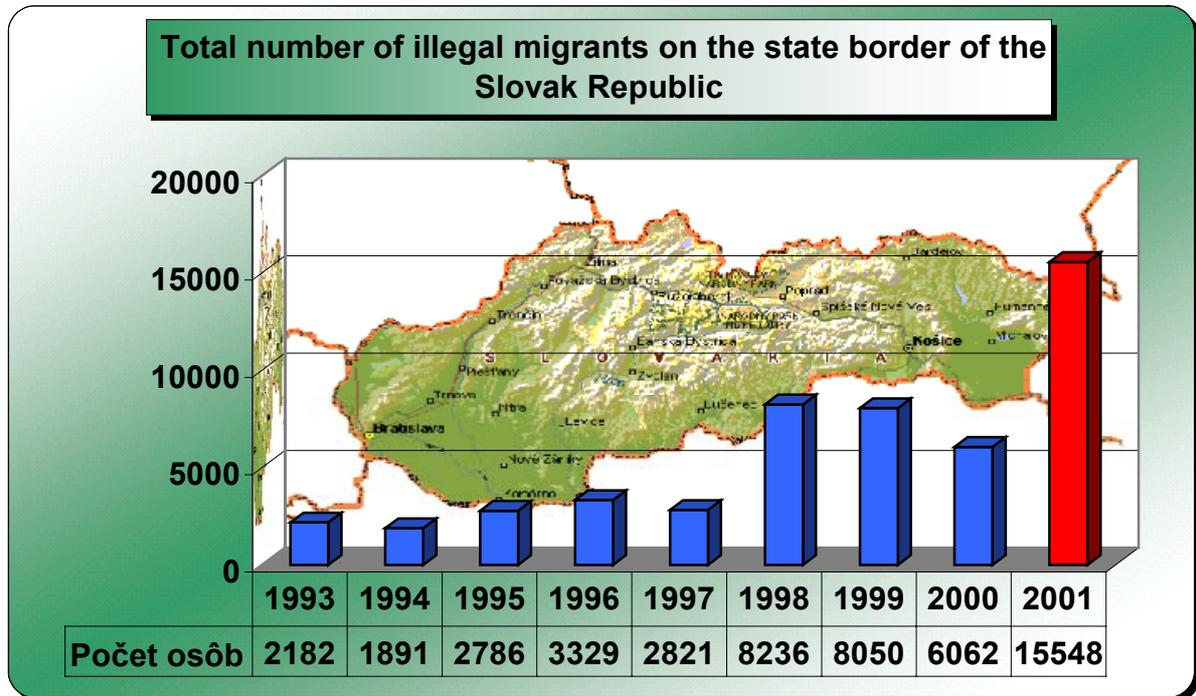
Number of persons



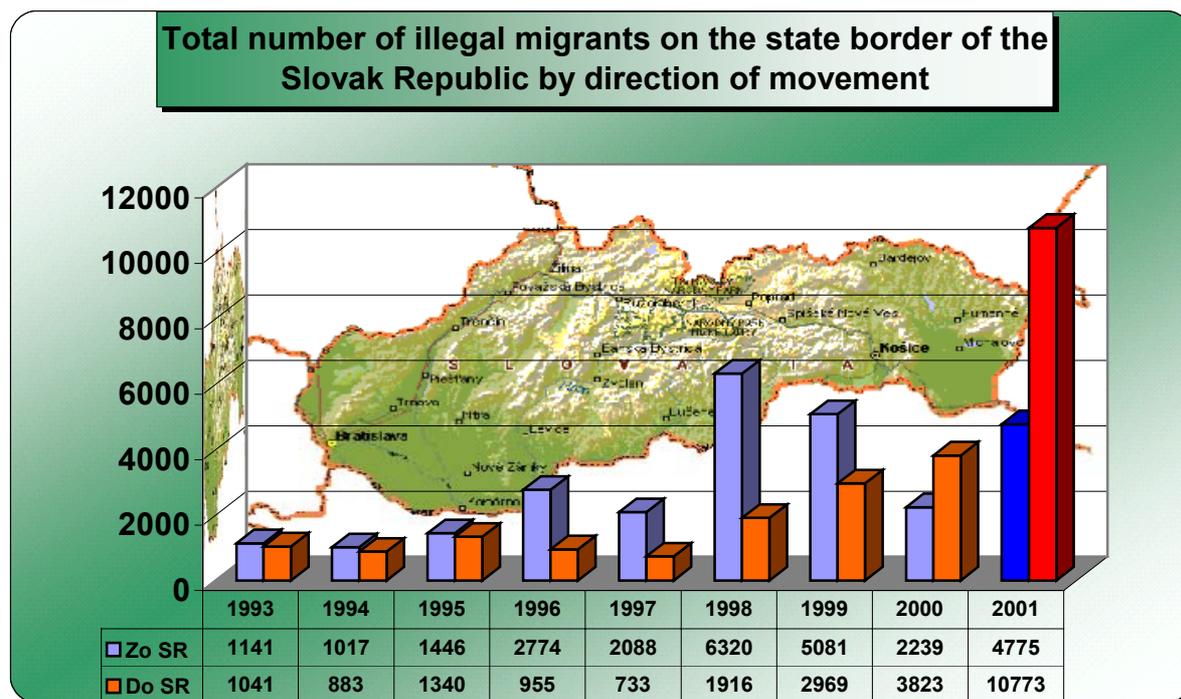
Number of persons



Number of persons



Number of persons



Number of persons

Despite this situation it is necessary to further dedicate increased attention to directions of movement of illegal migrants, spots of most frequent state border crossing, reinforcement of the numerous personnel of border police departments of Police Force, tactics of service performance and last but not least to improvement of material-technical equipment of these departments.

### 3.3.3. Overview of pressure of illegal migrants on the state border during 1993 to 2000 by borders with neighbouring states

