



**NIEM**  
ALL IN FOR INTEGRATION

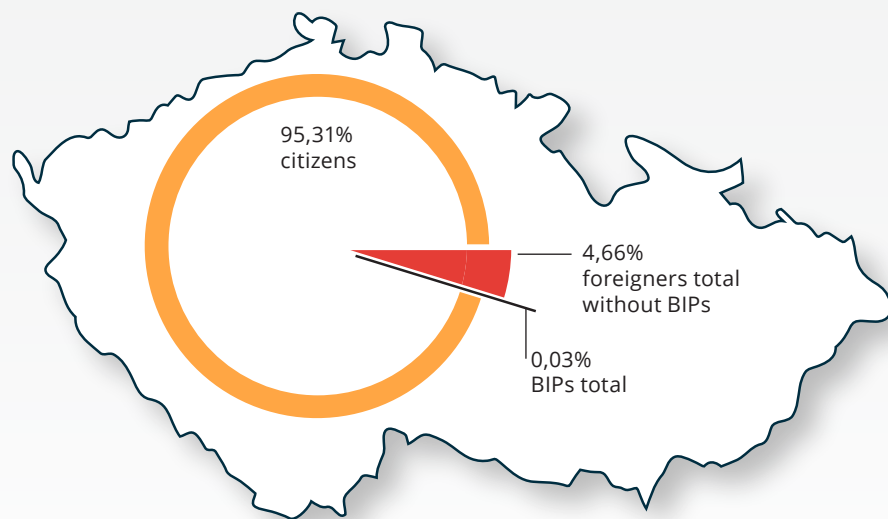
# Asylum seekers and beneficiaries of international protection in V4 countries

V4NIEM: Visegrad Countries National Integration  
Evaluation Mechanism Report 2017



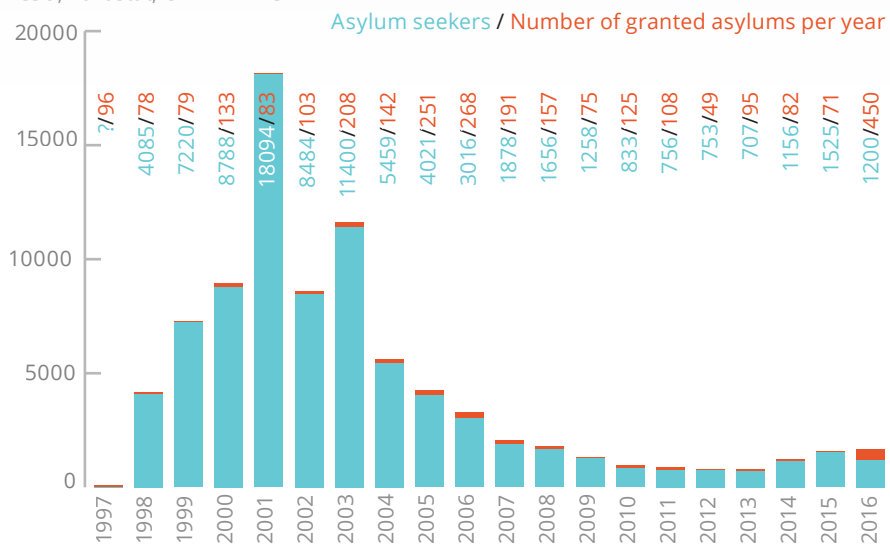
## INTERNATIONAL PROTECTION

ČSÚ - 31 December 2016



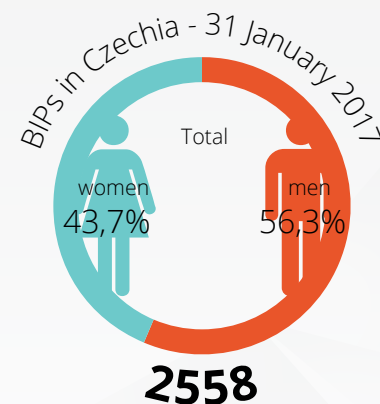
## DEVELOPMENT OF NUMBER OF ASYLUM SEEKERS AND BIPs IN

ČSÚ, Eurostat, OAMP MV ČR

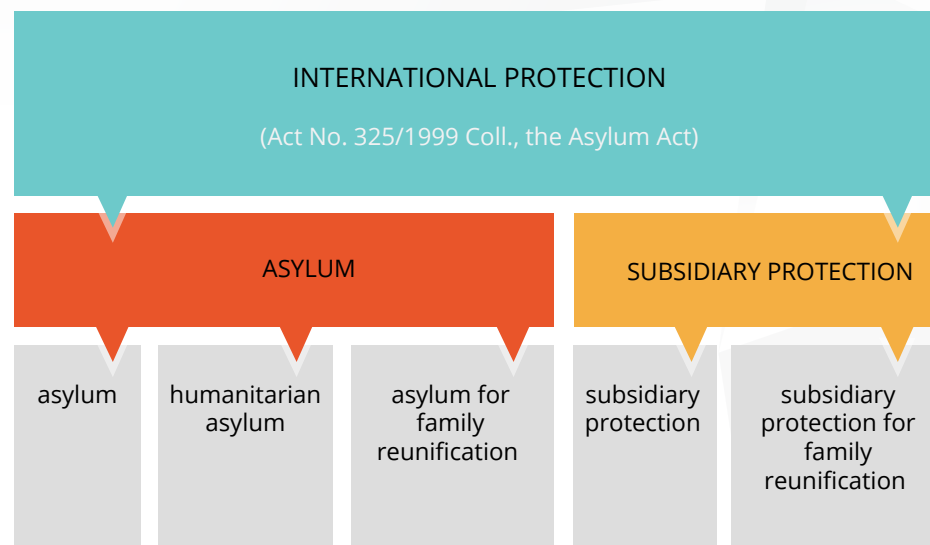


## BIPs IN CZECHIA 31 JANUARY 2017

OAMP MV ČR

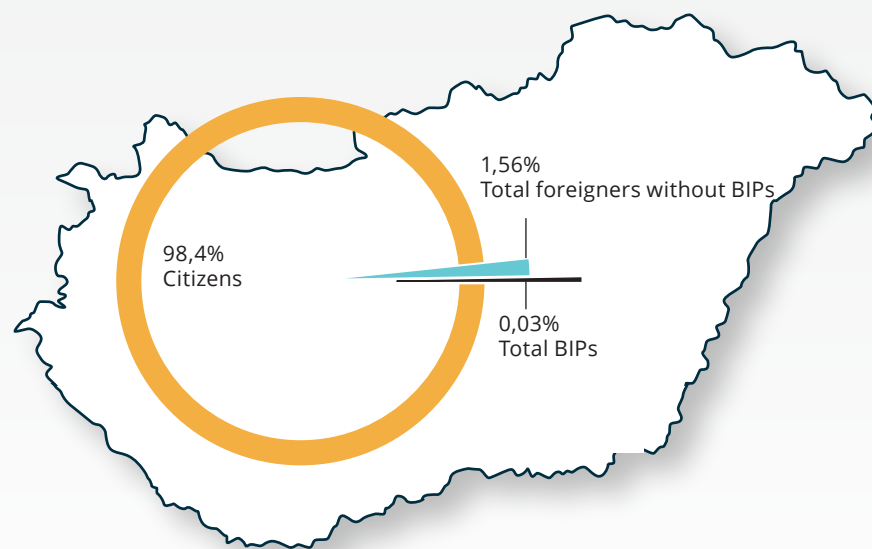


## LEGAL FRAMEWORK OF INTERNATIONAL PROTECTION IN CZECHIA

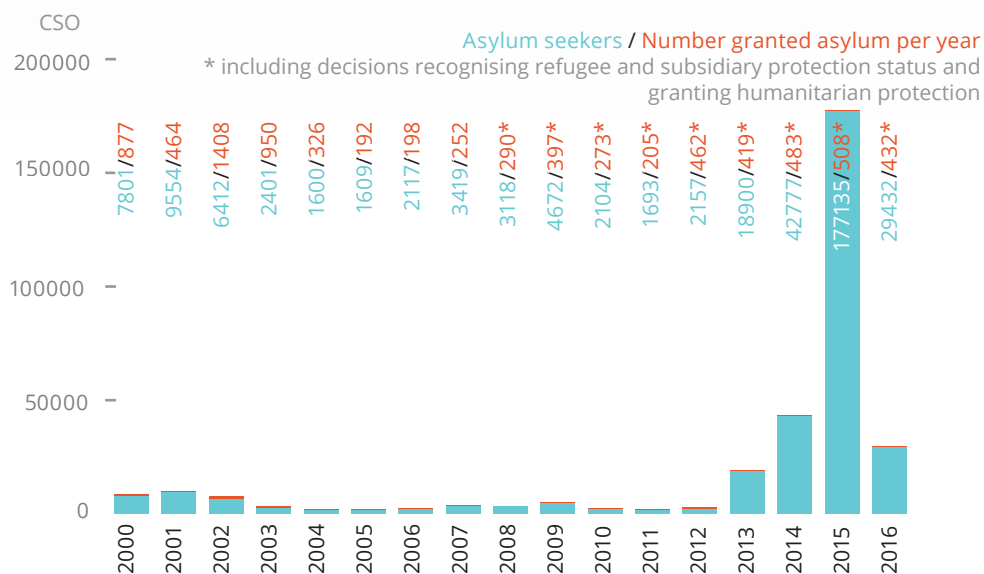


## INTERNATIONAL PROTECTION

KSH, BMH, BM, KEK KH - 2016



## DEVELOPMENT OF THE NUMBER OF ASYLUM SEEKERS AND BIPs IN HUNGARY



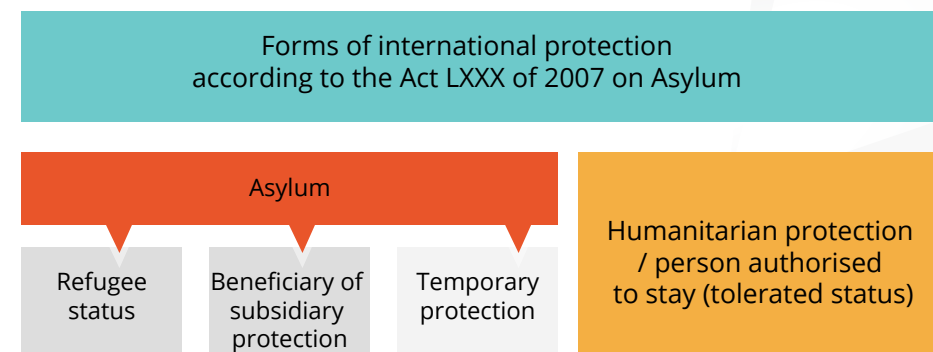
## BIPs IN HUNGARY IN 2016

KSH, BMH, BM, KEK KH



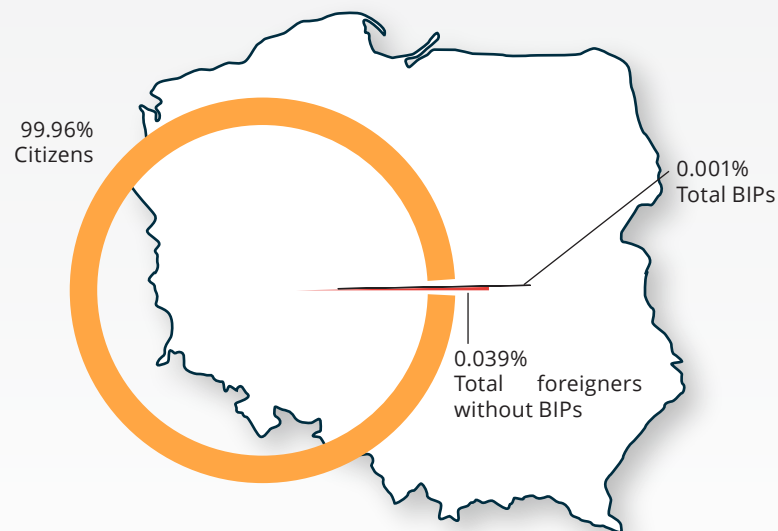
## NATIONAL LEGAL FRAMEWORK OF INTERNATIONAL PROTECTION IN HUNGARY

National legal framework of international protection in Hungary  
Fundamental Law of Hungary, Article XIV, paragraph (3), Act LXXX of 2007 on Asylum, Act II of 2007 on the Entry and Stay of Third-country Nationals in Hungary (on the residence permit issued for humanitarian reasons)



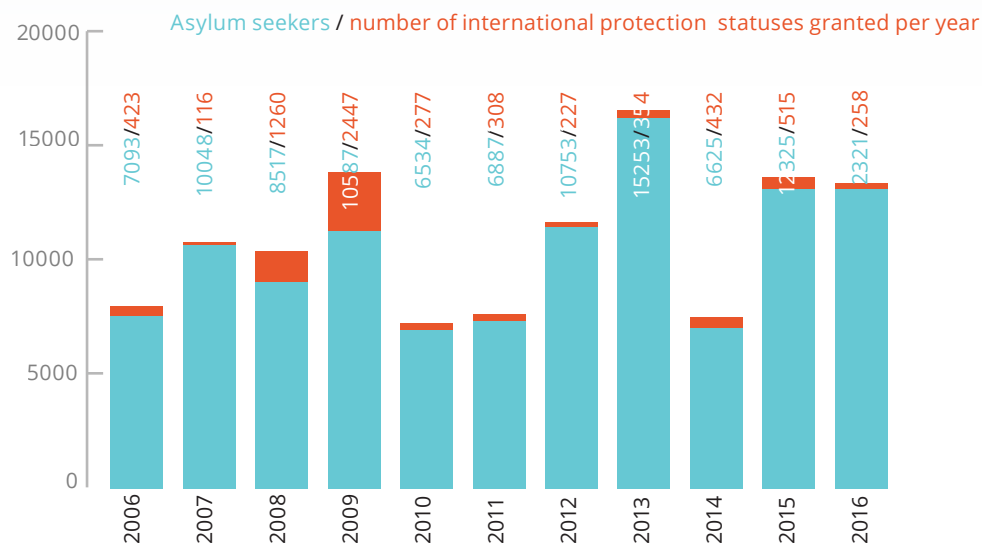
## INTERNATIONAL PROTECTION

Central Statistical Office for Poland, Office for Foreigners



## DEVELOPMENT OF THE NUMBER OF ASYLUM SEEKERS AND BIPs IN POLAND

Office for Foreigners



## NUMBER OF BIPs STATUSES GRANTED IN 2016 (FIRST INSTANCE)

Office for Foreigners



## NATIONAL LEGAL FRAMEWORK OF INTERNATIONAL PROTECTION IN POLAND

- \*Constitution of the Republic of Poland of 2 April 1997, Art. 56.2
- \*Act of 13 June 2003 on granting protection to aliens in the territory of the Republic of Poland
- \*Act of 12 December 2013 on foreigners

