

Where is my home?

Homelessness and Access to Housing
among Asylum-Seekers, Refugees
and Persons with International Protection
in the **SLOVAK REPUBLIC**

Where is my home?



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1. Executive Summary

The present study analyses the conditions and housing opportunities for Persons of Concern (PoCs) to the UNHCR, specifically refugees and persons who have been granted subsidiary protection in Slovakia. The analysis includes risk assessment and the extent and causes of homelessness within this group. The impact of housing policies and legislation is assessed and key issues and possible solutions are identified. This study follows recent pilot studies conducted in Poland¹ and Hungary,² which examine the risks of homelessness for PoCs. However, the scope of this report is wider and deals with issues of housing more thoroughly. It is also the first comprehensive analysis of housing and homelessness among PoCs in Slovakia.

The right to housing and the situation of housing in Slovakia

Safe, quiet, and decent housing is a key factor and considered to be a fundamental human right when its impact is considered in terms of overall health and well-being of individuals and society as a whole. It creates a base for beneficiaries of international protection from which they can seek employment, restore family relationships and create links with the wider society. Therefore, it is important to consider the wider integration potential of sites where persons with international protection can settle.

In Slovakia, the key issue concerning housing is the unavailability of affordable rental housing for low-income groups (so-called social housing). Access to affordable rental apartments is very limited (only 3% of rental flats are municipality or State-owned). In general, families with children are given preference in the allocation of these flats. A refugee with children residing in the city can fulfill the conditions for obtaining social housing. However, the waiting list of applicants is so long that PoCs have a limited opportunity to access this type of housing. For this reason, the private sector plays a dominant role in the field of housing; however, the owners of flats or other accommodation facilities (particularly lodging houses) are often not willing to rent to foreigners.

Housing of PoCs to UNHCR

Special housing arrangements currently exist only for refugees. After leaving the asylum accommodation facilities they can be lodged at the Integration Centre for six months (extendable for another six months). While there are a number of available integration flats (in which residents would pay only a part of the rent), these are currently not in use and have been empty for approximately one year as of the writing of this report. In situations when the vulnerable PoCs (family, mother with children, elderly, sick) have a problem obtaining and maintaining private housing, it would be highly desirable to improve their access to these facilities.

Since the beginning of 2010, the Ministry of Interior of the Slovak Republic (MO) has stopped providing accommodation to persons granted subsidiary protection since the law does not oblige them to do so. Providing housing and other basic needs has been passed on to Non-Governmental Organisations (NGOs), and is financed by the European Refugee Fund (ERF). NGOs provide services through numerous projects, which are mainly focused on integration, but vary in content and intensity for refugees and persons granted subsidiary protection. In comparison to the services NGOs provide to persons granted subsidiary protection, who receive more fundamental help, the services provided to refugees are mainly additional³ and specific to housing, as the NGOs provide financial support to refugee families who are unable to pay their rent.

For persons granted subsidiary protection, the emphasis is to ensure basic needs (accommodation, food, and pocket money and/or material aid) are met. Financial contributions for accommodation in private lodging are provided primarily to persons with newly granted subsidiary protection status, i.e. during the first year. As

¹ Wysieńska, K., Rybińska, N. (2010). *Refugee Homelessness in Poland – Results of a Pilot Study*. Warsaw: The Institute of Public Affairs.

² UNHCR Hungary, Budapest. (2010). *Refugee homelessness in Hungary*.

³ In the sense of not being fundamental like providing housing, food, language courses but mainly supplementary (e.g. advice and consultation regarding living, education or work).

most of the residents of the houses are men, shared bathrooms are a disadvantage to women who are also living there. Moreover, this model does not safeguard the rights of PoCs and if problems with such projects occur, these persons (especially those with newly granted subsidiary protection) will face the real threat of homelessness. Therefore, the State should guarantee the provision of their basic needs.

Unaccompanied minors

Children or foster homes provide care to Unaccompanied Minors (UAMs). UAMs have the right to a tolerated stay in Slovakia up to 18 years of age, after which they have options to extend their status or apply for a different residence permit. However, while they are still minors, they often leave the facility and travel to Western Europe. If they ask for asylum, they will be transferred to a reception centre. The guardian of an UAM may apply for permission for the minor to stay in a children's home during the asylum process. This option should be available to all UAMs, in order to limit their constant moving around and promote their integration within the place to which they have already become accustomed.

Private housing

Due to inadequate conditions in lodging-houses, NGOs try to ensure private rental housing for families. Many families, however, cannot pay or fail to pay the entire rent and are forced to rely on social or material benefits, as well as the financial support from NGOs, for several years (for partial or full coverage of the rent).

The opportunities to find and rent a private flat increase after obtaining a job and securing a regular income. Employed persons granted subsidiary protection search for housing together with other persons with subsidiary protection, so they can share the rent and make it more affordable. The biggest problem for refugees in renting private flats is the potential loss of employment income and the subsequent lack of funds to pay the rent, as few have savings. For low income families, more so than individuals, it is even more difficult to accumulate savings and they are at even greater risk of losing their housing.

Accommodation provided by employers

Some employers also provide accommodation to PoCs (for example, car manufacturers, production factories, factories in industrial parks, etc.). After recruitment, the person has the possibility to live in the housing provided for employees. However, some PoCs work for only for a short time in these positions, and/or sometimes quit the work position unannounced (especially persons granted subsidiary protection). This is causing a growing distrust among employers against hiring such workers which creates a negative reputation of persons with international protection as a group, thus making employment for this group more difficult.

Mortgages

One of the options for procuring accommodation in cases of insufficient initial funds is making use of offers from the State or banks in the form of mortgages and loans. Banks officially do not differentiate between refugees with permanent residence and Slovak citizens. However, interviews with bank representatives revealed that in some cases refugees are subject to stricter conditions. Basic conditions generally include permanent residence and employment in Slovakia and ability to provide proof of income. Where mortgages and loans are offered by the State, the requirement of attaining citizenship is often a limiting issue.

Social financial support

Refugees and persons granted subsidiary protection often find themselves in a difficult financial situation, as the majority of them do not have regular income. The only source of income then is the material need benefits and related allowances. Refugees and persons granted subsidiary protection are entitled to a housing allowance after they meet certain criteria. The key issue though is the fact that NGOs only cover these expenses for limited time. After this support ends, PoCs are unable to provide proof of payment of rent for the duration of six months, which is one of the main eligibility criteria for this allowance.

The issue of homelessness

Overall, the extent of homelessness among PoCs in Slovakia, in terms of “rooflessness”, is very low and may occur only in isolated cases. Seemingly, this is a positive finding which does not mean that this is the result of a suitable integration strategy. It may rather reflect the fact that in the Slovak Republic (SR) the total number of persons granted international protection is very low. Of these, many leave the country and some return only to prolong the subsidiary protection status and go abroad again.

Even though the total number of PoCs without a roof above their heads is very low, the risk of homelessness is rather high. In particular, the beneficiaries of subsidiary protection who leave and return to Slovakia are at an increased risk of homelessness. Travelling back and forth without any notification, they violate the conditions of the NGO support they might be receiving. Their financial, housing or other support is consequently terminated. Persons who apply for an extension of subsidiary protection and are no longer eligible for aid from NGO projects comprise another group. Currently, they must pay for accommodation themselves. Moreover, they often find themselves in a situation where their protection is already renewed but their residency documentation has not yet been issued, which makes it difficult for them to find accommodation.