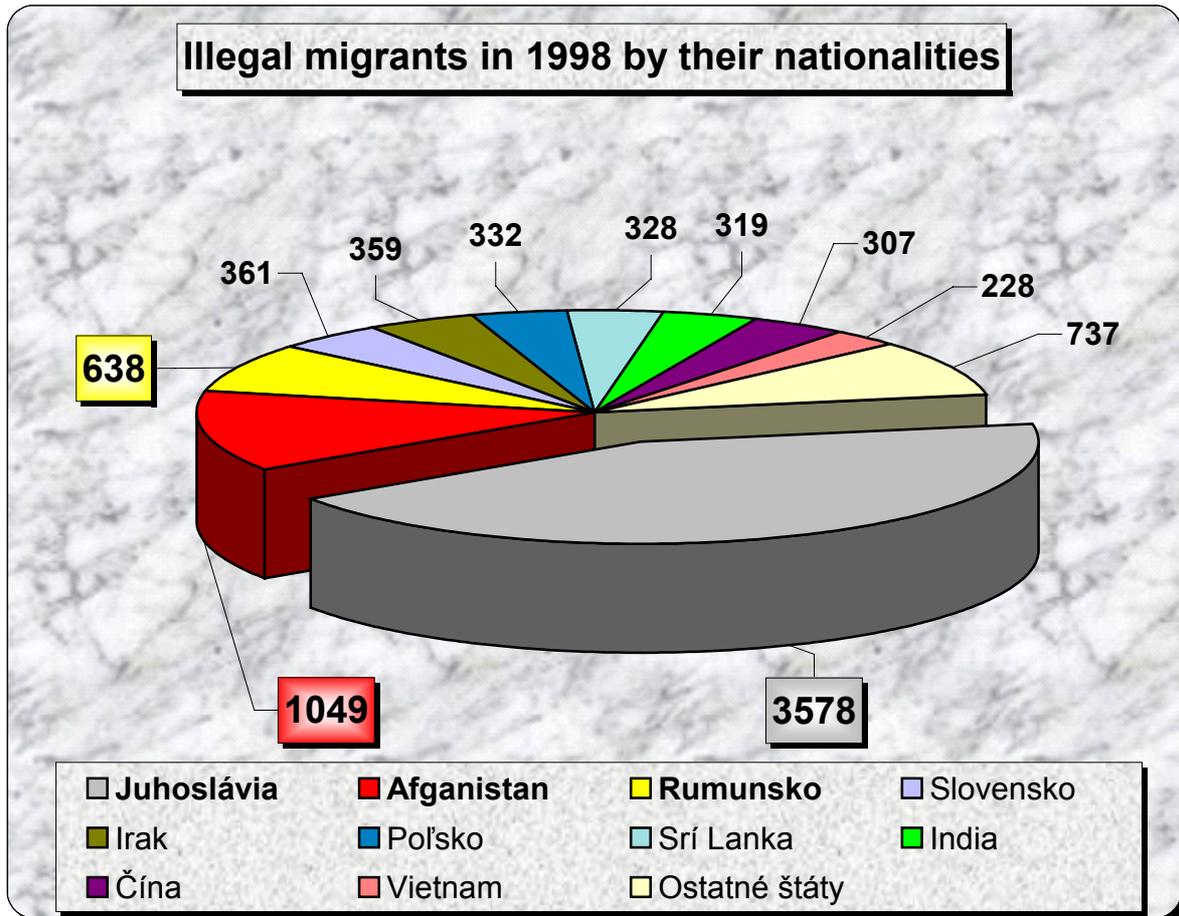
	1993	1994	1995	1996	1997	1998	1999	2000	2001
<b>Hungary</b>	1038	567	893	497	561	1270	606	428	1703
<b>Ukraine</b>	91	66	92	235	105	365	1662	1473	1945
<b>Poland</b>	744	715	1015	755	564	843	802	737	748
<b>Czech Republic</b>	x	380	631	1622	926	5254	3485	2190	4098
<b>Austria</b>	309	163	155	220	665	504	1402	1234	6083
<b>inland</b>	x	x	x	X	x	x	93	x	971
<b>Total</b>	<b>2182</b>	<b>1891</b>	<b>2786</b>	<b>3329</b>	<b>2821</b>	<b>8236</b>	<b>8050</b>	<b>6062</b>	<b>15548</b>

Considering the trend of increase in the number of illegal migrants across the state border of the Slovak Republic, measures to adjust the territorial and subject-matter force of border departments of Police Force