### Forms of international protection:

Refugee status

Subsidiary protection

### Other forms of protection:

Asylum

Humanitarian stay

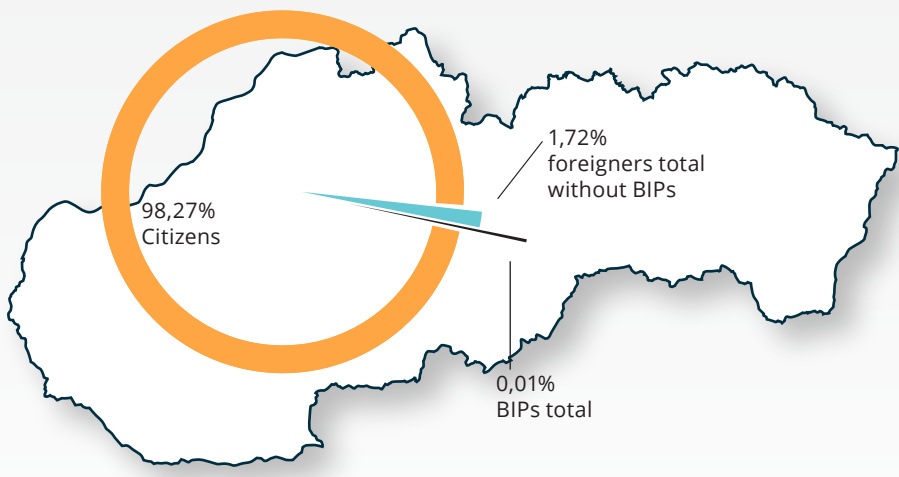
Tolerated stay





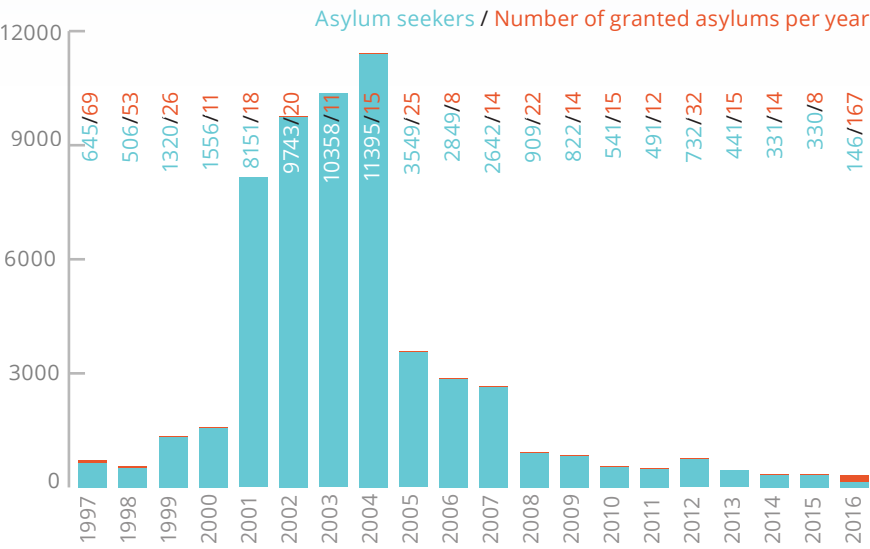
# INTERNATIONAL PROTECTION

Ministry of Interior of Slovak republic



## DEVELOPMENT OF NUMBER OF ASYLUM SEEKERS AND BIPs IN SLOVAKIA

Ministry of Interior of Slovak republic



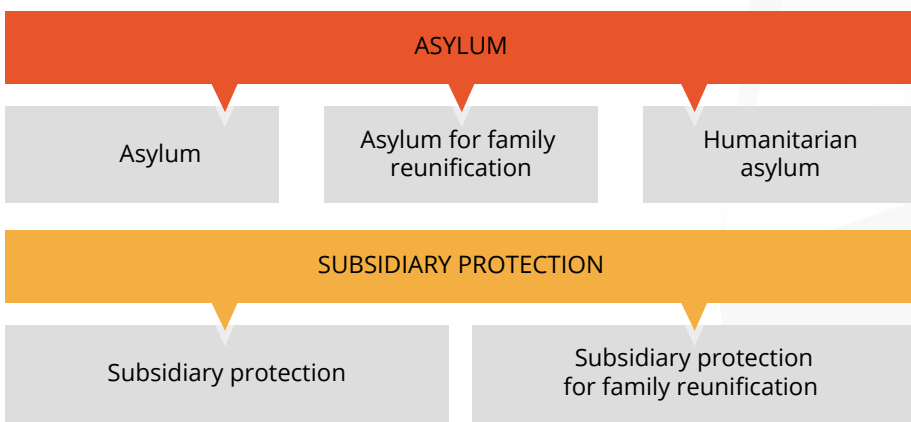
# BIPs IN SLOVAKIA 2016

Ministry of Interior of Slovak republic

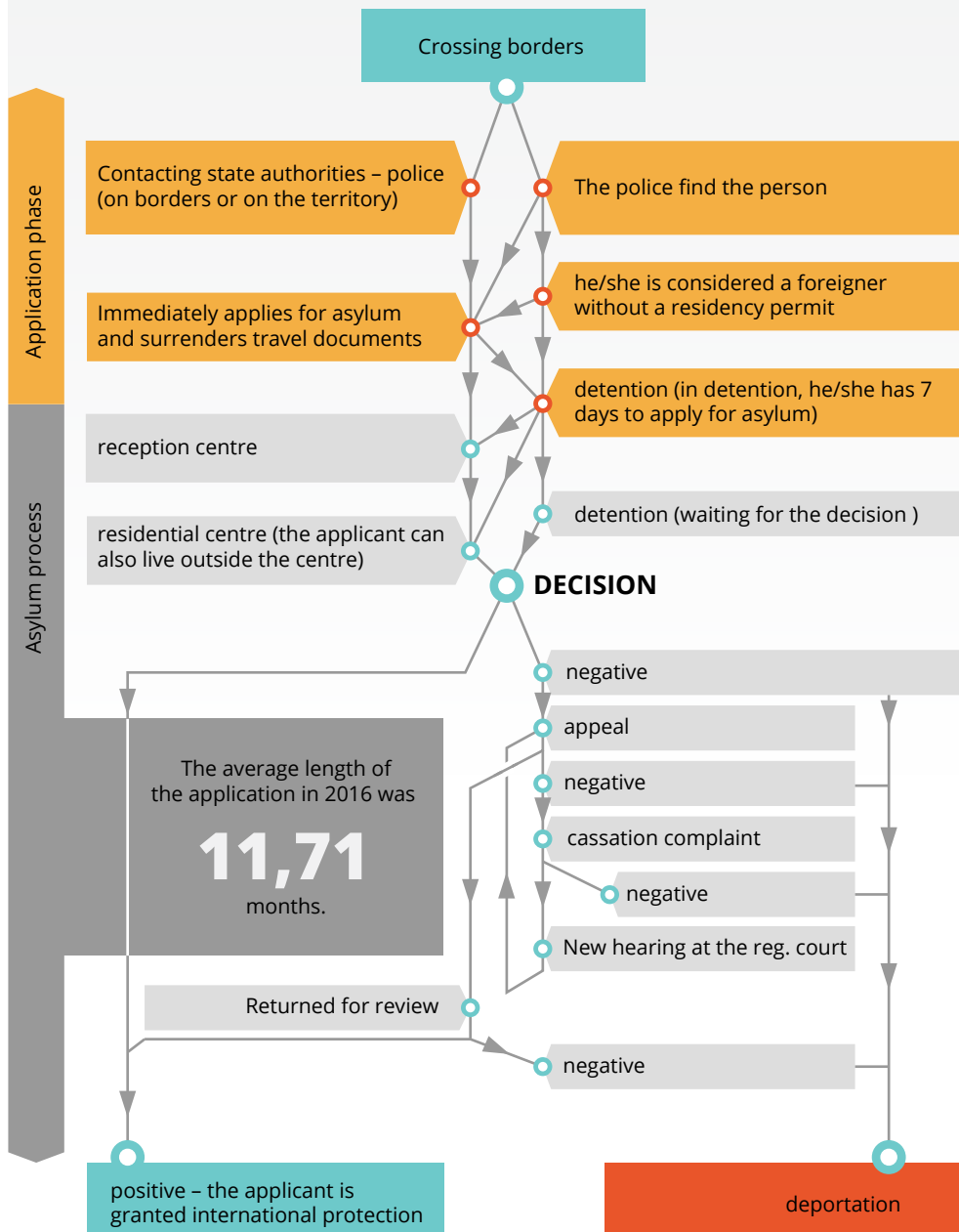


## FORMS OF INTERNATIONAL PROTECTION ACCORDING TO THE ACT ON ASYLUM AND AMENDMENT OF SOME ACTS

National legal framework of international protection in Slovakia  
Act No. 480/2002 Coll. as of June 20, 2002, Act on Asylum and Amendment of Some Acts

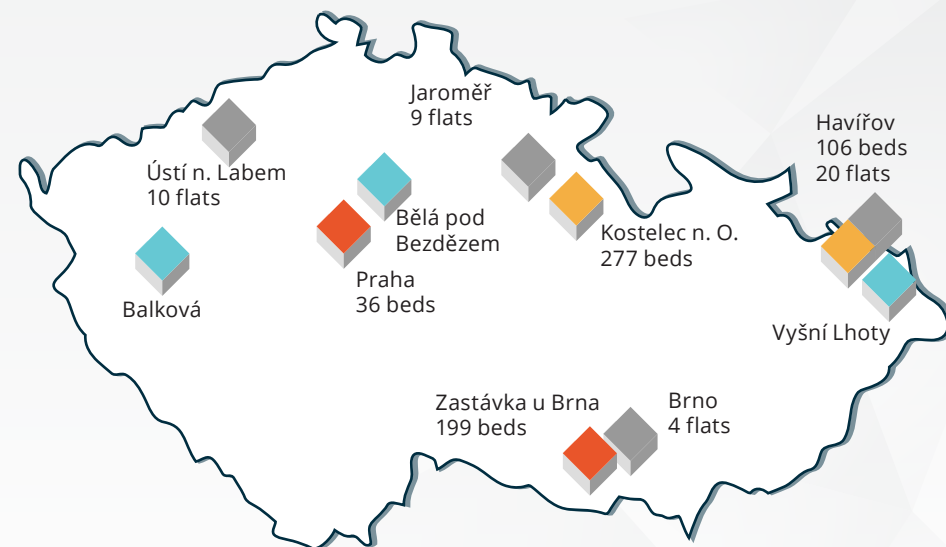


# FROM APPLICATION TO ... SETTLEMENT / "DUBLIN" / DEPORTATION / RE-MIGRATION



## FACILITIES FOR ASYLUM SEEKERS, BIPs AND DETAINED FOREIGNERS IN CZECHIA IN 2017

SUZ MV ČR



Reception centre

For newly arrived asylum seekers. Basic entrance procedures are performed here: identification, initial procedures of the asylum process, medical check, etc. Closed.

also provided with social and legal support to get oriented within the labour market, schooling, health care, welfare system, etc. Open.



Facility for detention of foreigners

These centres are used to detain those who have received an administrative decision of expulsion from the country. However, there can also be people who have applied for international protection waiting for a decision.



Residential centre

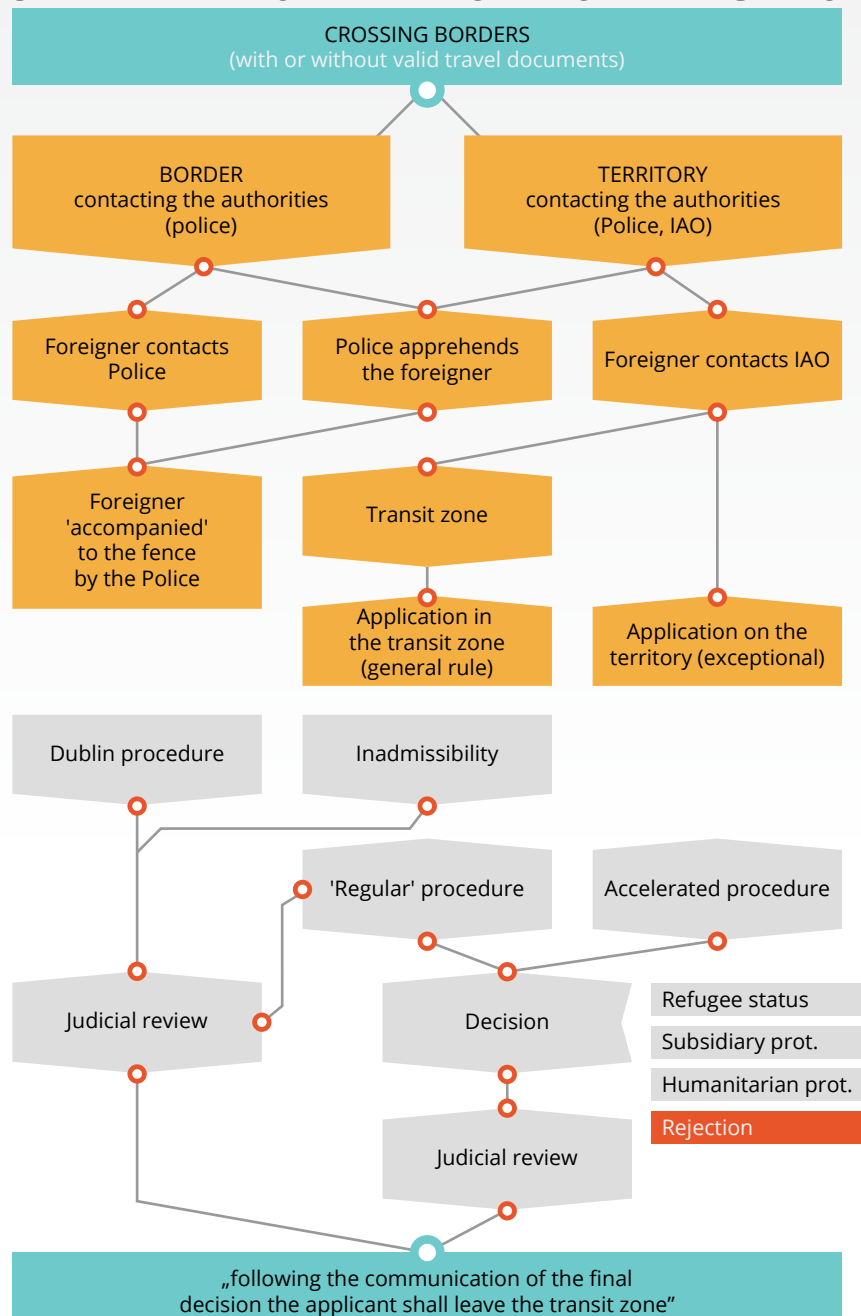
After the applicant passes basic entry procedures, he/she is transferred to a residential centre and provided with accommodation, social and legal support, and food and clothing while waiting for a decision. Open.