Long-term unemployed persons and persons older than 50 years of age who are receiving the material need benefits, the sum of which is too low to cover adequate accommodation, are particularly exposed to homelessness. Persons with a low proficiency in the Slovak language and a low level of education, or even without documentation of their education are dependent on aid from NGOs. Groups most endangered by homelessness include single mothers with children and large families. It is more difficult for women to find work in comparison to men, as jobs are more readily available in factories and often require physically demanding work. The need to take care of children and provide for their basic needs is also an important concern and can create a roadblock to employment for women. Without long-term support from NGOs, many women would not be able to secure accommodation for themselves.

PoCs have a general disadvantage in connection to access to education, employment, housing or financial resources, which is reflected in their higher rate of social exclusion. Besides legal restrictions to prevent this, it is, to a large extent, created and maintained by prejudice and stereotypical attitudes of the majority. Slovakia also lacks a concise state integration programme for all persons of concern as, thus far, integration is mainly only planned for refugees. There is a lack of clear-cut standards, rules and extensive integration activities for this target group. This is then reflected in several legislative limitations. Persons granted subsidiary protection are, in comparison to refugees, limited by several legislative barriers, for example in entering the labour market. The necessary work permits are purely a bureaucratic formal act, as they are issued automatically, without regard to the labour market situation. Moreover, persons granted subsidiary protection are not issued permits that allow them to perform seasonal work or temporary work legally. Short-term temporary residency permits for persons granted subsidiary protection also discourage employers.

Last but not least, one of the most important conditions for successful integration into society is adequate proficiency in the Slovak language. Despite this fact, language proficiency of most PoCs is relatively low as many of them do not see the point in learning a difficult language, which they may never use or need and which is not used anywhere else in the world.

This research report identifies several problematic areas connected to the housing situation of PoCs. From a wider perspective, these limitations are divided into internal and external limitations. Internal limitations relate to the person and limit their employment prospects, which, in the long run, also affect the possibility of acquiring adequate accommodation. Internal limitations include: low proficiency in the Slovak language, age, insufficient education, etc. External limitations rest with the majority of society and include: legislative barriers, high unemployment rates in regions where integration flats and shelters are situated, discrimination on the labour market and bias of landlords, etc. To alleviate the identified problems, the report proposes several solutions, requiring the participation of the key stakeholders.

2. Methodology

2. Methodology

This study was prepared in three stages. The first stage included the analysis of the legal framework and policies in the field of housing with an emphasis on beneficiaries of international protection. The next stage examined the possibilities and conditions for and the experiences with housing of persons with international protection. To this end, the information was collected through interviews with persons granted international protection themselves, and based on the experiences of NGOs that deal with the persons in question. The views of authorities and other institutions relevant to the given group were also considered.

A total of 25 semi-structured ethnographical interviews (lasting approximately 90 minutes each) were carried out with refugees and persons granted subsidiary protection from a variety of countries (Afghanistan, Somalia, Syria, Iran, Iraq and Chechnya). The interviews were conducted during several field visits at the respondents' living quarters in Bratislava, Trnava, Nitra, Nové Zámky, Zvolen and Košice. The aim was to address a diverse sample of respondents. The sample included persons with short- and long-term residence, young and elderly, men and women, persons living alone, families with children, the employed and unemployed and persons living in lodging houses and rented flats.

Apart from the individual interviews three focus groups were carried out with persons granted subsidiary protection. Two of those groups lived within a Somali community and one within an Afghan community. The interviews covered three topics. The first included refugees' experiences with housing during their stay in the SR. The second dealt with questions related to employment and joining the labour market in the SR. The last addressed services and support provided to persons granted international protection, especially concerning housing. This third stage scrutinized the extent of homelessness of persons with international protection and identified the main factors related to the risk of homelessness. It further reviewed organisations and institutions which deal with homelessness and provide housing for the homeless.

3. The Right to Housing and Residential Integration

The right to housing is a fundamental right, a right that sustains human dignity and provides the possibility to access other basic rights. The term “right to housing” can be broadly defined as “the right to live somewhere in safety, peace and dignity”.⁴ Safe, peaceful and decent housing is not simply just a fundamental right; it is a key factor for the overall health and well-being of the person.⁵ Persons with international protection must first fulfill this right in order to have the possibility to seek employment, restore family relationships and establish links with the wider society. It is therefore important to consider the overall integration potential of housing sites at which persons with international protection can settle down. In addition to assessing the housing situation, other factors that are equally important include an in-depth analysis of the local labour market and employment prospects, educational possibilities, and the local attitudes towards foreigners as well as the access to social services.

At the UN level, the international community refers to the right to adequate housing in the **International Covenant on Economic, Social and Cultural Rights**.⁶ At the regional level, the Revised European Social Charter of 1996⁷ includes a special provision concerning the right to housing in its Article 31. The **Charter of Fundamental Rights of the EU**⁸ recognises “the right to social and housing assistance so as to ensure a decent existence for all those who lack sufficient resources, in accordance with the rules laid down by Union law and national laws and practices” (Art. 34.3).

3.1. The right to housing and persons granted international protection

The right to housing and its contents as part of the rights of refugees is directly enshrined in Article 21 of the **Convention on the Status of Refugees of 1951 and its Protocol relating to the Status of Refugees of 1967**.⁹ Specifically, the Contracting States, “shall accord to refugees lawfully staying in their territory treatment as favorable as possible and, in any event, not less favorable than that accorded to aliens generally in the same circumstances”.

The Convention of 1951 applies only to refugees; therefore, persons with subsidiary protection are not entitled to the same rights recognised in the Convention of 1951. Subsidiary protection is a product of EU law, notably in the Council Directive 2004/83/EC of 29 April 2004 on minimum standards for the qualification and status of third country nationals or stateless persons or as persons who otherwise need international protection and the content of the protection granted (the Qualification Directive). The Qualification Directive provides an obligation for the Member States to “ensure that beneficiaries of refugee or subsidiary protection status have access to accommodation under equivalent conditions as other third country nationals legally resident in their territories”.¹⁰

In 2011 the European Council approved a recast to the Qualification Directive,¹¹ which significantly expanded the standards of international protection. Specifically, persons with subsidiary protection have increased protection in some areas, therefore their rights now more closely resemble the rights of refugees. The improvement of the standards affects primarily the area of family reunification, removal of barriers on entry into the labour market, social benefits and the provision of access to integration facilities. A significant change for persons with subsidiary protection is the

⁴ UN Committee on Economic, Social and Cultural Rights (UNCESCR), General Comment No. 4, para. 7.

⁵ UNHCR Agenda for the Integration of Refugees in Central Europe, Budapest, April 2009, pg. 8.

⁶ Decree of the Ministry of Foreign Affairs no. 120/1976 Coll. Of 10 May 1976 on the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.

⁷ The Slovak Republic signed the Charter on 18 November 1999.

⁸ Proclaimed in Nice on 7 December 2000 and revised 12 Dec. 2007 in Strasbourg.

⁹ Agreement 319/1996 on the Accession of the Czech and Slovak Federal Republic to the Convention on the Status of Refugees and its Protocol Relating to the Status of Refugees.

¹⁰ Article 31 of the Qualification Directive.

¹¹ PE-CONS 50/11, Directive of the European Parliament and of the Council on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (recast), November 2011, Brussels. Available at: <http://goo.gl/8JzWq>

extension of authorized stay to at least three years. These measures must be transposed into the national legislation by 2013.