have been initiated, aiming at directing these departments on providing protection of the state border of the Slovak Republic against inflow of illegal migrants to our territory. These measures have been implemented by issuing internal rules, modifying the activities of border departments of Police Force. Service performance of border

departments of Police Force has been reinforced by basic military service soldiers, considerably contributing to improvement of state border protection of the Slovak Republic.

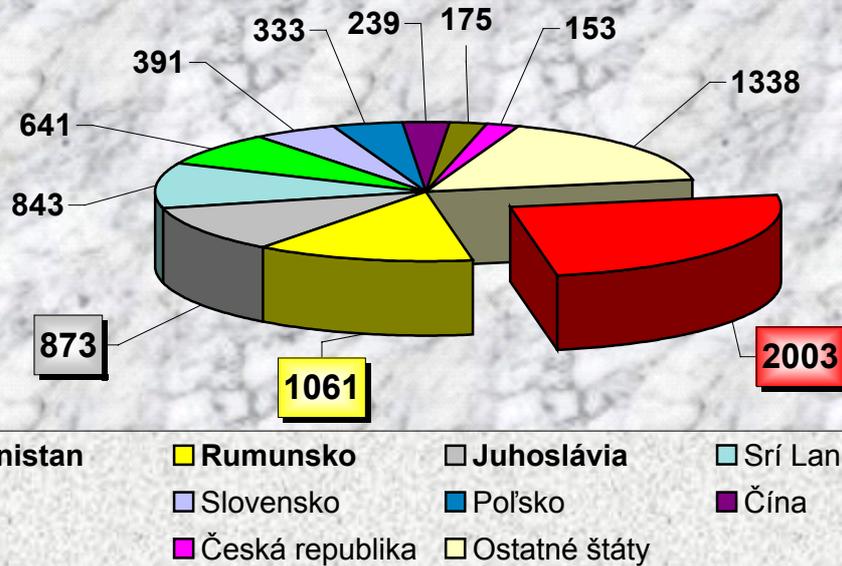
Increased efforts of the operative-searching department hand-in-hand with its organisational changes resulted in 2001 in detention of 971 illegal migrants even inland Slovakia.