Integration asylum centre

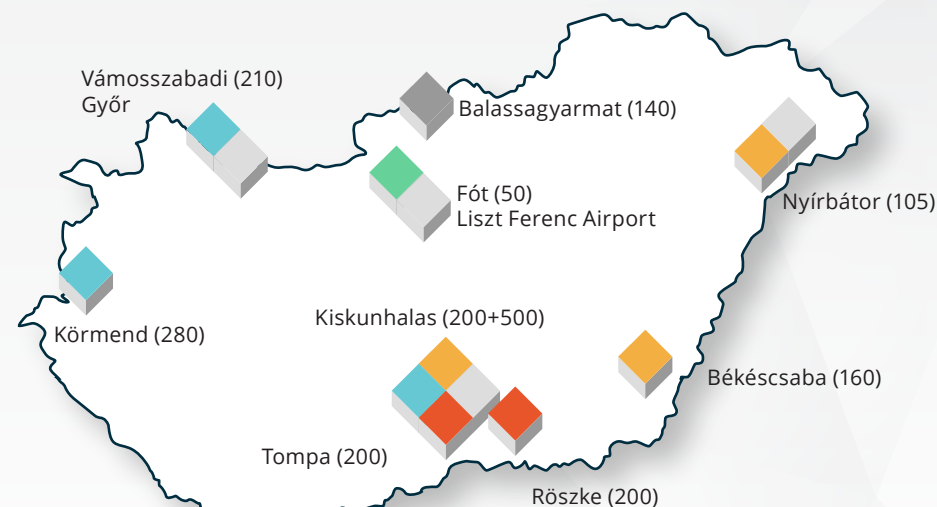
Those who have been granted international protection and do not have their own housing can stay for a limited period of time in IAS (Integrační azylové středisko). They are

# FROM APPLICATION TO ... SETTLEMENT / "DUBLIN" / DEPORTATION / RE-MIGRATION



## FACILITIES FOR ASYLUM SEEKERS, BIPs AND DETAINED FOREIGNERS IN HUNGARY IN 2017

Rendőrség, AIDA, EMMI, BMH



Transit zone

Reception facility for asylum applicants, except UAMs under 14 years. All applicants stay in the zone during the entire procedure. Accommodation, food, clothing, basic healthcare, social and legal support is provided. According to the Government, the transit zone does not constitute detention, but ECtHR case law (esp. Ilias and Ahmed v. Hungary) states that it does.



Reception centre

Facility to accommodate asylum applicants and BIPs. Accommodation, food, clothing, social assistance, basic healthcare is provided. BIPs are entitled to stay for 30 days following recognition. Open



Closed Asylum Reception Centre

Maintained by the Immigration and Asylum Office, it serves the implementation of asylum detention. Closed



Community shelter

Provides housing for foreigners during the immigration procedure, asylum seekers, persons tolerated to stay, and foreigners who have exceeded 12 months in immigration detention. Open



Shelter for unaccompanied children (UAMs)

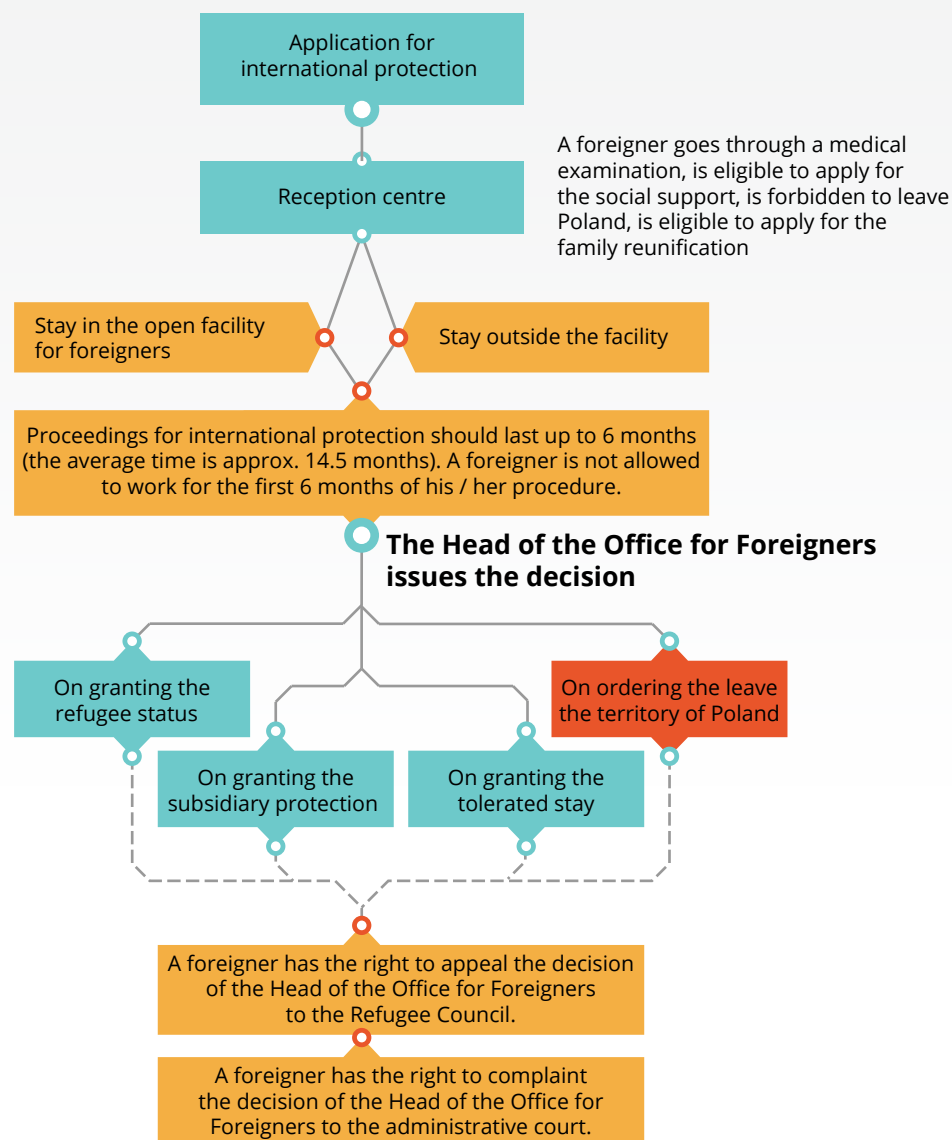
Part of the Hungarian child protection structure. Unaccompanied minors (under 14 years) and BIPs are placed here. After-care/follow-up care can be provided until BIPs reach 24 years. Open



Detention centres

Maintained by the Police for the purposes of immigration detention (in preparation of return), applicants for asylum may not be placed here.

# FROM APPLICATION TO ... SETTLEMENT / "DUBLIN" / DEPORTATION / RE-MIGRATION



## FACILITIES FOR ASYLUM SEEKERS, BIPS AND DETAINED FOREIGNERS IN POLAND IN 2017

Urząd do Spraw Cudzoziemców



Reception center:

the first facility to which seekers for international protection are directed when crossed the border and found themselves in Poland. At present, there are two centers of this type: in Biała Podlaska and Podkowa Leśna-Dębak.



Open center:

a center for foreigners who are in the process of granting international protection. In Poland there are currently 9 such centers. Foreigners applying for international protection may stay in them throughout the refugee procedure and, depending on the decision taken, from 14 days to 2 months after the expiry of the procedure.



Detention center (otherwise: guarded centers):

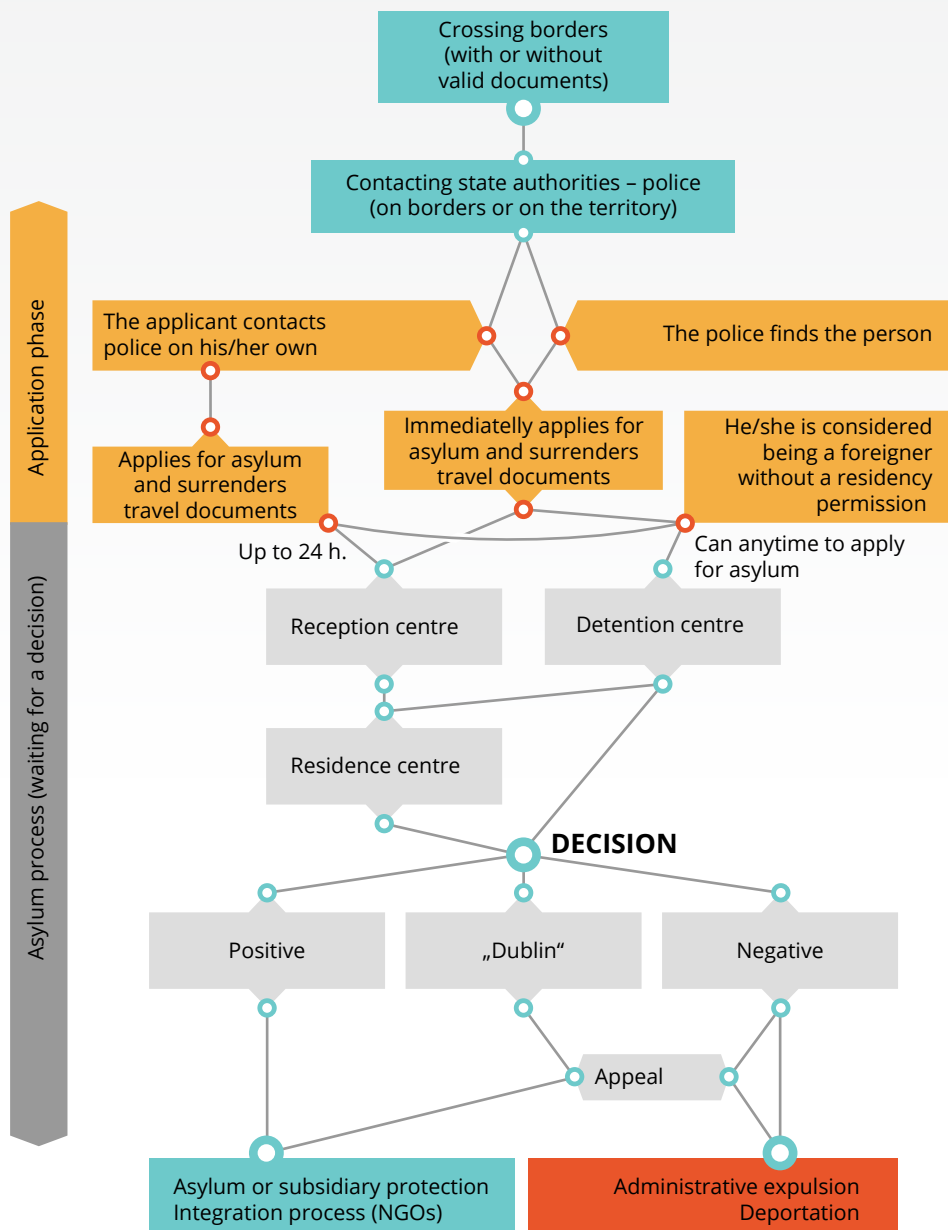
in Poland there are currently 6 guarded centers for foreigners.



SLOVAKIA

FROM APPLICATION TO ...

## FROM APPLICATION TO ... SETTLEMENT / "DUBLIN" / DEPORTATION / RE-MIGRATION



## FACILITIES FOR ASYLUM SEEKERS, BIPs AND DETAINED FOREIGNERS IN SLOVAKIA IN 2017

Ministry of Interior of Slovak republic



Reception centre

For newly arrived asylum seekers. There are performed elementary entrance procedures: identification, initial procedures of the asylum process, medical check, etc. Closed.



Integration centre

There is only one integration centre in Slovakia only for asylees, but it is not used. Opened.



Residential centre

Asylum seekers are transferred from reception centre to a residential centre where they are provided with accommodation, health care, social and legal support, food and hygiene while waiting for decision. Opened.

Those who have been granted international protection may be accommodated for limited period of time in residential centre, but usually they use the service of NGOs implementing integration projects which help them to

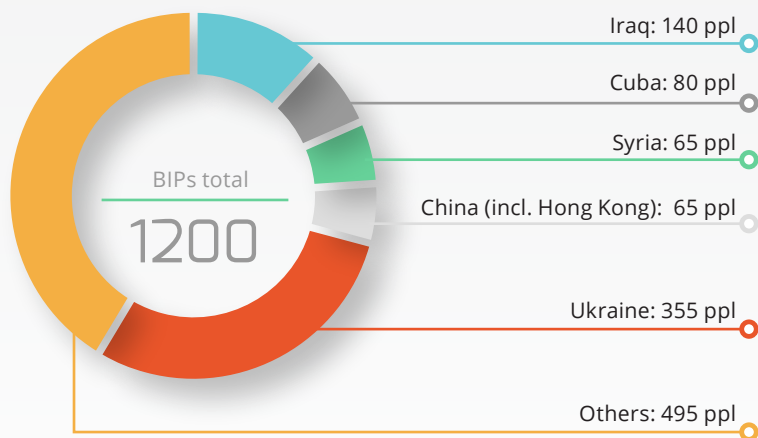


Detention centres

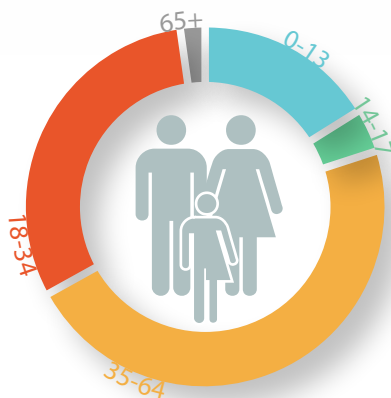
These centres are used to detain foreigners with administrative expulsion; however there can be also find persons who have applied for asylum. Closed.