3.2. The right to housing in the context of the Slovak legislation and policies

The Slovak Constitution does not specifically provide for the right to housing. The problematic part for both foreigners and citizens of the SR is the minimalist definition of basic living conditions, as set forth in the Act on Assistance in material need.¹² This considers “one hot meal a day, necessary clothing and shelter” sufficient for those in need. This is *de jure* a reduction, sub-standardization of the right to housing and the right to adequate food and thus the related elimination of human dignity as the basic value of the principle of the Universal declaration of human rights.¹³

3.2.1. The principle of equal treatment

In accordance with Article 2 Paragraph 1 of the Anti-Discrimination law,¹⁴ the principle of equal treatment lies in the prohibition of discrimination on the grounds of sex, religion or belief, race, nationality or ethnic origin, disability, age, sexual orientation, marital and family status, skin color, language, political or other opinion, national or social origin, property, birth or other status.¹⁵ Once a foreigner meets the criteria that grant him/her residence, there is no reason why the anti-discrimination legislation should not apply to him/her or that he/she be excluded from the scope of the anti-discrimination law. The principle of equal treatment also applies to housing that is provided by public legal entities and individual businessmen, as well as access to education.¹⁶ Persons granted international protection within the territory of the SR, however, face discrimination in many areas, particularly employment. In addition to the complicated process of acquiring a work permit, employers and recruitment agencies are not aware of what subsidiary protection is. That is one of the main causes for inappropriate, even discriminatory behaviour towards foreigners with subsidiary protection as employers and recruitment agencies qualify them as “illegal migrants”. The negative attitudes towards foreigners and the implications therein do not stop with just their employers and colleagues, but are perpetuated by their neighbours and many other Slovaks with whom they meet regularly.¹⁷

3.2.2. State housing policy

The main document in the area of housing is the **Concept of State Housing Policy until 2015** which indicates the direction of the housing policy, points to the shortcomings and sets the measures and goals to support housing development.¹⁸ The document, however, does not focus on specific target groups and, thus, it does not mention beneficiaries of international protection. The goal of the state housing policy is to gradually increase the overall level of housing so that housing is available for the population and every household can secure adequate housing.

The *Concept of State Housing Policy* obliges municipalities to invest in building low-cost housing that will be used in the public rental sector with appropriate standards and regulated prices. However, there has been a steady decline in the availability of financing for housing projects especially affecting the Housing Development Programme and the State Housing Development Fund. Between 2004 and 2012 an annual decline can be observed (except in 2009) in the share of the State budget dedicated to housing. In 2004 it was 0.52% of the GDP, in 2008 it fell to 0.28% of the GDP and in 2012 it is roughly 0.23% of the GDP.¹⁹

As a result of large scale privatization in Slovakia, the municipal rental apartment market has largely shrunk. While in 1991 the share of municipal housing was 26.75% of all types of apartments, currently only about 3% of all types of apartments are municipality

¹² Article 1 of Act 599/2003 Coll. on Assistance in material need.

¹³ Hrnčárová, Meššová, Srebalová, Macková: Zákon o azyle, Komentár, Praha, C.H.Beck, 2012.

¹⁴ <http://goo.gl/rGRWh>

¹⁵ Act 365/2004 Coll. On Equal Treatment in certain areas and the protection against discrimination, amending and supplementing certain other laws (Anti-discrimination law).

¹⁶ Article 5 of the Anti-discrimination law.

¹⁷ Bargerová Z., Fajnorová K., Chudžíková A.: Stav integrácie cudzincov s poskytnutou doplnkovou ochranou a do spoločnosti a návrhy úpravy pre tvorcov verejných politík, Bratislava, Stimul, 2011.

¹⁸ Government resolution of the Slovak Republic no. 96 of 03.02.2010.

¹⁹ Elena Szolgayová, presentation at the 71st session of CHLM in Geneva, September 2010.

and/or State owned.²⁰ Of the total number of newly built apartments, the share of municipal housing is very small, averaging just 15% for the period 2004-2009.²¹ In EU countries, the share of rental apartments ranges from 19% to 62%. Low-income groups, which in many cases include persons with international protection, have difficulties accessing affordable and adequate housing in Slovakia.

3.2.3. Housing in the context of the Concept of Foreigner Integration in the SR

Among the key documents in the area of integration of foreigners is the *Concept of Foreigner Integration* of 2009 (The Concept of Integration) issued by the Ministry of Labour, Social Affairs and Family (Ministry of Labour). The SR favors an integration model based on mutual adaptation, through which foreigners contribute to the formation of a common culture, while the majority society respects and supports diversity. The *Concept of Integration* has persons with subsidiary protection among its targeted groups, unlike the Act on Asylum.

The *Concept of Integration* includes housing among the main areas of integration activities. Specifically, it aims to ensure measures to encourage the building of low-cost rental housing for low-income foreigners, as well as providing easier access to housing programmes, integration and social inclusion of foreigners. Furthermore its tasks include taking actions in order to expand the opportunities for temporary or short-term accommodation of foreigners, (e.g. in the social quarters) as well as to resolve the issues of checking in the long-term (permanent) residence of the refugees. Attention is paid to the support available to cities and towns in the reconstruction and construction of rental housing available to foreigners, as well as measures to provide contributions for employers who provide suitable housing for foreign employees.

The summary reports on implementing the measures recommended in the *Concept of Foreigner Integration for 2010 and 2011* (Report on the Implementation of Measures) show a vague and unsatisfactory performance on the measures concerning the provision of housing. The emphasis is placed on the general availability of housing programmes for foreigners (if eligible) such as the Housing Development Programme and State Housing Development Fund. However, both of these are only available to citizens of the SR. The

self-governing regions emphasize that they are unaware of the demand by foreigners for rental housing. Identifying such a need could justify the construction of housing or conversion of unused buildings into apartments.

Another barrier in the fulfillment of the measures is the limited resources of the State budget earmarked for rental housing and technical infrastructure. The Ministry of Transport, Construction and Regional Development (Ministry of Transport) did not prepare (nor is it preparing) specific programmes in the area of housing and housing policy to increase the availability of housing for groups at risk of social exclusion, e.g. foreigners. The implementation of programmes on social inclusion and integration programmes for foreigners in the area of housing, according to the Ministry of Transport, should be solved at lower municipal levels. However, it is questionable to what extent they are capable of addressing these issues. The same Report on the Implementation of Measures reflects the desire to move the essential competencies and solutions in the area of housing for foreigners to the towns and cities.

In the area of migration policy, 2011 saw the adoption of a further strategic document. *The Migration Policy of the Slovak Republic with an Outlook to 2020*²² represents the basic document for the development of migration policy with the goal to harmonize its migration policy with the legal framework of the EU. An important area of the document is also the integration of migrants into society, which is based on models of full acceptance of the realities of Slovakia by migrants. In light of the previous statement, this resembles assimilation rather than integration based on mutual respect and reciprocal recognition of the rights and obligations of both groups. This view conflicts with the integration model proposed in the *Concept of Foreigner Integration*. On the other hand, integration should also apply to persons granted subsidiary protection, who are to be granted long-term residence.

²⁰ Ibid.

²¹ Ibid.