3.3.4. Nationality of detected illegal migrants in 1998, 1999, 2000 and 2001



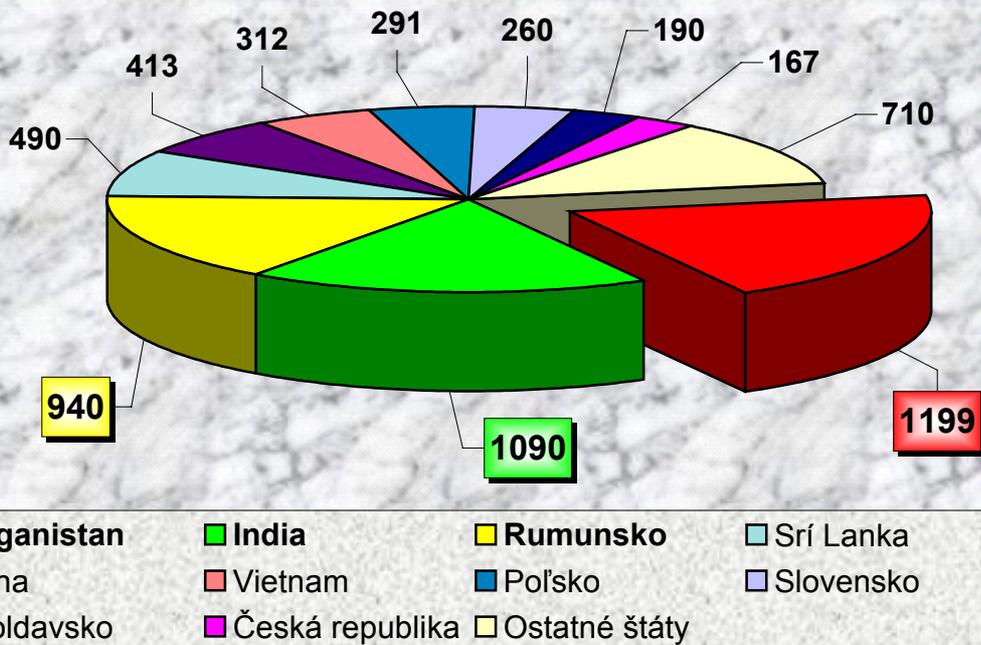
- Yugoslavia
- Afghanistan
- Romania
- Slovakia
- Iraq
- Poland
- Sri Lanka
- India
- China
- Vietnam
- other states