## WHO WERE ASYLUM SEEKERS IN CZECHIA IN 2016

Eurostat



- 0 -13 years: 16.3 %
- 14 - 17 years: 3.8 %
- 35 - 64 years: 30.8 %
- 18 - 34 years: 47.1 %
- 65+ years: 2.1 %



## WHAT IS THE DIFFERENCE BETWEEN REFUGEE STATUS AND SUBSIDIARY PROTECTION?

### ASYLUM

is granted to a foreigner persecuted for exercising political rights and freedoms, or a legitimate fear of being persecuted because of race, gender, religion, nationality, belonging to a social group or for holding political opinions in the state of which he/she is a citizen.

Asylum can also be granted to relatives of an asylee (asylum for family reunification) or for humanitarian reasons.

Asylum is granted for an indefinite period. Asylees have access to the labour market, health care system, welfare system, schooling, etc. under the same conditions as citizens.

### SUBSIDIARY PROTECTION (SP)

is granted to a foreign who does not meet the criteria for asylum, however there exists a legitimate concern that if the applicant is returned to the country of origin, he/she would face a genuine risk of serious harm (death penalty, torture, inhuman or degrading treatment or punishment, serious threat to life or human dignity), and he/she is unable or unwilling, due to such risk, to accept the protection of the country of origin.

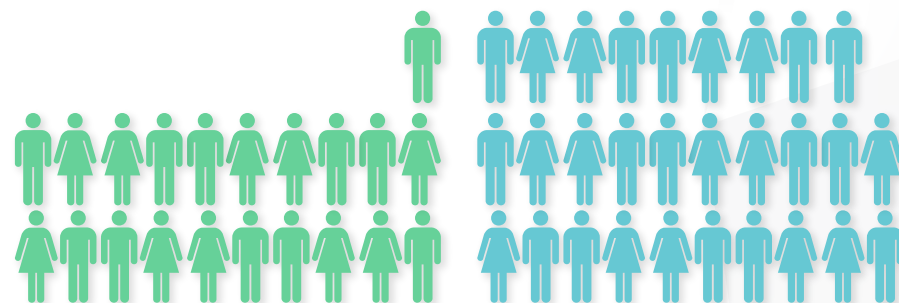
SP is granted for a limited period (1-2 years) and must be renewed – the reasons for protection are always re-examined. Beneficiaries of SP have access to the labour market, health care system, welfare system, schooling, etc. under the same conditions as citizens.

## NUMBER OF BIPS ACCORDING TO A TYPE OF INTERNATIONAL PROTECTION IN 2017

OAMP MV ČR till 31 January 2017

1059  
people

1499  
people

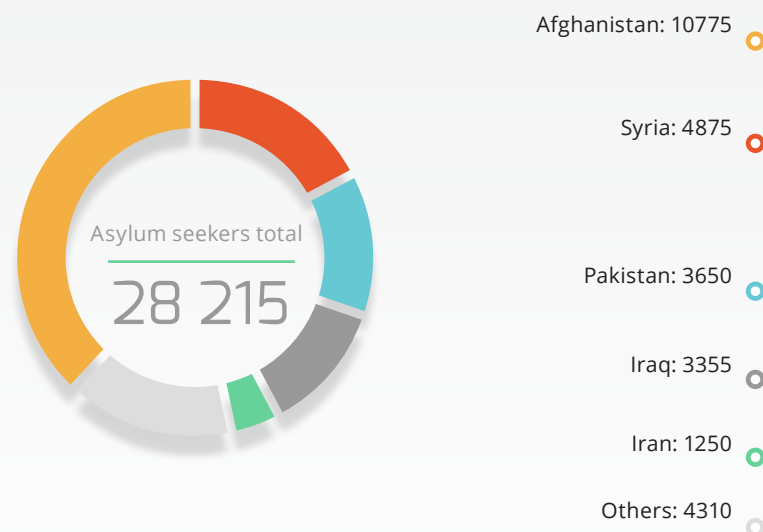




## WHO WERE ASYLUM SEEKERS IN HUNGARY IN 2016?

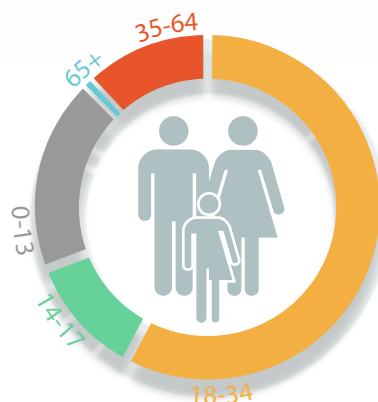
Eurostat

by country of origin:



by age:

- 0 - 13: 18.5 %
- 14 - 17: 11.4 %
- 18 - 34: 57.7 %
- 35 - 64: 12.0 %
- 65+: 0.3 %



## WHAT IS THE DIFFERENCE BETWEEN REFUGEE STATUS AND SUBSIDIARY PROTECTION?

### REFUGEE STATUS

Refugee status is for those who, in their country of origin/usual residence, are subject to persecution due to race or nationality, membership in a specific social group, religious or political conviction, or whose fear of persecution is well-founded. Refugee status can be granted

/ to family members of refugees and to children born to refugees in Hungary,  
/ in exceptional circumstances in the absence of conditions  
/ to refugees recognised by another state / UNHCR.

It is granted for an indefinite period – mandatory status review every 3 years. As a general rule, refugees are entitled to the same rights as HU nationals, except for participation in (general) elections and employment confined to HU nationals.

### SUBSIDIARY PROTECTION

Subsidiary protection is for those who do not qualify as refugees but are at risk of serious harm if they return to their country of origin and are unable/unwilling to seek protection there.

SP can be granted to  
/ children born to beneficiaries of SP in HU  
/ family members of beneficiaries of SP, if they applied together/the family member applied with the consent of the beneficiary of SP, before SP was granted.

The status is for an indefinite period – mandatory status review every 3 years. Beneficiaries of SP are entitled to the same rights as refugees. The main differences: no access to facilitated family reunification or naturalisation

## NUMBER OF BIPS ACCORDING TO A TYPE OF INTERNATIONAL PROTECTION IN 2016

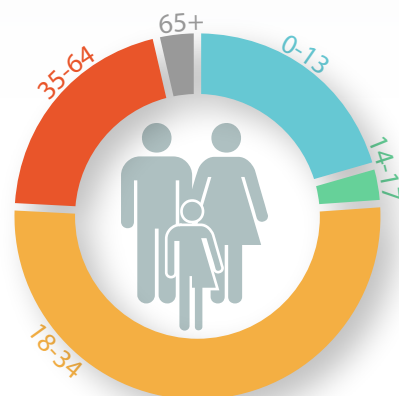
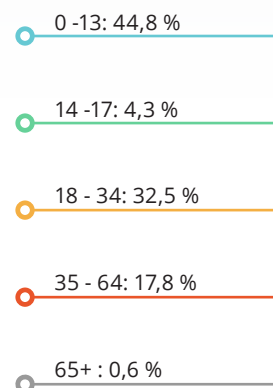
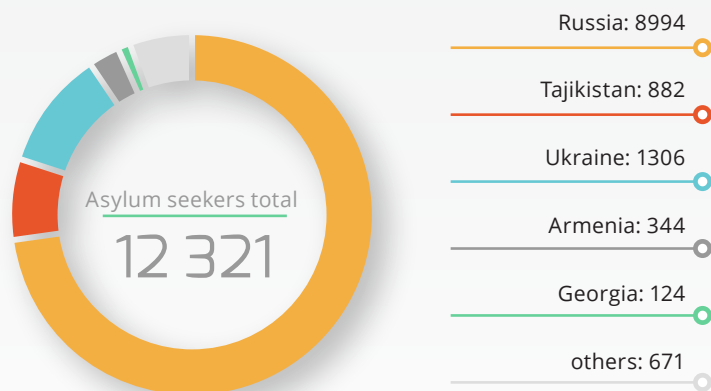
1833  
people

1540  
people





## WHO WERE THE ASYLUM SEEKERS IN POLAND IN 2016?



## WHAT IS THE DIFFERENCE BETWEEN ASYLUM AND SUBSIDIARY PROTECTION?

In order to obtain the refugee status, the legitimate fear of prosecution for reasons listed in the Geneva Convention has to be demonstrated. Foreigners who are not eligible to be granted the refugee status can receive subsidiary protection.

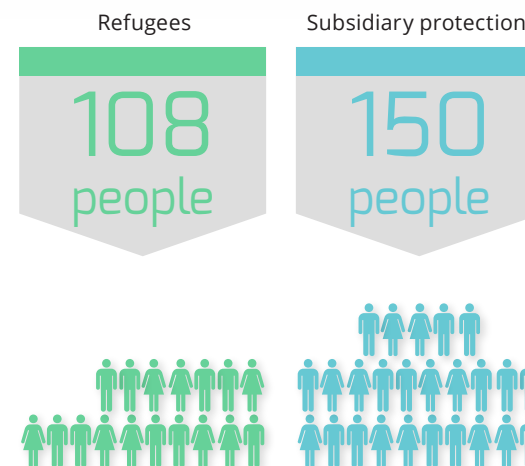
Subsidiary protection is granted if a foreigner faces a real risk of suffering serious harm related to death penalty or execution, torture, inhuman or degrading treatment or punishment, or serious and individual threat to a life or health arising of the widespread use of violence against civilians in an international or internal armed conflict, and thus is unwilling to return to the country of origin.

There are also three other national forms of protection of foreigners in Poland.

For example, if a foreigner's return obligation would be contrary to the 1950 European Convention on Human Rights (e.g. with his/her, freedom from torture, the right to respect for private or family life would be threatened) or the 1989 Convention on the Rights of the Child, a foreigner may be granted a residence permit for humanitarian reasons. If a foreigner cannot be granted with a stay for humanitarian reasons, he/she can be granted with a tolerated stay in cases when his/her expulsion is not possible due to the risk of violation of basic human rights. Additionally, a foreigner might be granted asylum when it is necessary to protect him/her and when it is in favor of the important interest of Poland.

## NUMBER OF BIPS ACCORDING TO TYPE OF INTERNATIONAL PROTECTION IN 2016

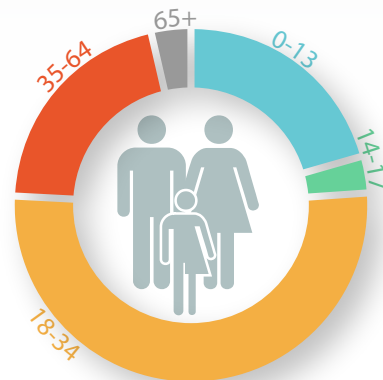
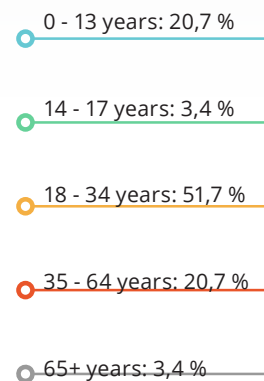
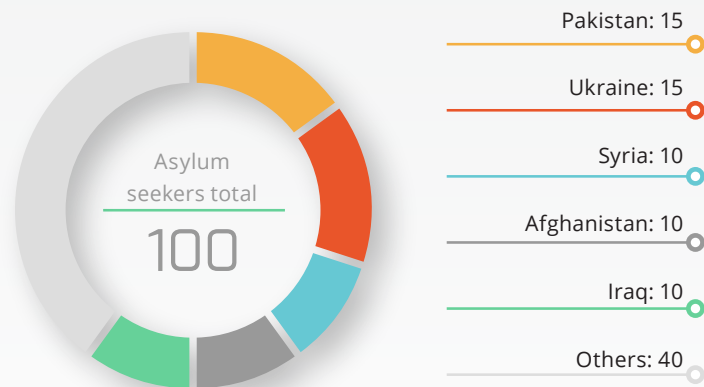
Office for Foreigners





## WHO WERE ASYLUM SEEKERS IN SLOVAKIA IN 2016?

Eurostat



## WHAT IS THE DIFFERENCE BETWEEN REFUGEE STATUS AND SUBSIDIARY PROTECTION?

### ASYLUM

is granted to a foreigner who is persecuted in his/her country of origin for reasons of race, ethnic origin or religion, political opinion or membership of a particular social group or is persecuted for exercise of political rights and freedoms.

Asylum can be also granted to relatives of an asylee or because of humanitarian reasons.

Asylum is granted for an indefinite period. Asylum means permanent residence. Asylees have access to the labour market, health care system, welfare system, education etc. under same conditions as citizens.

### SUBSIDIARY PROTECTION (SP)

is granted to whom was not granted asylum and claims that would face a real risk of serious harm if returned to his/her country of origin (death penalty, torture, inhuman or degrading treatment or punishment, serious threat to life or human dignity). SP can be also granted to relatives of persons with SP.

SP is granted for one year; then can be prolonged for two years repeatedly. SP means temporary residence.

Beneficiaries of SP have the access to the labour market, education under same conditions as citizens, but concerning the health care there is a problem because of different regime of reimbursement the expenses and welfare system is limited.

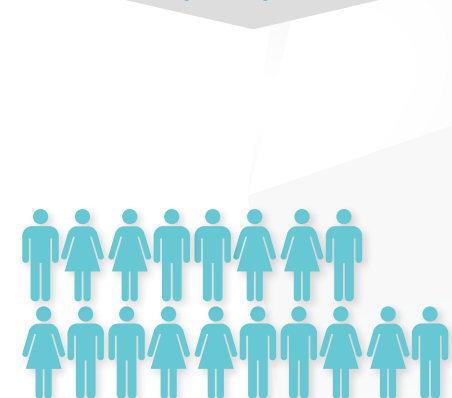
## NUMBER OF BIPS ACCORDING TO A TYPE OF INTERNATIONAL PROTECTION IN 2016

Ministry of Interior of Slovak republic

295  
people



165  
people



## INTEGRATION OF BIPs IN 2016 AND 2017

MV ČR, ČKCH

Title of a programme	State Integration Programme (SIP)
Responsible authorities	Ministry of Interior, asylum and migration policy department
Implementors	general provider of services (Czech Catholic Charity in 2016, the Refugee Facility Administration in 2017) and subcontractors
Conceptual documents	Resolution of the Government of the Czech Republic on 20 November 2015, No. 954 of the State Integration Programme for Persons granted International Protection in 2016 and the following: Annex to Resolution No. 954 "Principles for the provision of funds from budget chapter 314"
Budget	200 mil CZK (7,7 EUR) in total, max 173,5 mil CZK for the general provider of services, max 15 mil CZK on education (Czech language courses and courses on basics of culture and democracy), max 10 mil CZK for support of rental housing, max 1,5 mil. CZK for support of social assistance facilities.
Spending	13 996 501 CZK (in year 2016)

Most refugees arrive in Czechia with limited finances, no knowledge of the language and an uncertain future. Help with adaptation is therefore utterly vital in their first few years here, if they are to integrate as fast as possible, find accommodation and suitable work, become independent and start to live "normal" lives once again. Czechia is aware of this, and therefore takes a proactive approach to the integration of international protection holders.