²² Resolution of the Slovak Republic no. 574 of 31 August 2011. Available at: <http://goo.gl/yVUKm>

4. Housing for Persons with International Protection

4.1. Refugees

Third-Country Nationals (TCNs) who have been granted refugee status on the territory of the SR enjoy the widest range of rights among all foreigners, as their status is closest to the rights of citizens of the SR. From the Commentary on the Act on Asylum: “Article 24 of the Act on Asylum provides three basic pillars for the realization of the rights of the refugee – the right to permanent residence in the SR, the right to a document confirming the identity and legal status of the refugee and the possibility to be sheltered in an accommodation centre of the MO until the time of the expected gradual economic emancipation of the refugee, including the ability to provide their own accommodation”.²³

Asylum is granted for an indefinite period. In cases where the asylum is granted for the purpose of family reunification, status is initially granted for three years.²⁴ As for residency, compared with the Qualification Directive, the Act on Stay of Foreigners recognises a longer time in which residence is permitted: at first for five years. According to the Act on Asylum, the provision of accommodation to refugees in an accommodation centre is a possibility, not a responsibility of the Ministry of Interior. There is no legal requirement to placement of a refugee in an asylum centre. Accommodation is provided for the necessary time and the refugee is required to adequately cover the expenses associated with his/her stay.

Currently, measures in the area of accommodation for foreigners are available only for refugees. After being granted asylum and leaving the accommodation Centre, the MO provides accommodation for refugees in the Integration Centre in Zvolen.

After six months of living in the Integration Centre in Zvolen a refugee is - pending availability - offered an apartment in Košice or Bratislava, on property owned by the MO. If the refugee refuses the offered assistance then they become responsible for their own accommodation. In order to support the integration process at the local level, the Ministry of Interior allocates financial support to the municipalities that are providing accommodation for

refugees. The allocation can be used either for the procurement of accommodation or the development of the municipality's infrastructure. The conditions that apply to the provision of the support and the amount provided are determined by the Government of the SR upon the draft proposal of the Ministry of Interior.²⁵ However, during the investigations carried out, the research team found that no municipality has asked for this contribution. The MO, with significant financial support from the UNHCR, cooperated with particular cities in the reconstruction of the housing fund, i.e. in Košice, Lučenec and Bratislava. Also, the MO will manage the renovated housing units for 10 years.

4.2. Persons granted subsidiary protection

According to the Act on Asylum, a TCN who is granted subsidiary protection is regarded as a foreigner that has been awarded temporary residence.²⁶ Subsidiary protection is provided for a period of one year. The status is extended for another year if all conditions are fulfilled and there are no reasons for its rejection. The foreigner is obliged to submit an application at the earliest 90 days and at the latest 60 days before the one-year period expires.²⁷ The police department shall then issue within 15 days a proof of residence, stating “subsidiary protection” as the reason for residence. The validity of the proof of residence is subsequently valid at most for one year.²⁸ In practice, however, these time limits are not upheld. The police often issue a passport and the proof of residence within 30 days (general time limit) from the date of the submission of an application. This causes discontinuity of the proof of residence with serious consequences for the persons with subsidiary protection (inability to find accommodation, etc.).

²³ Hrnčárová, Meššová, Srebalová, Macková: Act on Asylum, Commentary, Praha, C.H.Beck, 2012.

²⁴ Article 20 of the Act on Asylum.

²⁵ Article 28 Paragraph 4 of the Act on Asylum

²⁶ Article 27 Paragraph 1 of the Act on Asylum

²⁷ Article 20 Paragraph 3 of the Act on Asylum

²⁸ Article 78 Paragraph 7 of the Act on Stay of Foreigners

Furthermore, in the current legislation, a person with subsidiary protection does not enjoy a residence permit for the minimum one year as set out in the Qualification Directive. They actually have a valid proof of residence from nine to 11 months, but never the minimum 12 months.

The wording of the Instructions of the Migration Office²⁹ (the Instructions) for TCNs who were granted subsidiary protection corresponds fully with the Act on Asylum. All TCNs with subsidiary protection are provided the Instructions in a language they understand. In practice though, they are not entitled to State social benefits as stated in the Instructions since they are funded by the project of NGOs and do not fulfill the legal requirements. In reference to the specific situation on housing, these persons are not eligible for housing provided by the Migration Office as stated in the Instructions.

The Ministry of Interior provided accommodation, food and basic toiletries for beneficiaries of subsidiary protection from 2007 (when the country started to provide subsidiary protection) until 2009 in the former camp for asylum-seekers in Gabčíkovo. In early 2010, the Ministry of Interior stopped providing accommodation on the grounds that the law imposed a *possibility* and not an *obligation* to provide accommodation and other basic needs. According to the opinion of several professionals working in the field, such interpretation of the current law by the Ministry of Interior is considered to be incorrect. The experts assert that the law gives the alien the possibility of being provided accommodation, *not* giving the public authorities the possibility of providing accommodation.

In this manner the responsibility to provide housing and other basic needs was swept from the State to the NGO sector. NGOs have taken responsibility for the overall agenda of care for persons with international protection since 2009, while the Ministry of Interior acts only as a donor of financial support through the ERF. Financial support is given only on the basis of approved projects for which the respective NGOs must apply. It would be useful if the Migration Office provides examples to NGOs as to the types of alternative housing for PoCs which would contribute to greater security and systematic protection of the rights of this category of TCNs.³⁰

²⁹ Internal material of Migration Office (not public)

³⁰ Hrnčárová, Meššová, Srebalová, Macková: Zákon o azyle, Komentár, Praha, C.H.Beck, 2012, p. 320.

5. Statistics and Trends in the Asylum Process (1993-11)

In the past years there has been a significant decrease in the number of applications for asylum. In 2011 491 persons applied for asylum, which represents a decrease of 9% compared to the previous year. The applicants were mostly persons coming from Somalia, Georgia, Afghanistan, Moldova and Vietnam. Asylum was granted to 12 persons from the total number of applications, representing a recognition rate of 2.4%, slightly lower than in 2010. The declining number of asylum applications can be the result of the increasing distrust of the system among asylum-seekers or the impact of the EURODAC introduction (since May 2004) which, under the Dublin Regulation, provides that an asylum-seeker can apply in only one EU country.³¹ The number of persons granted asylum in the last decade does not depend on the number of applications and is, on average, constant at 15 per year (Table 5.1).

Between 1993 when the SR began providing international protection to refugees and 2011, the Migration Office received a total of 56,575 asylum applications, of which 592 were approved, representing approximately 1% of the total. Most of these were applicants from Afghanistan, Iraq, the former Federal Republic of Yugoslavia, Romania, Bosnia and Herzegovina, Armenia, Iran, Russia, Angola and Cuba. In 214 cases the refugees received citizenship.

5. Statistics and Trends

³¹ Popper, M., Bianchi G., Lukšík I., Szeghy P. (2006). The needs of migrants in Slovakia. SAV: Bratislava.

Table 5.1: Statistics Regarding the Count of Applicants Granted Asylum According to MO