**Illegal migrants in 1999 by their nationalities**

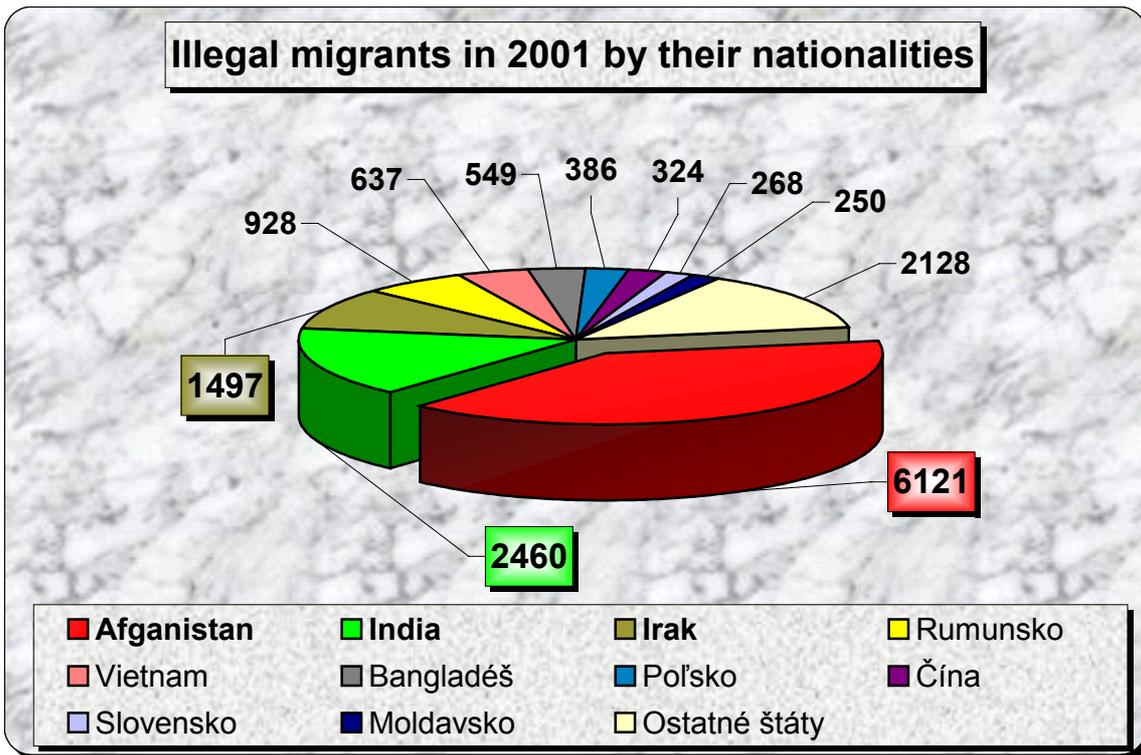


- Afghanistan
- India
- Iraq
- Romania
- Slovakia
- Czech Republic
- Yugoslavia
- Poland
- other countries
- Sri Lanka
- China

**Illegal migrants in 2000 by their nationalities**



- Afghanistan
- China
- Moldavia
- India
- Vietnam
- Czech Republic
- Romania
- Poland
- other countries
- Sri Lanka
- Slovakia