There are two levels of assistance to refugees. On the systemic level,

assistance involves the shaping of legislation that defines the rights and duties of international protection holders, and obliges the relevant ministries and authorities to aid the integration of refugees. On the community level, assistance involves concrete activity by local associations, non-profit organisations, churches, communities, schools and so on. It is the sophistication of the systemic level that puts Czechia among the countries for which the active integration of refugees remains a firm priority, even (or especially) at a time

when the mood in society is largely anti-refugee and anti-foreigner.

The State Integration Programme (SIP) is the main instrument for the integration of people to whom international protection has been granted (asylum holders and those with additional protection). It was launched in 1994, and since then has gradually developed, although the key areas of support remain the same: to teach the people in question Czech and help them to find accommodation and employment; to apply, where necessary, for welfare benefits; and to navigate everyday situations. This includes such things as how to register with a doctor, how to enrol children in school, assistance with the official recognition of educational qualifications, and assistance with requalification courses. All these services are provided free of charge.

People with international protection participate in the programme on a voluntary basis, and it lasts a maximum of 12 months. During this time, the person or family is assigned a social worker, and together they draw up an individual plan to help him or her "find his feet". The state is aware of the difficult situation in which refugees find themselves, and the SIP allows them financial aid for the cost of rental accommodation and basic household furnishings such as fridges, tables and beds.

Besides the SIP, which is meant to provide help above all in the first years of settling in, there are general legislative measures that aid integration. These

measures give people with international protection the same status as citizens in all regards except for the ability to vote, to hold certain public offices or to serve in the armed forces. In everyday life this is reflected above all in such things as access to medical care and the labour market, where no limits or conditions are imposed. To access welfare benefits, people with international protection must meet the same criteria as citizens. This means, however, that only a few of them qualify for an old age pension, since most have not worked in the country for the necessary number of years.

In 2016 support was provided to 319 people under the SIP. Of these, 125 were helped by social workers to find accommodation, 30 gained new employment and 73 people attended language courses.

Non-profit organisations play an irreplaceable role in helping people with international protection to get to know the people around them. One of the main projects in 2017 is the activities arranged by the Evangelical Church of Czech Brethren's Diaconia organisation. Their DOMA project (Diaconia Opens Opportunities to Asylum Holders – the Czech acronym means "home") is active in six regions of the country, and aims to involve at least 120 asylum holders (30 families). Diaconia organises structured and informal meetings with asylum holders, leisure and sporting activities, picnics, cinema visits and so on.

## INTEGRATION OF BIPs

Title of the programme:	Integration contract
Responsible authority:	Office of Immigration and Nationality (on 1 January 2017 renamed to Immigration and Asylum Office - IAO)
Implementers	IAO, family assistance services (maintained by the local government)
Legal / conceptual documents:	Act LXXX of 2007 on Asylum, Chapter VI/A (repealed as from 1 June 2016), Government Decree No 301/2007. (XI. 9.) on the implementation of the Act on Asylum, Chapter V (the provisions on the integration contract repealed as of 1 June 2016)

There is no specific strategy for the integration of foreigners. In 2013, the Government adopted Hungary's first Migration Strategy (MS, Government Resolution No 1698/2013. (X. 4.)). Chapter VI of the MS deals with integration, including integration of BIPs. The MS calls for the development of a specific Integration Strategy that has yet to happen.

Between 1 January 2014 and 31 May 2016, BIPs could enter into an integration contract with the refugee authority, whereby beneficiaries could receive services provided by family assistance services and financial assistance from

the refugee authority. The contracts were for two years. In 2016, legislation was amended, terminating future integration contracts. Contracts already in force (before 1 June 2016) are still honoured (until 31 May 2018).

Integration of BIPs is mainly based on the provisions of the Asylum Act, i.e. that refugees are entitled to the same rights and bound by the same obligations as Hungarian nationals, and that beneficiaries of subsidiary protection are entitled to the same rights and bound by the same obligations as refugees. This means that they enjoy the same rights to employment, healthca-

re, social assistance, education, etc. Nevertheless, accessing those rights are often problematic. There are administrative burdens, e.g. a lack of information from local, education authorities, banks, etc. Moreover, there are intercultural differences and prejudice in the host society. Housing – the scarcity of social housing – is a general problem in Hungary that affects beneficiaries of international protection as well.

As status is provided for an indefinite period, beneficiaries of international protection are issued ID cards (similar to Hungarian nationals) and the Immigration and Asylum Office provides them with travel documents.

Following the recognition of their status, BIPs can move from the transit zone to the open reception centre. They are entitled to stay there for 30 days following the receipt of a positive decision. In the reception phase they are entitled to accommodation, food, healthcare (basic healthcare is provided in the reception centre), social assistance. Asylum authority social workers help BIPs to apply for

identity documents (ID card and address card), health insurance cards, and tax identification cards but often the length of stay is not enough for these cards to be issued.

Apart from the integration contract expiring in May 2018, non-governmental organisations provide assistance to BIPs. NGOs and church-based organisations provide housing assistance (housing programmes providing temporary accommodation and assistance in finding accommodation), guidance (social work), facilitating labour market integration via job-seeking assistance, internship programmes and facilitating access to social assistance, health care, etc.

There are no Hungarian language courses provided by state authorities, but NGOs also provide lessons free of charge. The activities of the NGOs and church organisations are project-based or based on the activities of volunteers.

## INTEGRATION OF BIPS IN POLAND IN 2016

Title of a programme	Individual Integration Program (IPI)
Responsible authorities	The Ministry of Family, Labor and Social Policy
Implementors	Family Support Centers
Conceptual documents	Act of 12 March 2004 on social assistance
Budget 2012-2014: Spending 2013:	6 200 000 PLN 2 570 182 PLN

In Poland there are two institutions responsible for the integration of asylum seekers and – later on – that of refugees. During the asylum procedure for a migrant's pre-integration, the responsible institution is the Office for Foreigners. If the foreigner is granted refugee status, the Ministry of Family, Labour and Social Policy is responsible for the integration process.

The main obstacle in this system is that the two institutions operate on the basis of two different Acts

and therefore do not cooperate extensively. There is clearly insufficient provision made for cooperation between the Office for Foreigners and local institutions.

The Department of Social Assistance and Integration at the Ministry of Family, Labour and Social Policy has been responsible since 2004 for the coordination of foreigners' integration in Poland and the shaping of integration policy.

In accordance with the Social

Assistance Act, Polish citizens, citizens of the European Union and foreigners who hold permanent residency (including based on any form of international protection) are entitled to social assistance benefits. The provisions of the same Social Assistance Act, only vaguely touch on pre-integration and integration issues. However, the main target group of the integration policy are beneficiaries of the international protection (both those with refugee status and those with subsidiary protection), and other foreigners are basically not covered by the integration assistance programme.

It is also worth mentioning that currently Poland does not have any integration policy or integration strategy. Therefore there is a lack of vision and legal provision at the central level. An integration strategy was in the process of being developed at the Ministry of Family, Labour and Social Policy but the whole process dropped out of the political agenda with the change of government in 2015.

The social assistance system is mainly

coordinated by the central administration but the regional level administration also plays crucial role. The voivode is responsible for the assessment of conditions for social assistance and supervision of services provided by the social assistance organisational units at powiat level. The majority of social assistance services for beneficiaries of international protection are provided by local social assistance centres and Family Assistance Centres. Both are responsible for the payment of cash benefits as well as non-financial assistance.

In the case of integration assistance for refugees and persons granted subsidiary protection (Individual Integration Programmes lasting 12 months), the responsible units are the Family Assistance Centres. In 2016 the number of people covered by Individual Integration Programmes was 515 (including 151 women and 176 children). Beneficiaries originated mainly from Syria, Russia, Iraq, Ukraine and Belarus.



## INTEGRATION OF BIPs IN SLOVAKIA

Central register of treaties

Title of the programme	Project STEP 3
Responsible authority	Ministry of the Interior
Implementers	Marginal (NGO)
Legal / conceptual documents	Projekt STEP 3
Budget 1/12/2016 – 31/12/2019	1 167 999, 5 €

Integration of BIPs is provided by NGOs based on project co-financed by the state budget and the EU Asylum, Migration and Integration Fund (AMIF).

The BIPs are provided by NGOs both – financial support and services – social, psychological, legal help and advises. The participation on the project is voluntary, but all of them participate on it because in Slovakia there is no existing state integration programme.

Individual persons are usually accommodated at hostels or pensi-

ons, vulnerable persons (families with children, elderly people) at private flats, because there is no any functioning integration centre in Slovakia.

The financial support and also other expenses (for example: medicine, school needs, leisure activities, requalification courses, clothes) are refunded from the project for some time. After then BIPs are allowed for state social benefits, but these are very low.

In case of family with children, they are allowed for state social

benefits for families, but some of them are only for asylees. In case of persons with health disadvantages the state social benefits are limited only for asylee not for beneficiaries of subsidiary protection (BSPs).

BIPs are allowed to the retirement on the same conditions as Slovak nationals; the problem is that most of them do not fulfil the conditions (length of payment of social contribution), so they cannot draw a pension, they are reliant on state social benefits, which are very low.

BIPs have the same rights and access to the education as Slovak nationals from kindergarten to the high schools and universities; children are put to the class according to their age and knowledge of Slovak. When the BIPs have they documents from education there is a possibility to ask for their recognition in Slovakia. The BIPs can improve their skills through the requalification courses provided by private schools/institutions repaid from the project or from the state Labour Office if they are registered there.

The social workers and legal advisors provide non – formal educa-

tion for various topic; for example basic rights and duties, types of residence, system of education, social system, employment, health care, family, citizenship, etc. on individual or group form according to the needs of BIPs. The Slovak language courses are provided by State language schools and are obligatory at the beginning of integration.

BIPs have free access to the labour market; they do not need work permission; even they are considered as disadvantages persons on labour market, so the employers can take some financial support from state in case they employ BIPs.

Asylees have the same access to the health care as citizens in the extent of public health insurance; but BSPs have a problem in providing health care because of different regime of reimbursement the payments.

Asylees can ask for citizenship after four years from granting asylum, BSPs after eight years from granting SP but they have to have permanent residence.

## CHILDREN TRAPPED BY THE LAW – THE DETENTION OF MINORS IN CZECHIA

During the “migration crisis”, Czech society became broadly aware of the country's facilities for the detention of foreigners. The front pages of newspapers were full of items concerning both the security issues connected with the centres and conditions in the centres, as well as the way in which migrants, including children and young people, found themselves there. The circumstances under which foreigners were released from detention also became a major topic of interest. As a rule, police arrested foreigners in trains travelling from Budapest to Berlin, and put them (including children) in detention facilities throughout Czechia for several weeks. Some applied for international protection in Czechia. However, many of them were given exit orders (deportation) and were released with an order that they leave Czech territory within seven days and return to the first EU country they entered, usually Hungary. However, they all headed towards Germany. Most foreigners lost all their savings in the centres, since they were required to pay for accommodation and food, and as a result they did not have enough money for their journey. These people were helped mostly by volunteers, such as those from the Hlavák initiative in Prague.

Under Czech law, foreigners may be placed in detention centres if they have been arrested by the Police of the Czech Republic, do not have a residence permit and there is a serious risk that they will resist deportation and try to flee Czechia.

Under the law on foreigners' residence, foreigners who have requested asylum in Czechia should not be kept in detention centres. In the case of families with children, or of unaccompanied foreign minors, the period of detention must not exceed 90 days (compared to the standard period of 180 days). Still, in keeping with the best interests of the child they should essentially not be detained at all. This principle was not adhered to during the migration crisis, however, and Czechia repeatedly detained whole families, including small children.

In 2014-2016 the situation of children in detention centres for foreigners was repeatedly investigated by the office of the Public Protector of Rights. Czech ombudswoman Anna Šabatová made her fiercest criticism of the situation in the detention centres in 2015, when an investigation took place into the conditions at the Bělá-Jezová centre, with a special focus on the situation of the children who had found themselves there together with their parents. At that time the situation was truly critical, because the centres were full beyond their capacity. At present, however, the number of foreigners in the centres is considerably lower than it has been in past years.

From the point of view of the ombudswoman, but also of committees at the UN and the European Court of Human Rights in Strasbourg, the detention of children is something that should not be happening at all, since it has a considerable emotional,

possibly traumatizing, effect on them. The ombudswoman described the situation in Czech detention facilities in October 2015 as unacceptable, arguing that the prison regime could have a destructive effect on a child's psyche. “The children are terrified by the omnipresent uniformed security officials and policemen. Every evening the foreigners are dragged out of bed by police, sometimes in helmets and hoods, in order to be counted. If the children are asleep, the parents have to wake them and make them stand up.” (iDnes, 2015/10/13). The feeling of prison was also evoked by the high barbed-wire fence that surrounded the facility, and by the bars in the windows, which were only removed from Bělá-Jezová following the ombudswoman's appeal. The centres also originally lacked areas adapted to the needs of children. The court in Strasbourg also pointed to the length of stay – if families were detained for only a few days, a short stay was not necessarily traumatic for children, but if the stay lasted for months, it was quite a different thing.

In May 2017 the Czech Constitutional Court handed down a landmark ruling in the case of a Kosovan family with two children who had been detained in the Bělá-Jezová facility for fifty days. The Constitutional Court stated that the detention had violated their rights. The decision was meant to be a signal for the future, so that children would, as far as possible, not be put in detention centres at all. During the same period, on 2017/05/19, Czechia took over the six-month chairmanship of the

Committee of Ministers of the Council of Europe, one of the main priorities of which was to be the protection of vulnerable groups with an emphasis on refugee children and minorities. As part of this chairmanship, the Czech Justice Ministry held an international conference in Prague on 25 and 26 September 2017 entitled “Immigration Detention of Children: Coming to a Close?”, attended by leading representatives of the Council of Europe, the UNHCR, ministries and the ombudsman offices of a number of European countries, as well as by academics and representatives of the non-profit sector. Conference participants agreed unanimously that the detention of children, regardless of their age or the length of stay in a centre, could have a fatal effect on their psyches and should not happen at all. In Czechia, however, there is nothing to suggest that the state intends to abandon the practice of detaining families and children. Instead of other options being explored, what is happening is that one centre – Bělá-Jezová – is being adapted for families with children (a children's playground has been built, and a paediatrician service introduced). In defence of this approach, the Interior Ministry says that it must detain the parents, since they are foreigners without permission to stay, and that it is in the best interests of the child to be detained together with the parents, rather than to not be detained and be without their parents. Czechia will thus in future have to decide whether it is really necessary to detain the parents.