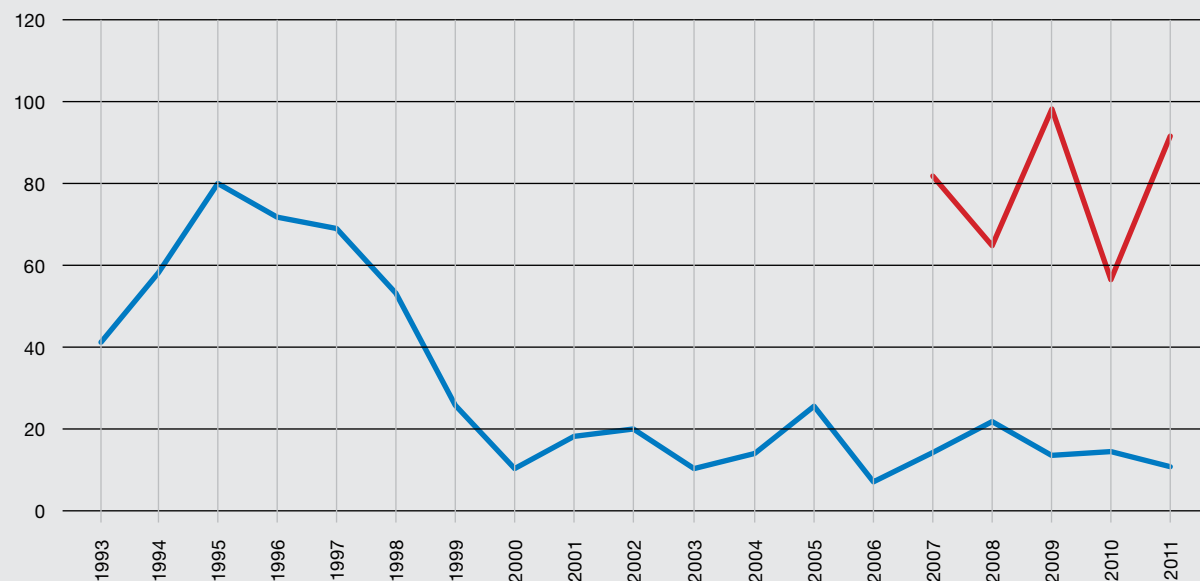
Year	Number of asylum applications	Increase/decrease of asylum applications over the previous year	Granted asylum	Recognition rate	Granted citizenship of the SR
2006	2,849	-19.7%	8	0.3%	5
2007	2,642	-7.3%	14	0.5%	18
2008	909	-65.6%	22	2.4%	4
2009	822	-9.6%	14	1.7%	1
2010	541	-34.2%	15	2.8%	3
2011	491	-9.2%	12	2.4%	7

Source: <http://www.minv.sk/?statistiky-20>, accessed: 12.4.2012

Table 5.2: Statistics of applicants granted subsidiary protection according to Migration Office of the Ministry of Interior of Slovak Republic

Year	Granted subsidiary protection	Denied subsidiary protection	Percentage granted subsidiary protection to total number of applications
2007	82	646	11.3%
2008	66	273	19.5%
2009	98	165	37.3%
2010	57	104	35.4%
2011	91	48	65.5%

Source: <http://www.minv.sk/?statistiky-20>, accessed: 12.4.2012



Graph 5.1: Total Number of Applicants Granted Asylum and Subsidiary Protection

Source: Ministry of interior SR, 2012, available online at: <http://www.minv.sk/?statistiky-20> accessed: 12.4.2012

granted asylum

granted subsidiary protection

Subsidiary protection was granted for the first time in 2007, following the amendment to the Act 480/2002 of the Coll. on asylum and changes of certain acts which transposed the Council Directive 2005/85/EC from 1 December, 2005 on minimum standards related to the procedure in Member States for granting and withdrawing refugee status. Since then, subsidiary protection has been provided in 394 cases (Table 5.2.).

Since 2007 the number of submitted applications follows a downward trend and this may be associated with the distrust of applicants towards receiving subsidiary protection or with their preference to obtain refugee status. The lowest number of submitted applications was recorded in 2011, which represents approximately a five-fold decrease compared to 2007.

6. Housing Alternatives

6.1. Integration flats

After obtaining asylum, a refugee is usually placed by the Ministry of Interior in an Integration Centre. Following a consultation with a lawyer and a member of the Slovak Humanitarian Council, a refugee is given an opportunity to choose the placement location. The options include integration flats in Bratislava and Zvolen, or rental flats in Košice under the Migration Office's right of disposal. A refugee can reside at the Integration Centre for six months with an option to prolong it by six more months.

At the time this study was conducted there were no refugees housed at the Integration Centre in Zvolen and the Centre has been empty since 2011. The Integration Centre consists of 10 apartments (two- and three-room apartments with a bathroom and kitchen). The refugees located at the Centre in the past pointed out that after the initial six-month period had expired, they tried to extend their stay. Their desire to stay related to the low housing costs at the Centre, which amounted to €25 a month. Typically, the applications for the prolongation were granted for an extra period of three or six months. It seems that, under the standard circumstances, it is the Migration Office's strategy to terminate refugees' stay at the integration flats after a period of nine months. Following this period refugees were usually relocated to Bratislava or Košice, and occasionally they stayed in Zvolen. Accommodation at this Centre has been, however, described very negatively by some refugees.

“ We were not allowed to search for a job while staying at the centre, and we experienced a very negative attitude of the management that discriminated against us and treated us inadequately; we were deprived of our rights, e.g. we were not allowed to have visitors.

Chechen family

Since this Integration Centre is located in a region of high unemployment (unemployment rate of 20% in Banská Bystrica region) and with no social worker available to take care of refugees, NGOs should oppose locating the refugees here.

In Bratislava, the integration flats are located on Pivonkova Street and managed by the Migration Office. At the time of this research, the apartments were not being utilized as these were not available for refugee accommodation (for technical reasons). There are nine 1-room apartments and refugees paid rent of €25 a month. At this location, refugees were also keen on utilizing the facilities for more than six months, since the rent paid here is very low. However, living in the apartments also had its negative features, as described by one of the refugees:

“ It is a very tiny room with no TV or internet connection. The apartment at Pivonkova St. felt like prison to me with no one around, but me. If you'd opened the door, you would've thought you were in prison. There was no one to talk to.

According to the Migration Office there were issues regarding accommodation in the apartments related mainly to their inappropriate use, but there are no further details about this.

In Košice, refugees are able to rent an apartment from the Migration Office at very reasonable prices (the Migration Office has been allotted a complete building at Vodárenská Street by the Apartment Administration Office). Refugees were relocated to Košice after the Zvolen Integration Centre ceased to be used. The building consists of 17 flats, of which six were vacant at the time of the research. The standard rental period for these apartments is five years. This period is normally used to the maximum by refugees, since it would be impossible for them to find cheaper accommodation of the same standard. An NGO contributes to the rent payments of vulnerable groups of refugees (the elderly, the sick, parents with children), sometimes the full amount if the project's budget permits. The rent payment, including utilities, is about €150 for a 1-room apartment per month.

For some years the Migration Office has been in possession of a right of disposal for apartments in Lučenec (10 apartments). Because of a lack of interest by refugees to accept accommodation at this location and because of refugees' short-term stay here in the past, the integration process at this location has been a failure (this is a region of high unemployment, which may have contributed to the failure). Currently, only one of the apartments has been occupied for some time and the Migration Office has no intention to use this facility for the purpose of refugee integration in the future. The other apartments, despite the Migration Office's right of disposal, are used by the municipality for other endangered and vulnerable social groups.

As determined from the interviews, refugees located in integration housing find themselves in an unstable situation. As their stays are generally short-term in character, this precludes their ability to find work, which in turn limits their ability to establish local social networks, thus hindering their integration within the local community.

Several refugees found themselves in a situation in which they had to relocate a few times after leaving an integration house as the work available to them was only short-term in each new location. Often, refugees were not able to find a job for a long period of time and had to rely on the benefits after job contract terminations. One of our respondents, a mother with a child, has been depending on benefits for as long as two years, during which she moved twice without any prospect of finding long-term work. Another refugee was motivated to move from Bratislava to the Zvolen Integration Centre because of the cheap accommodation, as his employment contract was soon to expire leaving him with no guarantee of resources to pay for the more expensive accommodation in Bratislava.