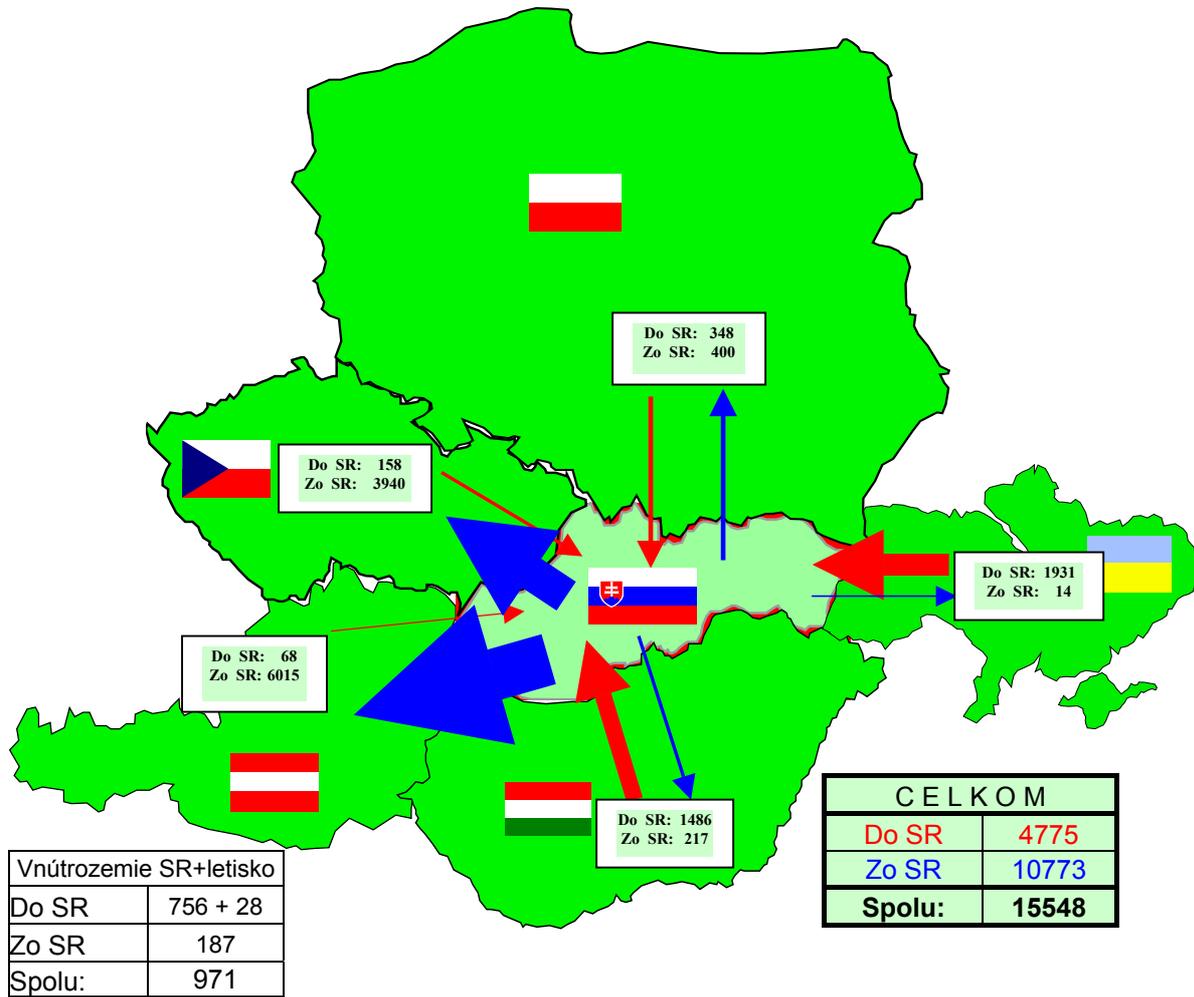


- Afghanistan
- India
- Iraq
- Romania
- Vietnam
- Bangladesh
- Poland
- China
- Slovakia
- Moldova
- other countries

**3.3.6. Directions of illegal migration inwards and outwards the Slovak Republic**

	Number of illegal migrants in particular periods compared		
	1999	2000	2001
Inwards SR	2969	2239	4775
Outwards SR	5081	3823	10773
<b>Total</b>	<b>8050</b>	<b>6062</b>	<b>15548</b>