## BETWEEN FENCES – HUNGARIAN TRANSIT ZONES

As a reaction to the dramatic increase in the number of asylum-seekers in Hungary, the Government has been introducing a restrictive asylum policy since 2015.

Following a proposal from the Government, the Act on Asylum was amended and provisions for the 'mass migration crisis' were introduced. It was declared by the Government after a proposal from the minister responsible for immigration.

A crisis due to mass migration can be declared due to two objective conditions (if the number of asylum applications or persons in transit zones exceeds a certain limit) or following a non-quantifiable condition: if circumstances relating to migration arise which  
/ pose a direct threat to the external borders of the Schengen area  
/ pose a direct threat to public policy, public order and public health within 60 m of an external border or in a settlement

The Government can declare a crisis situation for a maximum of 6 months. It

was declared for the first time in countries bordering Serbia on 15 September 2015. On 9 March 2016 (following declarations from Croatia, Slovenia and Serbia to introduce stricter entry rules for asylum-seekers) the Government declared a crisis due to mass migration for the whole territory of Hungary. It has been in force ever since, currently until 7 March 2018. The Government refers to the 'circumstances in relation to the migration situation' as its reason for declaring the crisis but could not give detailed concrete information as to the nature of these circumstances or the threat posed. Officials referred to the large number of incoming Dublin requests, irregular migration and the smuggling of human beings.

Another component of the restrictive policy is the creation of a temporary border protection device (i.e. fence) along the southern border and the establishment of transit zones. Initially, the zones served the purposes of registration and examination of the application's admissibility (mainly, whether the safe 3rd country notion is applicable).

In July 2016, Police were authorised to 'accompany' any foreigner apprehended within 8 km of the border to the border fence so that he/she can go to the entrance of the nearest transit zone. As a result of the amendment to the asylum legislation in March 2017, during this crisis situation due to mass migration, asylum applications may only be lodged in transit zones - except for foreigners legally staying in Hungary or foreigners serving prison sentences/in pre-trial detention, etc., or foreigners in asylum detention. All foreigners apprehended anywhere in Hungary shall be 'accompanied' to the border fence gate. Presently, the transit zones (2 transit zones operate on the HU-SRB border) serve as a reception facility for the duration of the asylum procedure, from registration to the final decision.

The restrictions in the asylum policy were accompanied with a massive public campaign against foreigners. In May 2015, the Government launched a public consultation on 'immigration and terrorism' suggesting a direct link between the two. The public consultation was accompanied by a poster cam-

paign in Hungarian that read: "if you come to Hungary, you may not take the jobs of Hungarians", "if you come to Hungary, you have to respect our culture", "if you come to Hungary, you have to respect our laws".

In October 2016, the Government held a referendum on 'forced settlement', stating that the EU is forcing Hungary to receive migrants. The referendum again was accompanied by an anti-migration campaign with billboards asking: "Did you know that ..." - "... from Libya alone, more than 1 million people plan to come to the EU", "... Brussels wants to settle a town's worth of illegal migrants in Hungary", etc.

The Government campaign has continued in 2017, launching another public consultation against the EU and the 'Soros Plan'.

## LET'S TALK ABOUT... HATE SPEECH IN POLAND

Immigration to Poland was almost unnoticed in the Polish public debate until 2015. The turning points were tragic events in the Mediterranean and the European Commission's proposals on the redistribution of asylum seekers reaching Italy and Greece that coincided with the 2015 presidential and parliamentary elections in Poland.

Various public actors voiced their opinion on immigration during the heated public debate back in 2015. NGOs considered the migration crisis as a common European problem and asked for joint actions. Some newspapers initiated public awareness campaigns and outlined a history of Polish emigration. The Catholic Church underlined the need to support asylum-seekers by praying, providing direct help, addressing policy-makers and cooperating with public administrations. Finally, both left-wing and right-wing politicians found an arbitrary redistribution of immigrants utopian, with far-right politicians openly refusing relocation and admission of immigrants.

The 2015 uninformed debate on immigration has resulted in the wave of hate speech and racially-motivated violence. This, coupled with the acceptance for such behaviour has become a large challenge causing great concern in Poland.

According to official statistics of the National Public Prosecutor's Office, during 2013–2015 the number of recorded hate crimes doubled. According to non-governmental organisations dealing with this issue, the situation is continuing to deteriorate. What is most concerning is that the victims of the violence are not exclusively or primarily refugees. Any people with a different skin colour, way of dressing, or speaking in a foreign language are vulnerable to such attacks. This also includes people who have lived in Poland for years, or were even born here.

In response to the process of the intensification of hate crime, in spring 2016, 319 non-governmental organisations signed a petition to the

Prime Minister Beata Szydło calling for a response to hate crimes and loud condemnation of the perpetrators. As they have emphasised, there was no strong counter-reaction and the contempt characterising some public statements has created a climate in which the perpetrators of such attacks equate the lack of response with silent approval. Unfortunately, the situation has not improved until then.

The form taken by anti-immigration attacks and protests is very concerning: those who are the most reluctant to see refugees living, working and integrating in Poland are young people. How can their concerns be addressed and attitudes changed? There is a big need for education in order to improve young people's knowledge of the situation of refugees and the range of social support which would be offered to them after they arrive in Poland. However, the challenge still remains of how to get across new information to young people who are social networks users, since their opinions are most shaped on their peers'

profile pages. Moreover, the mainstream political discourse, represented, in particular, by the government, tends to arouse more negative sentiment towards refugees rather than promoting positive attitudes. Nevertheless, educating and creating opportunities for young people and people from different cultures to meet and forge relationships (e.g. in the form of live libraries), are of great importance and should be one of the top priorities of public institutions, non-governmental organisations and local communities.

The key element in changing reluctant young people's attitudes is to approach the arguments and concerns of people who are against hosting refugees in a very serious way, because only then is real social dialogue possible.

## A STORY OF HUMENNÉ EVACUATION TRANSIT CENTRE – SLOVAKIA

Slovakia as one of the two EU countries (the second country is Romania) that provides assistance to the most vulnerable refugees through the so called - humanitarian transfer in Evacuation Transit Centre in Humenné.

Slovakia adopts these people in the sense of a tripartite Agreement between the Government of the Slovak Republic, the Office of the United Nations High Commissioner for Refugees (UNHCR) and the International Organization for Migration (IOM) on humanitarian transfers of refugees in need of international protection through the Slovak Republic.

The Evacuation Transit Center in Humenne was originally based exclusively on the purpose of evacuating a specific group of Palestinians from Al Waleed camp in Iraq. The agreement signed in July 2009 was extended in December 2010 to further evacuation operations without limitation.

The main objectives of the Evacuation Transit Centre project are

to provide a temporary shelter for refugees who have left their country of origin due to armed conflict in another country, but would still be in danger of endangering their lives or threatened with deportation. In the ETC, people stay for 6 months after they are resettled to a third country. So the Slovak Republic is not a final destination, only a temporary stopover during which they are preparing for resettlement to a third country, which is mostly the United States or Canada.

The Government of the Slovak Republic is responsible for granting national visas for refugees entering the territory of the Slovak Republic, and during their stay at the Humenné facility they provide accommodation, meals and basic hygienic needs. UNHCR secures the issuing of travel documents for refugees, and spends during the stay in the Slovak Republic expenditures on necessary and urgent health care and provides refugees with social services. The Slovak NGO ETP Slovakia - The Center for Sustainable Development with the partner

UNHCR provides health care, social work, interpreting services and day-to-day activities.

Activities in ETC are provided through customer consultation. Every day are provided language courses in three groups, by degree, computer literacy courses, preschool club for children from three to six years old, school instruction for children from six to sixteen years, including English, reading, writing, counting, sports and social skills. Older children are given lessons in mathematics, geography, history.

Refugees also receive information on cultural values, education systems, places of interest, famous people - including immigrants, legal systems, transport, shops and other areas of everyday life. Every family has the opportunity to learn something about the country that will become their new home.

Psychological care is provided by trained professional therapists in the group and also individually;

counseling and consultation are focused on dealing with any trauma and psychological problems.

Creative workshops are available to clients of all ages throughout their stay. There are also various leisure activities - visits to castles, caves, zoos and other interesting places.

IOM further provides resettlement services - cultural orientation, resettlement medical examinations, a series of vaccinations as well as exit health checks before leaving for resettlement.

Evacuation transit centre has a capacity of 150 people. Since 2009, Slovakia has been providing capacities to handle the difficult situation especially for vulnerable refugees, such as mothers with children who are in conflict zones and need immediate evacuation. Since 2009, the Slovak Republic has assisted in the humanitarian transfer with 997 persons from Afghanistan, Somalia, Eritrea, Sudan, Palestine and Ethiopia.

## ATTITUDES TO MIGRATION IN CZECHIA ACCORDING TO THE STANDARD EUROBAROMETER

Eurobarometer 84 (11/2015), Eurobarometer 87 (05/2017)

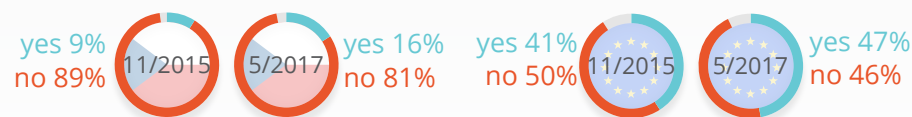
The Migrant and BIP population in V4 countries is rather low in comparison to old EU member states, with a maximum share of less than 5 % of the total population. Despite this fact, according to the Standardised Eurobarometer Survey conducted twice a year, societies of V4 countries are consistently among those opposing a common migration policy at the EU level and people are mostly against all kinds of immigration.

On one side over 80 % of the V4 population support the free movement of EU citizens who can live, work, study or do business anywhere in the EU. On the other hand, immigration from other EU countries evokes

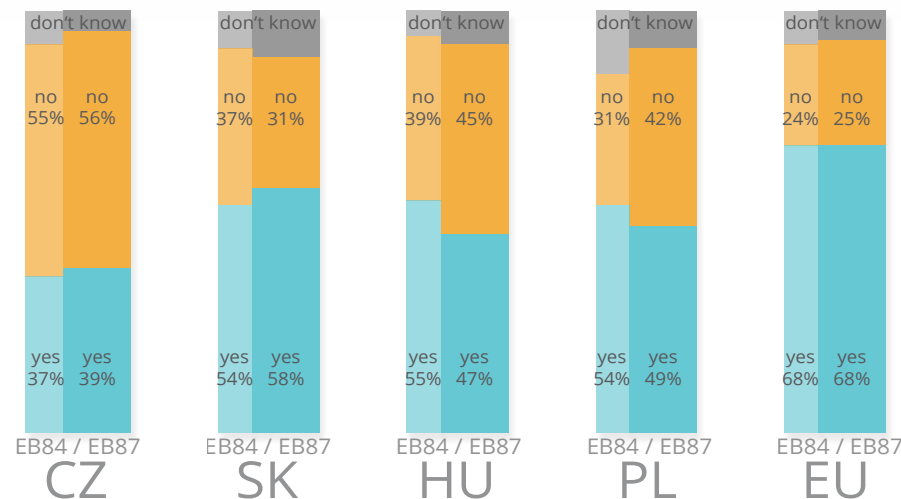
rather negative feelings for 40 % of the V4 population (most sceptical are Czechs, most open are Poles).

V4 populations are also the ones who believe the least in the positive contribution of immigrants for their countries. Paradoxically, on other side of the opinion spectre, countries with the highest rates of immigration – 86 % of Swedish, 80 % of Irish, 76 % of British or 72 % of Luxemburg nationals think immigrants contribute positively to their countries. Even in Germany, in a country with the highest number of asylum seekers and BIPs, 52% of the population believe migrants enrich the country.

### DO YOU THINK MIGRANTS CONTRIBUTE A LOT TO YOUR COUNTRY?

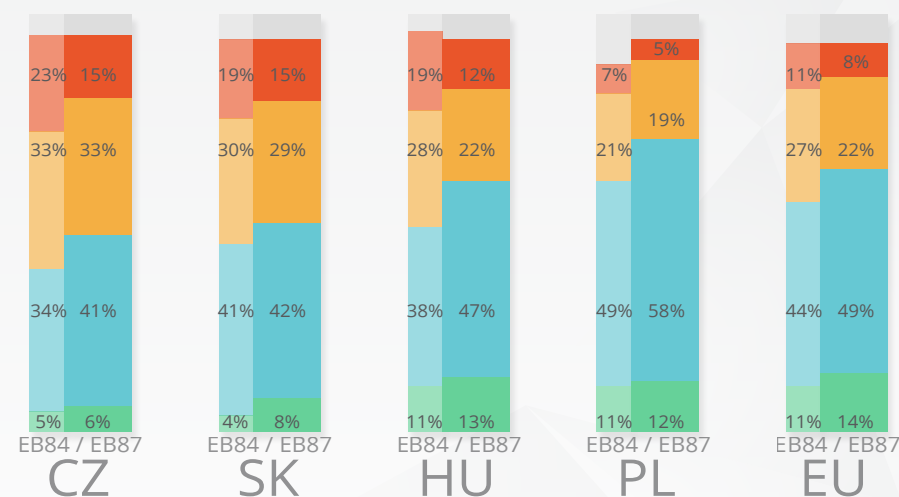


### DO YOU AGREE WITH A COMMON EUROPEAN POLICY ON MIGRATION?



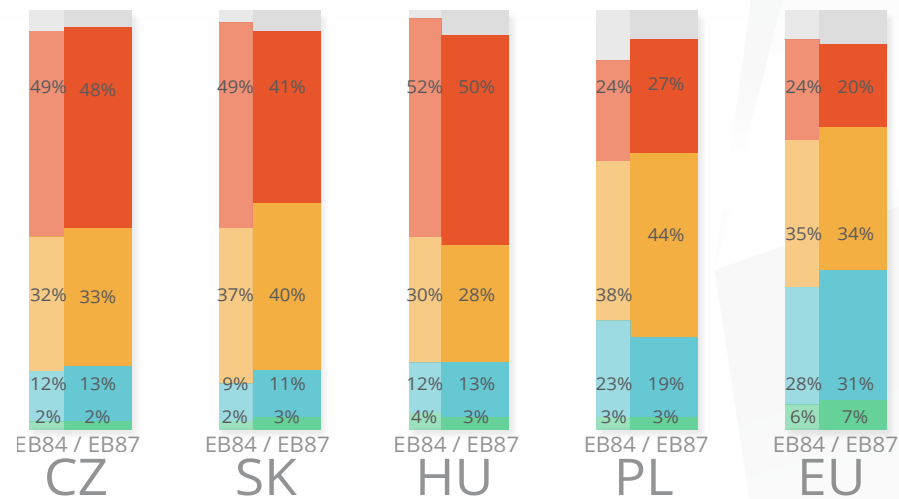
## WHAT FEELINGS DO THE IMMIGRATION OF PEOPLE FROM OTHER EU COUNTRIES EVOKE FOR YOU?