6.2. Social housing

Social housing is one of the key issues in Slovakia. Access to these apartments is very limited, although the Concept of National Housing Policy³² includes a mandate for municipalities to build public rental sector apartments of reasonable standards and with a regulated price. Rental houses provided by municipalities are preferably allotted to applicants with limited possibilities of finding accommodation by their own means; the conditions for providing

the support define eligible applicants based on their income level. Those meeting the requirements may apply to the owner of the rental property to seek accommodation in their rental unit. The final decision for the allotment of each rental property to the respective applicant lies solely with the owner. None of the applicants who meet the requirements for the rental house allotment in individual municipalities and communities shall be excluded from the list and, therefore, the Housing Development Programme is available to all legitimate applicants, including migrants.³³

Apart from the State itself, municipalities, self-governing regions and NGOs are among the main players in the field of social housing. In 2010 new legislation was passed which defines social housing and certain conditions for providing the housing.³⁴ The procedures for the allotment of flats differ among individual municipalities and communities.³⁵ Specifically, in Act No.443/2010 Coll. on Subsidies for Housing Development and Social Housing (the Act on Subsidies for Housing Development), social housing is defined as *"housing provided with the use of public funds designed for adequate and dignified accommodation of physical entities that are not able to find housing by their own means and meet the requirements defined by this enactment.."* (Section 21). The main condition which must be fulfilled by a legitimate social flat applicant is the maximum income level that cannot be exceeded and this is defined as triple the minimum wage (in special cases, quadruple).³⁶ Municipalities in the process of providing social housing are bound by the above-mentioned enactment and, more importantly, by their own general binding policies that specify conditions for providing social housing.

³² <http://goo.gl/qEfic>

³³ General report on fulfilment of measures of Conception of Migrants Integration in the Slovak Republic in 2011, Section 3.2 Accommodation (Access to Accommodation), Measure No.1.

³⁴ Applicants for subsidy for obtaining a rental unit for the purpose of social housing may include Municipality, Higher Territorial Units, Housing Association, Apartment Block Administrator, Association of the Owners of Residential and Non-Residential Premises.

³⁵ Suchalová, A.: Mapovanie sociálneho bývania v mestách Slovenska. Bratislava: FSEV UK, 2010.

³⁶ Further conditions stated in Section 22 of Act No. 443/2010 Coll. on Subsidies for Housing Development and Social Housing.

Accommodation departments of municipality offices in towns where one would expect higher concentrations of refugees and persons granted subsidiary protection were contacted and interviewed. Questions posed included: whether the municipality has social housing available, the conditions for providing that housing and whether there has been interest in acquiring this kind of housing from the target group. The municipalities addressed hereby included: Bratislava-Nové mesto, Bratislava – Ružinov, Humenné, Trenčín, Lučenec, Zvolen, Šaľa, Košice-západ, Ružomberok and Trnava. In Bratislava and Šaľa, social housing is not available. In other cities this type of housing is in use and the conditions for providing it comply with the above-mentioned regulations.

To briefly summarize the topic, it may be stated that the basic requirements for granting social housing, in addition to those stated in the Act, include: permanent residence in the town, or temporary residence in the town and a work-place in the town, maximum income level and the fact that an applicant has never owned nor rented a house or an apartment. Following the fulfillment of the conditions an applicant shall be included in a waiting list and each municipality has its own allotment system for social housing. Generally, families with children and single mothers with children are given preference.³⁷ Single persons are provided a social flat in rare special cases only.

Although the Act on Subsidies for Housing Development does not explicitly include the condition of permanent residence, all the municipality offices addressed herein have included this condition in their general binding policy. This means that a refugee with children residing in one of the respective towns has a higher chance of being provided with social housing. A person granted subsidiary protection may apply for this type of housing only provided that he/she has signed a contract of employment with a work-place located within the respective municipality. Despite this, the chance of getting this type of housing is low.

The majority of municipalities' accommodation department staff confirmed that there have been no applications for social housing from refugees or persons granted subsidiary protection (Humenné, Trenčín and Trnava – although there are no social houses in this town, only houses with lower rent payments), or there have been only a very small number of applications (in Zvolen and Košice), however in none of the cases did applicants fulfill the specific conditions and, as a result, social housing was not granted.

In Lučenec and Ružomberok there were integration flats for a long period of time and, thus, there was no demand for, or supply of, social housing. In Lučenec, based upon the fact that, as of now, there is no demand for integration housing, it is not necessary to provide the target group with social housing. In Ružomberok there is no integration housing anymore; the municipality provides social housing, but there has been no application for this type of housing coming from refugees and/or persons granted subsidiary protection.

This report concludes that building social housing is not a priority for the municipalities. Even in towns where social housing is available the number is insufficient. According to the accommodation department staff, the waiting lists are so extensive that migrants – be it either refugees or persons granted subsidiary protection – would have a very low chance of fulfilling the conditions and being granted this type of housing.

Emergency housing, as a subcategory of social housing, may also include housing provided in accordance with the Act on Social Services.³⁸ This type of accommodation includes night shelters, casualty wards, halfway houses, low-threshold day centres and emergency housing facilities.³⁹ When providing accommodation in these facilities, the level of the person's social dependence is examined. The definition of legitimate persons and social services recipients, in accordance with the given enactment, also includes refugees and persons granted subsidiary protection on the territory of the SR.⁴⁰ The Instructions by the Migration Office for refugees and for persons granted subsidiary protection deal with the above-mentioned alternative means of accommodation and social services, to which this group of persons residing in the SR is also entitled.

³⁷ Porov.aj Suchalová, A.: Mapovanie sociálneho bývania v mestách Slovenska. Bratislava: FSEV UK, 2010.

³⁸ www.upsvr-zv.sk/zakony/448_2008.pdf

³⁹ Section 12 Article 1 Letter a) of Act on Social Services

⁴⁰ Section 3 Article 2 Letter g) and j)

6.3. Housing alternatives in the private sector

Accommodation in the private sector is an issue of great importance for the housing of PoCs. The provisions of the Civil Code regulate the legal relationship between the owners of apartments, and/or other facilities such as lodging houses, and the person accommodated. Mainly, it concerns the conclusion of a rental agreement on an apartment or agreement on accommodation (in the case of providing such accommodation in a lodging house or dormitory). The owners of apartments or other facilities (particularly lodging houses) are often not willing to rent apartments or rooms to foreigners, or they lease them for a higher rent. The anti-discrimination law states that in cases concerning access to goods and services, including housing that is provided by a legal entity or individual, the principle of equal treatment applies. However, in practice, it is not possible to interfere in the contractual freedom of landlords, making it difficult to enforce fair pricing.

The regions with the largest concentration of PoCs are also the two most economically powerful regions, Bratislava and Košice. The region of Bratislava is a strategic, geopolitical location, in which all areas of industry are represented. This region accounts for approximately one quarter of the country's total GDP and has the lowest unemployment rate, only 5%. The region of Košice is the second largest contributor to GDP in the country. Unemployment in the city of Košice is around 10%; however, overall unemployment in the region of Košice is approximately 20%.

Other regions in which persons with international protection are present are areas with developed industry, particularly the areas of Trnava and Galanta. In the past there was an effort to integrate persons of concern in less developed regions around Zvolen or Lučenec. These regions, however, suffer from very high unemployment rates, in which the citizens themselves often have a problem finding jobs and securing suitable housing.

6.3.1. Private lodging housing

Living in lodging houses provides the possibility to avoid the problematic searching for private housing; however, it is only a temporary solution. As such, the vast majority of persons with newly granted subsidiary protection is forced to live in lodging houses mediated through NGO projects, as the SR has not enacted a programme for the integration of persons granted subsidiary protection and the social housing system does not work. Persons granted asylum have an opportunity to apply for housing in the integration apartments (Zvolen or Bratislava) or in urban rental apartments, where the Migration Office has the disposition right to these apartments (for example in Košice).