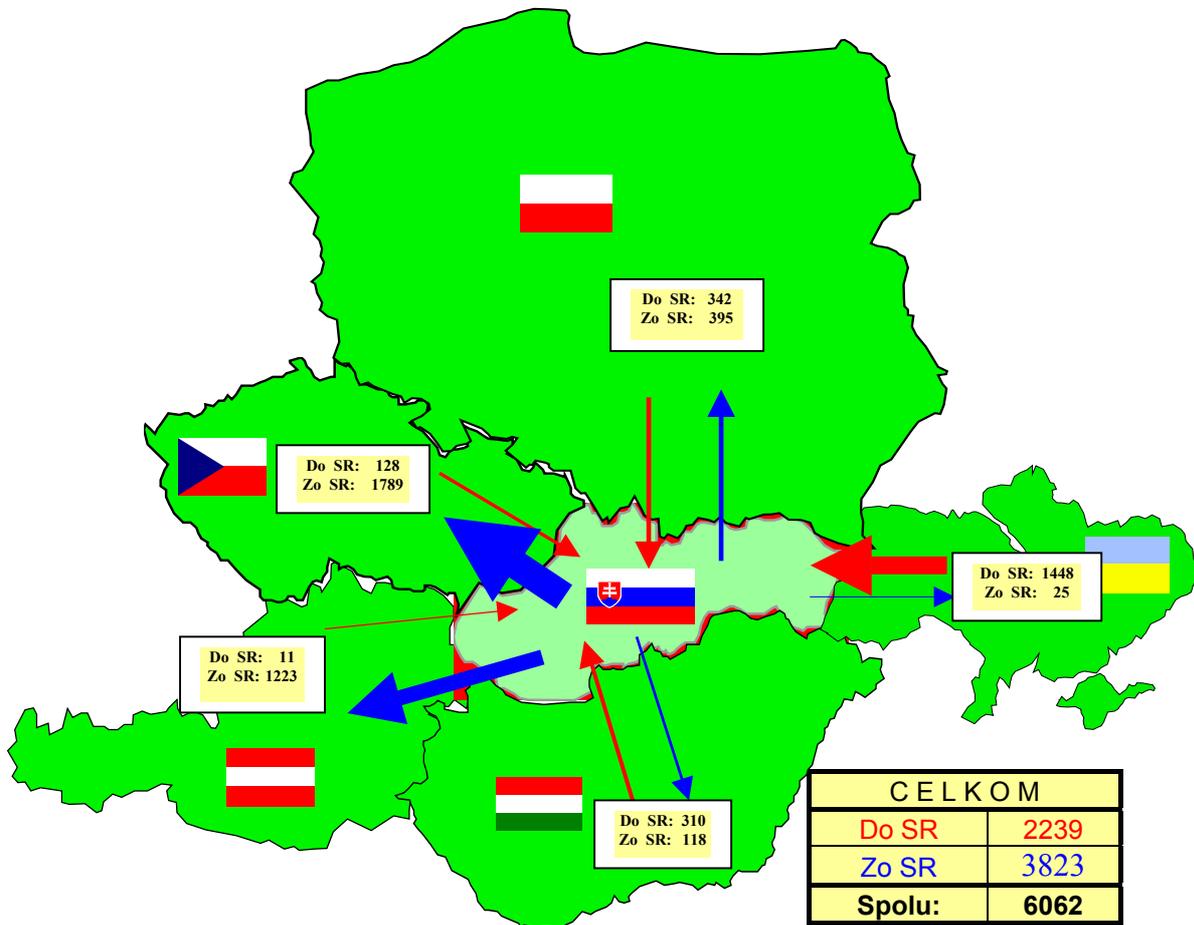
3.3.5.1. Directions of illegal migration with numbers of illegal migrants in 2001