Eurobarometer 84 (11/2015), Eurobarometer 87 (05/2017)



EB 87 (05/2017): very negative, fairly negative, fairly positive, very positive, don't know  
EB 84 (11/2015): very negative, fairly negative, fairly positive, very positive, don't know

## WHAT FEELINGS DO THE IMMIGRATION OF PEOPLE FROM OUTSIDE THE EU EVOKE FOR YOU?



## ATTITUDES TO MIGRATION IN HUNGARY ACCORDING TO THE STANDARD EUROBAROMETER

Eurobarometer 84 (11/2015), Eurobarometer 87 (05/2017)

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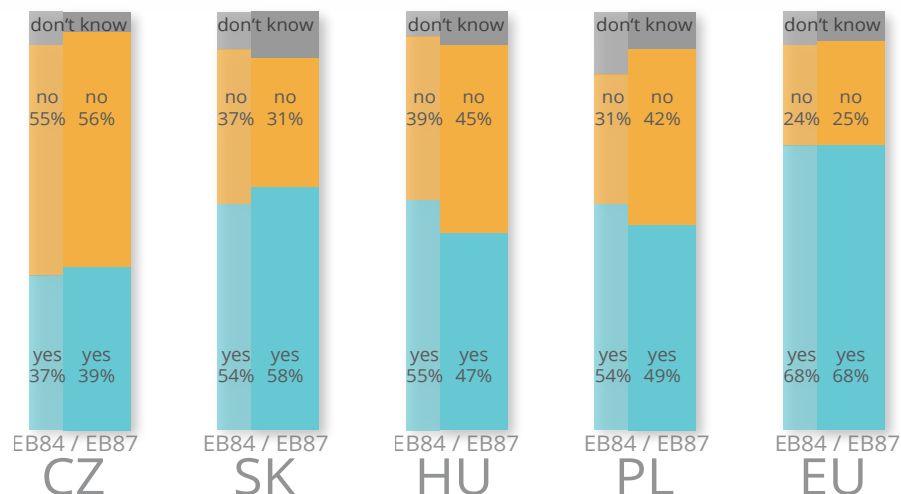
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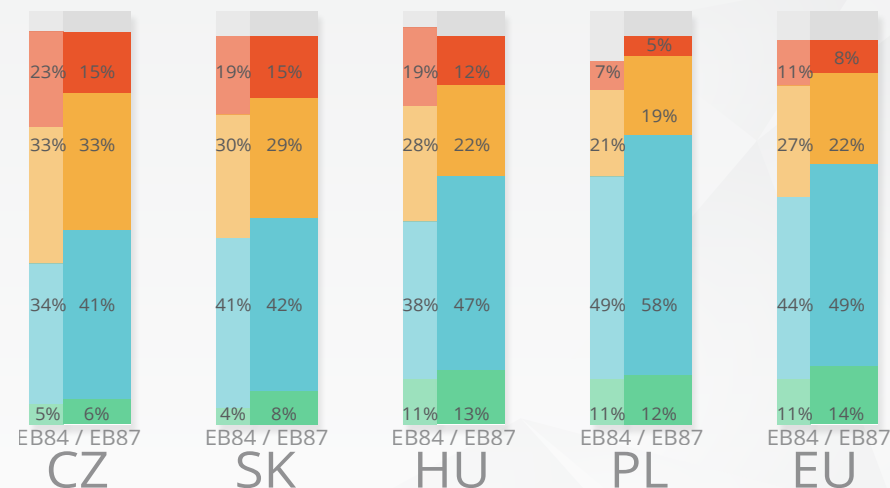


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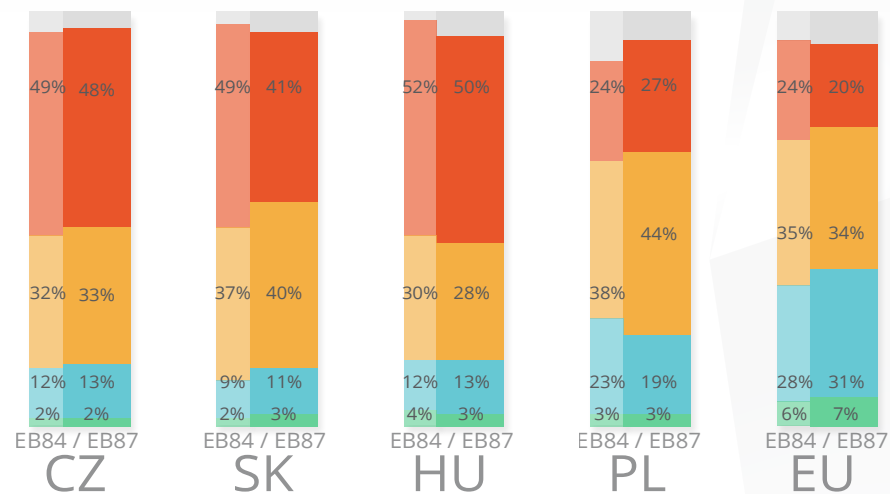
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Eurobarometer 84 (11/2015), Eurobarometer 87 (05/2017)





## ATTITUDES TO MIGRATION IN POLAND ACCORDING TO THE STANDARD EUROBAROMETER

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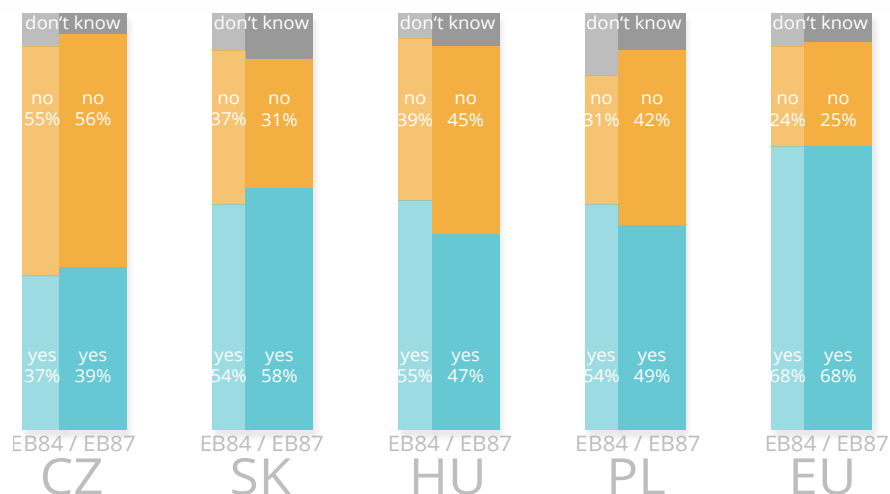
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Eurobarometr 84 (11/2015), Eurobarometr 87 (05/2017)



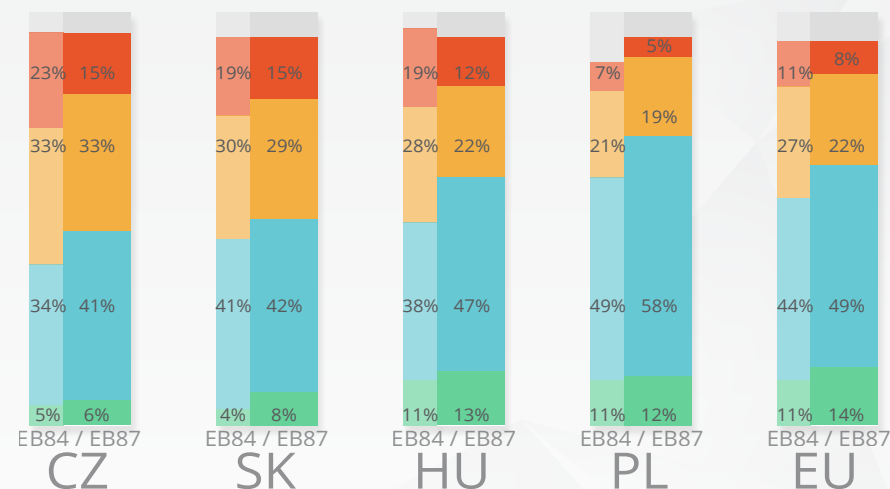
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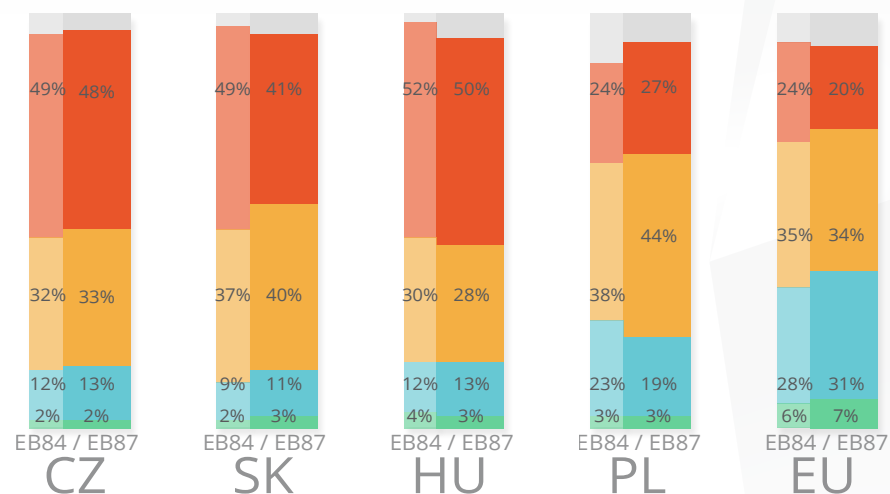
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Eurobarometr 84 (11/2015), Eurobarometr 87 (05/2017)



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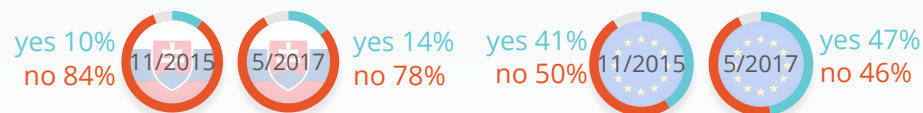
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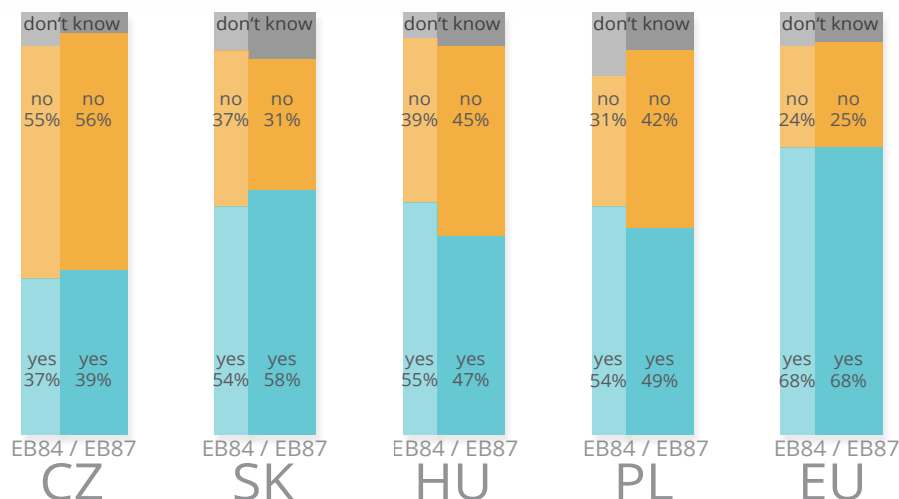
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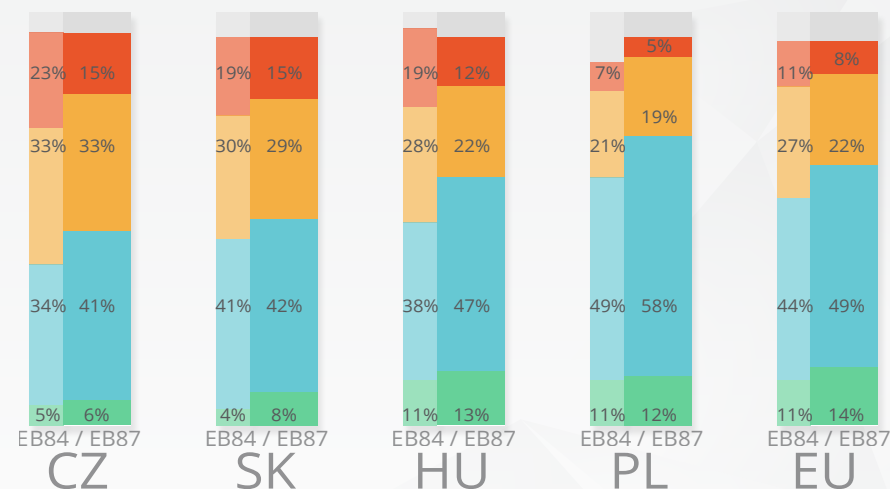
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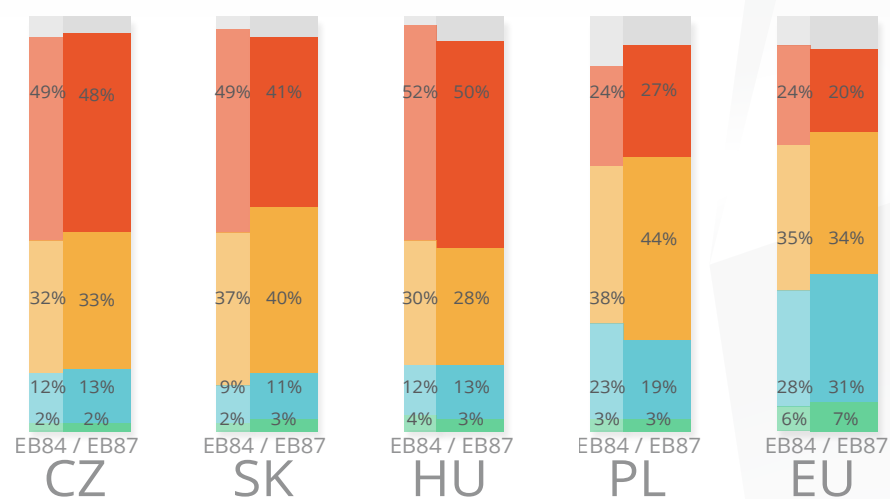
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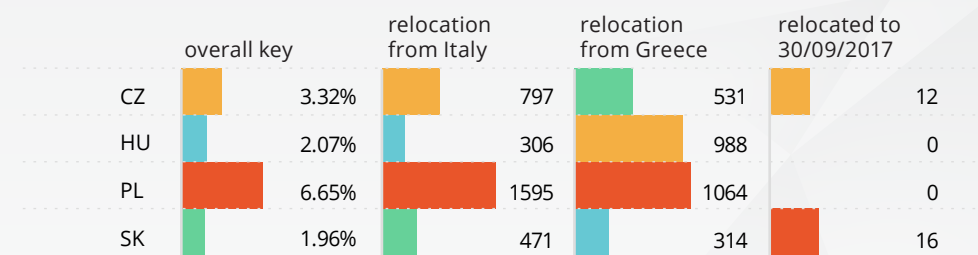


## STORY OF QUOTAS IN CZECHIA

On 13 May 2015 the European Commission approved a strategic document - the European Agenda on Migration. This was a political answer to the critical situation on Europe's southern border, and above all in the Mediterranean area. The agenda contained a ten-point plan for immediate action, of which the most fundamental steps were to introduce a quota system for the transfer of people from the most overburdened countries, Italy and Greece, to other EU member states. The idea of the quotas was to appeal to mutual solidarity between individual EU member states and the need to share responsibility. In all, some 160 000 people were to be redistributed in keeping with the quota formula, over a period of two years.