Due to the current interpretation of the provisions of the Act on Asylum by respective authorities, persons granted subsidiary protection have found themselves in a precarious situation regarding accommodation possibilities. The State has delegated the provision of accommodation to NGOs on the basis of (ERF) project activities. The danger is that this model does not guarantee anything to persons granted subsidiary protection and in the case of problems with the grant, persons with newly granted subsidiary protection face a real risk of homelessness.

Accommodation for persons with newly granted subsidiary protection is provided by two NGOs (one in Bratislava and one in Košice) in a low standard lodging house in Bratislava in the marginal zone of the city on Stará Vajnorská Street. PoCs here live together on one floor where they share a 4x6m room with three beds, kitchen, toilets and showers, which are common for the whole floor.

The lodging house in Košice is located, approximately 15 minutes walking distance from the city centre. Accommodation is provided in apartments of four to six beds. Each apartment consists of two single, double or triple rooms, toilet included. The kitchen and living room are allocated for the whole floor. A daily cleaning of the common areas in lodging houses is standard.

Accommodation for those with newly assigned subsidiary protection is fully covered by the NGOs. In some cases it happens that PoCs also remain in the lodging house after exhausting the contribution of NGOs. After the termination of project support, the PoCs can receive subsequent support from the NGOs of €100 for the next four months. After this period, however, they have to

secure finances for housing on their own. This study notes several problems with private lodging houses.

Low Standard

The most basic problems included technical and hygienic conditions. These accommodations are intended for unemployed persons granted subsidiary protection, primarily for men without families, as the rooms are classified as inappropriate for women and children. Respondents described the conditions in these lodging houses as unsatisfactory due to the lack of maintenance of technical installations in the common areas, frequent lack of hot water and general dirty conditions and hygienic conditions not being maintained at a sufficient level. In connection with these problems PoCs often reported frustration stemming from living in these conditions.

Distance

Another problematic aspect of living in these lodging houses is their location away from the city centres. Transport to the city centre by public transportation can be costly, especially when frequent trips are required for such things as searching for a job, networking with people outside the house, and/or processing documents at government and other offices. This was considered to be financially burdensome from the point of view of residents.

Lack of privacy

Lack of privacy is a serious problem of housing in a lodging house. This problem is particularly significant in exceptional cases, when women or families with children are accommodated in these facilities as shared bathrooms or showers especially disadvantage women and families. Although most of the clients are in fact men, many problems still arise from lack of privacy. One highly negative aspect is the problem with noise at night associated with alcohol consumption.

6.3.2. Lease/sub-lease of private apartments

Due to the inadequate conditions present in lodging houses, NGOs attempt to provide private housing, outside of lodging houses, for families with newly provided subsidiary protection and for mothers with children. NGOs try to find independent housing for families, which often depends on the number of family members. Apartments are mostly single and multiple bedroom apartments, each with a kitchen and bathroom. When an apartment is assigned, the social workers try to provide the basic necessities for the apartment (couch, bed, table, chairs, etc.). These apartments are mostly located in outlying neighborhoods with lower lease rates. We identified several problems from the testimonies of the respondents.

Lack of household equipment

This includes basic kitchen and cooking utensils, pots and pans, cleaning supplies and equipment, etc. Families often have no funds and cannot obtain equipment on their own. NGOs try to provide some project money for these families or to provide some items directly. Occasionally, it happens that the equipment provided is damaged and can not be properly used.

Distance

The apartments are mostly located in outlying neighborhoods and respondents face the problem of not having enough money to travel to the city centre to search for a job. Often, the funds which they should use to travel by public transportation to the city centre are rather used to purchase food. As a result, instead of being out looking for a job, they spend most of their time in their homes, doing some activity to spend the time and they actually end up simply surviving from day to day, waiting for more money or some external intervention.

6.3.2.1. Self-payers

Persons granted subsidiary protection become self-payers for accommodation a) when they become employed or b) when the support from the NGO project expires after 12 months. Self-payers also include all refugees who do not make use of the integration flats (in which they pay only a part of the rent). After the termination of NGO support self-payers are dependent on State social benefits. However, these benefits are relatively small and cannot usually even cover half of the rent.

Most persons with newly granted subsidiary protection use the resources offered by NGOs and their various projects. After the expiration of 12 months and subsequent termination of project funds support, they may get a housing allowance of €100 for four months, which can be used for a private housing or as a contribution to pay fees for living in temporary housing. Typically, right before the conclusion of support provided from NGOs, PoCs start to interact intensively with the social workers who in turn help them find and communicate with the providers of private accommodations and the social workers may very well assist them in negotiating terms and conditions of the rent. They provide legal advice when signing the contract and at their request, they may accompany the PoC during an interview with the landlord. A social worker often represents a guarantee to property owners/renters.

“... For example, it is not possible to say that it is a renter from Afghanistan as the landlord would refuse further communication, it is necessary to choose an appropriate name, so that people do not get scared.

NGO social worker

In cases of persons granted subsidiary protection who find a permanent job with regular income, some are able to find private housing in the city. They are mainly men, 20-30 years of age and at least partially fluent in Slovak. Those looking for private housing often form groups of three or four people to look for accommodation together. They are usually either colleagues at work or they knew each other from the lodging house. The apartments they look for are standard rental units, usually located in a block of flats. Standard apartments have several rooms, where one room is occupied by one person; respectively they share the flat on a basis of a mutual

agreement. In such cases, the housing situation was viewed as positive and respondents reported the benefits of living with friends, and working with colleagues with whom they have good relations. Flats are often located near other foreigners so they have the possibility of regular contact. Similarly, the standard of their housing can be maintained by themselves, they do not need to rely on the lodging houses or NGOs. Findings show that they are successfully able to pay the rent for the entire period of their employment. Sharing the accommodation cost allowed respondents to create a financial reserve, and thus also cover the costs in difficult periods, such as during document renewal.

Another option in acquiring private housing is through non-formal social networks, which people begin to build during their stay in Slovakia. This refers to the social relations built with Slovaks and other foreigners. Within these communities, persons granted subsidiary protection have fewer problems handling the Slovak language; however, some solidarity is present as well, as stated by one respondent:

“In the early months of my stay in Bratislava, I went through all the bars and discos visited by tourists from abroad. I did not speak Slovak well, but it is sufficient to communicate in English in these jobs. I found a job as a waiter in a bar in the centre of Bratislava, many Turks and Afghans worked there as well, the owner was also a foreigner.

Within these communities, PoCs have the opportunity to establish fellowships and to find common accommodation with their members. For example, in one restaurant, where a person with subsidiary protection from Afghanistan worked, his colleagues (foreigners from Turkey) offered him a free room in an apartment that had been rented only by those fellow employees. This person lived in the above-mentioned apartment for the whole duration of his employment in the restaurant. Other respondents mentioned social networks as a possibility to find alternative housing for short periods when the person came from abroad. Similarly, the social networks are referred by persons granted subsidiary protection as useful in cases of loss of employment and housing. In these cases, there were specific acquaintances and friends, often of the same origin, who provided short-term accommodation and financial resources to assist the individuals.

In some cases PoCs want to look for rental flats on their own. Some specialized websites can be used where they can search for affordable housing in a private apartment. It is possible to find accommodation from €100 -250 depending on location, apartment size, and respective furnishings provided. On some of these websites, apartment owners also advertise directly, as opposed to using a rental agent, offering their property for rent. Using this option, a PoC can skip the intermediary and find private accommodation without paying a fee to the agent. However, one obstacle is that a landlord may not want to provide accommodation to a person who has only a limited validity of stay.