Inland SR + airport	
Inwards SR	756 + 28
Outwards SR	187
Total:	971

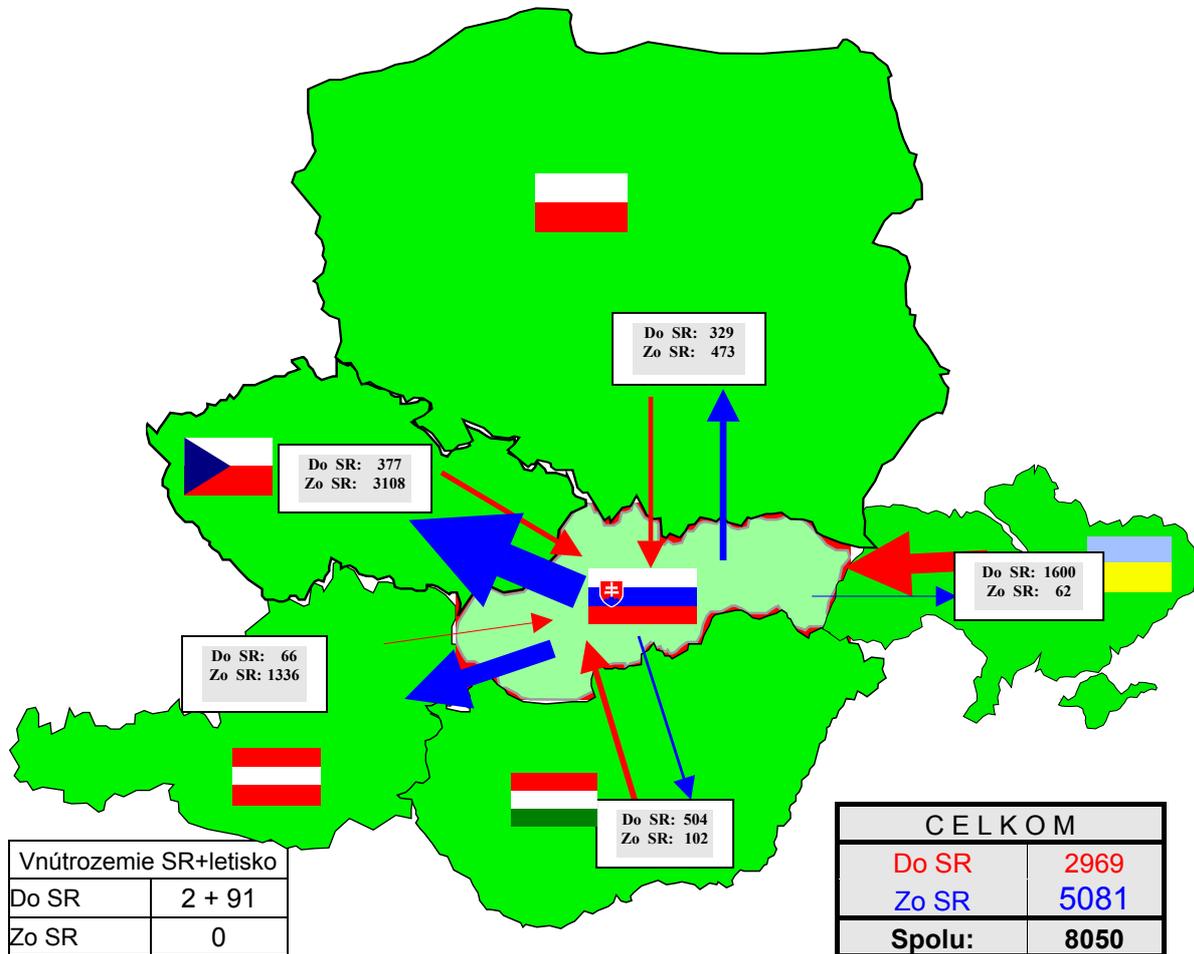
TOTAL	
Inwards SR	4775
Outwards SR	10773
<b>Total:</b>	<b>15548</b>

3.3.5.2. Directions of illegal migration with numbers of illegal migrants in 2000



<b>TOTAL:</b>	
Inwards SR	2239
Outwards SR	3823
<b>Total:</b>	<b>6062</b>

3.3.5.3. Directions of illegal migration with numbers of illegal migrants in 1999



Inland SR + airport	
Inwards SR	2 + 91
Outwards SR	0
<b>Total:</b>	<b>93</b>

TOTAL:	
Inwards SR	2969
Outwards SR	5081
<b>Total:</b>	<b>8050</b>

#### 4. CONCLUSION

Evaluating the migration flows in Europe one should take into consideration that these flows will have to be controlled more effectively. Maximum efforts will have to be done in order to eliminate the uncontrolled migration movements, being the potential thread of occurrence and deepening of domestic, regional and even worldwide economic and social problems. Implementation of control measures should continue, thus decreasing the illegal migration pressures.

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Based on the statistical data of the Systems & Information Dpt. and Dpt. of Operative –  
Searching Activities

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Translate:  
OEZ a ZV MV SR