At the end of May 2015 the quota formula for the redistribution of 40 000 people was published. These were people with a clear claim to international protection, who at that time were waiting in Italy and Greece. The quota formula reflected the capacity of each member state to receive and integrate refugees, and was established on the basis of the size of the population (40%), overall GDP (40 %), the real number of asylum applications per million of the population submitted in the state in question from 2010 to 2014 (10 %) and the unemployment rate (10 %). On the basis of this formula, Czechia had the obligation to accept 3.32

% of the refugees, 797 from Italy and 531 from Greece. A further 525 people (2.63 % of a total planned number of 20 000 people) resettled directly from countries outside the EU were to be accepted voluntarily. The Czech Republic's overall quota for redistribution and resettlement was 1853 people. On the same day that the formula and numbers were published, all the leading Czech politicians rejected the quotas. The prime minister at the time, Bohuslav Sobotka, said that: "Compulsory quotas and redistribution of refugees regardless of their will is not, in the long term, a sustainable solution to the current migration crisis." (e15, 27. 5. 2017). At the same time, the Czech political elites stressed several times that at the European Union level they would push for quotas to be rejected, which the prime minister repeated two weeks later at a meeting of the prime ministers of the V4 countries with French president Francois Hollande in Bratislava. At the talks, the politicians stressed among other things that solidarity had to be expressed in a voluntary manner, and that the EU should concern itself primarily with the reasons why people migrated, and should set up camps outside the EU. Finally, the discussion turned away from the subject of solidarity towards criticism of the states facing the greatest influx. These were criticised for not adhering to their Schengen area obligations and



failing to ensure sufficient registration procedures for the foreigners on their territory. This, the prime ministers said, could complicate the situation in other EU countries.

Czechia maintained its position of refusal for the whole two years of the obligation. The negotiations with the EU were framed as a "fight" or a "battle" over quotas, in which the EU was dictating from on high what Czechia had to do. At the start of September 2015, the Commission published the second quota package, which concerned the redistribution of 120 000 people from Greece, Italy and Hungary. In the European Parliament, 498 MEPs voted for the package, with 158 against. Only three of the Czech members of the European Parliament voted for it, the rest voting against, together with MEPs from Slovakia and Romania. Explaining why he had voted for the quotas, Czech MEP Luděk Niedermayer from the conservative party TOP09 pointed to the emotive way in which Czech politicians had approached the crisis: "In Czechia at least, the word quota appears to be highly

toxic. This affects the behaviour even of those who otherwise understand the need to solve the issue together" (Facebook, 11. 9. 2015).

During the two-year quota implementation period Czechia accepted a mere 12 people. As a result of the failure to meet their obligations, on 14 June 2017 the EU started sanctions proceedings against the Czech Republic, Hungary and Poland, giving the states four weeks to reply to the accusations from the EU. At the end of July 2017, EU Commissioner for Home Affairs Dimitris Avramopoulos said the Czech Republic faced a lawsuit that could end in a high fine or a repeated penalty until it started to fulfil its obligation. The quota programme officially ended in September 2017, and at the European Commission summit in October the European Council president Donald Tusk said quotas had no future. On 7 December 2017, the EU Commission sued Czechia, Hungary and Poland in the European Court of Justice for not complying with the 2015 decision to relocate refugees, based on a quota, from Greece and Italy

## STORY OF QUOTAS IN HUNGARY

The Hungarian Government rejected the mandatory distribution of asylum applicants among EU member states immediately.

















By the end of 2014, Hungary was facing a dramatic increase of asylum applicants arriving via the Western Balkan route. Already by May 2015, applications for asylum had exceeded the total number of applicants in 2014, leaving Hungary with the highest number of applications per capita, and – after Germany – the second largest amount of applicants in absolute numbers in the EU.

At that time, the EU focused on the Mediterranean situation. The European Commission presented the European Agenda on Migration, a document envisioning immediate actions to deal with the situation but there was no mention of the Western Balkan route at all. That fact provoked bitter reactions from the Hungarian Government.

Even before publishing of the European Agenda on Migration, the plans for relocation were leaked in the German newspaper Welt am Sonntag. Prime Minister Orbán called it “a crazy idea to let refugees in your country and then distri-

bute them among other member states”. The reactions were the same after the Commission presented the legislative proposal discussed at the Council of the European Union, where Hungary strongly opposed the mandatory quotas and pressed for support for the countries of the Western Balkans. Hungary supported a voluntary relocation scheme relocating 40000 asylum applicants from Greece and Italy. On the other hand, it strongly opposed the proposal for the mandatory relocation of an additional 120000 asylum applicants and sought the cooperation of the other V4 countries to block it.

In the initial Commission proposal, Hungary was among the beneficiaries of this relocation scheme, but Hungary rejected that it was a ‘frontline’ member state, highlighting that the notion should be applied to those member states where the migrants enter the EU for the first time (Orbán: “we are not a frontline country, but Greece is”). Hungary - together with Czechia, Slovakia and Romania – voted against the proposal, the Government stated that it “will do everything within its power to stop mandatory quotas”.

	overall key		relocation from Italy		relocation from Greece		relocated to 30/09/2017	
CZ		3.32%		797		531		12
HU		2.07%		306		988		0
PL		6.65%		1595		1064		0
SK		1.96%		471		314		16

The Parliament rejected “the forced settlement quota as the quota is senseless and dangerous and would increase crime, spread terror and would endanger our culture” and invited the Government to challenge Council Decision 2015/1601 at the European Court of Justice. Together with Slovakia, Hungary applied for annulment of the Council Decision in December 2015. The ECJ dismissed the case in September 2017.

In September 2016, Mr. Orbán called for a referendum on the relocation scheme. The referendum on 2 October 2016 was not valid as the turnout did not reach the level required by Hungarian law (but over 90% of those who voted, supported the Government’s position). Mr. Orbán celebrated the invalid referendum as victory. In its reaction, the European Commission

failed to understand „how that would fit into the decision-making process agreed to by all member states, including Hungary, under EU treaties”.

Hungary was obliged to relocate 1294 asylum applicants in total (306 from Italy and 988 from Greece) but has not relocated a single applicant. The Commission launched an infringement procedure in June 2017 against Hungary (as well as Czechia and Poland) for non-compliance with their obligations under the 2015 Council Decision on relocation.

On 7 December 2017, the EU Commission sued Czechia, Hungary and Poland in the European Court of Justice for not complying with the 2015 decision to relocate refugees, based on a quota, from Greece and Italy.

















## STORY OF QUOTAS IN POLAND

In September 2015 firm declarations were made by the previous Polish ruling coalition (PO-PSL) to accept 7082 asylum seekers from Italy and Greece within the European Commission's Relocation and Resettlement Programme. Even after the change of government to the more right-wing Law and Justice Party (PiS), those declarations were upheld and the Office for Foreigners was preparing makeshift camps to receive newcomers. In response to the new challenges, a special interdepartmental working group was created. It was led by the Migration Policy Department at the Ministry of the Interior and Administration and was tasked with working on a scenario that adequately responded on two fronts: firstly, to the "Ukrainian crisis" and secondly, to the migration crisis that hit Europe in 2015.

Additionally, while preparing for the relocation process in 2015, the Ministry

of Labour and Social Policy conducted a study among Regional Labour Offices on their experiences working with people granted refugee status or subsidiary protection. This examined what challenges were being faced as a result of the higher influx of migrants and how the Labour Offices could be better prepared to support the integration of beneficiaries of international protection into the labour market.

However, the declared number of asylum seekers who could be admitted within the Relocation and Resettlement Programme subsequently dropped to 400 in 2016 and the executive regulation to this decision was never adopted. The Brussels terrorist attack of 22 March 2016 provided the final impetus (or even excuse) for the complete abandonment of those declarations and, as the Polish Prime Minister Beata Szydło stated: "as things stand, I don't see any possibility of

	overall key		relocation from Italy		relocation from Greece		relocated 30/09/2017	by
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any migrants being accepted in Poland". "As things stand" was not defined though, either by the Prime Minister, or the follow-up statements made by the Ministry of the Administration and the Interior.

European leaders accused Poland and the Polish government of a lack of solidarity with Member States under a direct migratory pressure and of selfishness. In September 2017 the European Court of Justice (ECJ) dismissed complaints by Hungary and Slovakia (supported by Poland), and upheld the legality of quotas. However,

the ruling did not affect the position of the Polish government regarding the EU migration policy. Poland not fulfilled its obligations yet and has not relocated any refugees so far.

On 7 December 2017, the EU Commission sued Czechia, Hungary and Poland in the European Court of Justice for not complying with the 2015 decision to relocate refugees, based on a quota, from Greece and Italy.



STORY OF QUOTAS IN SLOVAKIA

On the 13 May 2015 the European Commission adopted the European Agenda on Migration. The document presented 10 points to respond the immediate crisis and to manage migration challenges. The key actions were Common European Asylum System and system of quotas for relocation. According to the document published on the 27 May 2017, Slovakia was supposed to relocate 471 people from Italy and 314 from Greece.

From the very beginning, Slovakia voted against the quotas proposed by the European Commission.

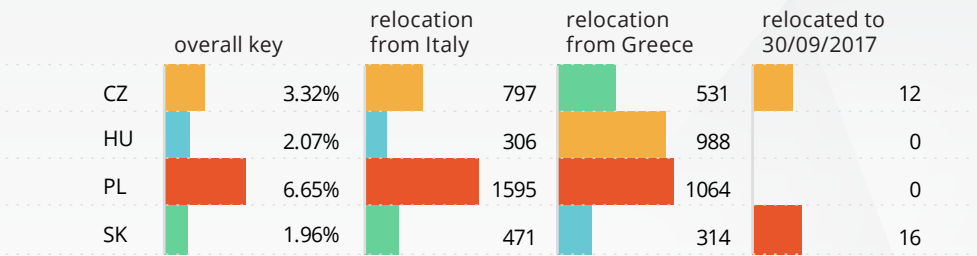
In December 2015 Slovakia lodged the claim to the Court of Justice of the EU against the quotas. The Court dismissed the claims of Slovakia in September 2017 with confirmation that the temporary allowances for redistribution of refugees in the EU are in line with European law. The court's decision meant that the obligation to relocate refugees from Greece and Italy is valid. It does not affect the deadline of September 27, 2017. The two-year period for which quotas were accepted is only signi-

ficant, that the relocation refers to people who come to Italy and Greece during this time period. The legal commitment to relocate them will not disappear by September.

After this decision the Prime minister Robert Fico said that the political position on quotas and migrants did not change, Slovakia continues to reject the mandatory quota system and solidarity should be expressed otherwise than by the mandatory recruitment of migrants.

*„On the one hand, we want to help with human resources (our cops worked on the Hungarian border, we have Macedonian policemen at the moment), on the other hand we want to help refugees who are in camps in Turkey, Lebanon and other countries, it is targeted help. The best solution is to stop the flow of migration, „commented on the situation the Minister of Interior Robert Kaliňák in July 2016.*

Slovakia, before approving the voluntary quotas, has decided to accept 100 people under relocation



and 100 in resettlement within the framework of solidarity. Till September 2017, Slovakia received 16 people in the relocations from Greece who are Syrians - 5 mothers and 11 children. One mother with three children, shortly after she arrived in Slovakia, went to Austria, now in her case the Dublin proceeding is running and they will be returned back to Slovakia.

As part of the resettlement, Slovakia accepted 149 Christians from Iraq. This group continues to integrate 86 Iraqis, because part of them has returned home.

Another example of Slovak solidarity is Gabčíkovo, where applicants for asylum from Austria were temporarily placed.

On October 2017, the interior ministers of the V4 also signed a joint declaration, rejecting the pressure of the European Commission against countries that have not complied with the mandatory quotas for redistributing migrants. Only rigorous protection of the external border, observance of the Schengen rules, the continuation of agreements with Central African countries and support for the Libyan Action Plan can help Europe avoid the situation it faced in 2015.



PUBLISHED BY



**MENEDÉK**  
HUNGARIAN  
ASSOCIATION  
FOR MIGRANTS



WITH SUPPORT FROM



**EUROPEAN UNION**  
Asylum, Migration  
and Integration Fund



**OPEN SOCIETY**  
FOUNDATIONS

The publication was financed through the EU's Asylum, Migration and Integration Fund under the project „NIEM: National Integration Evaluation Mechanism. Measuring and Enhancing the Integration of Beneficiaries of International Protection”, through the International Visegrad Fund under the project „V4NIEM: Visegrad Countries National Integration Evaluation Mechanism” and through the Open Society Foundations.

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The donors are not responsible for the content or use of the information. The authors are solely responsible for the content and opinions expressed.

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December 2017