Job loss and consequences for housing

Housing for refugees is always closely linked to their employment. When living in private homes, the risks related to loss of income/ work and the subsequent lack of funds to pay the rent are high. Certainly though, chances of finding accommodation in a private rented apartment rise after getting a job and a regular income. The risk arises as income is only enough to cover regular monthly expenses for housing and food and no cash reserve can be built up by the PoC. When a loss of income occurs, the PoCs receive only material benefits. In such cases, refugees are forced to move to cheaper apartments or lodging houses. For our respondents, the loss of accommodation came within one month after the job loss. All of the refugees whom we interviewed reported problems with rent paying because of a low monthly income. The Slovak Humanitarian Council (one of the NGOs supporting PoCs) has at their disposal two flats at Bojnicka Street in Bratislava that can be rented to vulnerable groups of refugees (women with children, etc.). Both flats are currently in use and are based on a yearly contract (with a monthly payment around €150). The flats are 1-room apartments with kitchen and bathroom, situated in a suburb.

6.3.2.2. Rental costs

How much a PoC spends on rent is directly related to whether the person cares for just him/herself individually or whether he/ she cares for the whole family. Persons who are already out of NGOs project support can be legally granted the right to social benefits. The claim to these benefits for specific target groups is described further in Chapter 7.1 on social benefits. The following

chart illustrates income levels and rents for PoCs according to the respondents' answers and region:

Table 6.1: Representation of the amount of income and rental costs referred to the social status

Region	Income (without social benefits)	Rental costs	Social status
Bratislava	EUR500	EUR400	Family
Nitra	EUR550	EUR330	Family
Trnava	EUR400	EUR500	Family
Bratislava	EUR350	EUR130 / person	Single
Bratislava	EUR300	EUR180 / person	Single
Bratislava	EUR500	EUR160 / person	Single

Illustrative data collected from respondents during interviews.

Groups of respondents can be divided into a) families paying the rent from one or two salaries, while at the same time supporting the family, and b) individuals covering the rent from three to four salaries. Breadwinners, who must care for the whole family, give out most of their income for rent. Without reliance on welfare benefits, the family would survive only with difficulty. Due to their low income, families can not create a financial reserve; therefore, they face a bigger risk of being homeless, compared to individual persons.

6.3.3. Employer accommodation

The Concept of Integration of Foreigners discusses the need to strengthen the role of employers in the process of providing accommodation services to foreigners. Employers or employee unions who are willing to employ foreigners should assist them in providing accommodation, which often occurs in practice. On the other hand, the Report on the Implementation of Measures in 2011 shows that the action has not been implemented.⁴¹

⁴¹ Action no. 4 To involve employers, who are interested in employing foreigners, in solving their housing issues. To assure the action for providing the contributions to the employer, who will create the living conditions for foreigners, The Federation of Employers' Unions and Associations of the SR (FEUA SR) notes that Action no. 4 also assigns the task to the Ministry of Finance to provide the contribution to the employer in this case. To FEUA SR it is not known how this action is being implemented in practice.

In Slovakia there are some employers who provide employment for persons of concern and currently they provide accommodation for them as well. These are car manufacturers in Bratislava and Trnava, and production factories in other regions of the country, such as Galanta, Šaľa and Sládkovičovo. As stated by NGO representatives, employers often have a problem with awareness of what is necessary for obtaining a work permit for a PoC.

After recruitment a person may use the housing designated for employee accommodation. The fee varies depending on the quality and location of the hostel. The provider of the accommodation tries to group the PoCs together in rooms, so they do not need to live with Slovaks. The price per night for accommodation ranges from EUR2-5, an amount per month around EUR60-150. Taking a basic wage of EUR635, to which might be added additional bonuses and rewards for performance, after deducting the price of accommodation, taxes and mandatory contributions, at least EUR370-460 remains. PoCs usually live in hostels just until they save enough money to look together with other colleagues (mostly expatriates) for a common rental. The employer, after the PoC leaves the hostel, still makes a financial contribution in the form of an additional payment benefit towards the new rent.

When families with children are considered, even though a family member has gained employment, this type of accommodation is not conducive to family living. Considering the night arrivals of employees from shift-work, noise, and in many cases alcohol consumption, it all combines to make the hostel environment not suitable for raising children and also may pose a direct threat to women. The respondents classified this accommodation as many times worse than in the asylum Centres.

From the employer side some misunderstandings in the employment of PoCs were noted. Frequently, the problems were associated with cultural differences (for example problems with work absence on religious grounds, such as in observance of holy days), or payments for accommodation (for example, the accommodation provider had to explain to employees why they must pay for accommodation despite their inability to work or holidays). Distrust is growing against such workers for several reasons, which creates a negative image of the group of PoCs as a whole. Research found that they often last in a work position only for a very short time, and occasionally they leave the job without giving notice.

6.4. Loans and mortgages

The most common means of procuring accommodation if a person does not possess sufficient initial funds is the possibility to use offers from the State or from banks, in the form of a mortgage or loan (housing loans as well as consumer loans). These so-called universal instruments for the increase of household income are aimed at a majority of households without a particular focus. On the other hand, so-called selective instruments are aimed at a specific, predetermined group of the population, especially at socially disadvantaged classes of the population and these instruments include, for example, a housing benefit (pursuant to the Act on Assistance in material need). In both cases, the target group may be a person granted international protection, if they meet certain criteria.

The possibility of providing a mortgage or loan to persons of concern in terms of the portfolios of Slovak banks was investigated, whereby we addressed banks that are members of the Slovak Association of Banks.⁴² The majority of banks list permanent residence (or citizenship, in a limited number of cases even temporary residency) in the SR as their basic preconditions for an applicant to be provided a loan, whereby the applicant must be employed in the SR (or be self-employed) and must be able to provide proof of their income, the minimum limit of which is determined by each bank individually. Some banks require the applicant to open an account with the bank. According to the statements of several banks, there is no distinction made between refugees granted permanent residence and citizens. Nonetheless, from personal interviews with representatives of some banks it was found that PoCs, in certain cases, do have to meet more strict criteria to be provided a loan or mortgage (e.g. they take into account their country of origin) which, according to statements of the employees of some banks, is connected to the fact that refugees are associated with a higher expected risk of inability to repay the mortgage. In assessing these clients, they do however proceed on a case-by-case basis. Due to the protection of private information, we were unable to find out whether and to what extent these financial services had been provided to persons granted international protection. In interviews with refugees, we only

⁴² The Slovak Association of Banks (SBA) is the key association in terms of the Slovak financial sector and the only organisation representing the interests of banks in the Slovak Republic. Currently, its 29 members represent as much as 99% of the Slovak banking sector.

encountered one case when a family was granted a bank loan of several thousand Euros to partially cover their rent.

The provision and financing of social housing is currently regulated by the following legal instruments. **The State Housing Development Fund (ŠFRB)**⁴³ offers two types of support – loans and irreclaimable allowance. As a private person, an applicant is only eligible if they are a citizen of the SR, who is a permanent resident of Slovakia and who is at least 18 years old and derives an income from entrepreneurial activity or employment or pursuant to a specific regulation; as a legal entity, it must reside in the SR. In this case, this condition is only met by a refugee who has been granted citizenship and only in cases where they are employed. As the ŠFRB does not differentiate between citizens who apply, we were unable to find out whether refugees make use of this possibility and if so, to what extent.

Instruments primarily aimed at helping at the local administrative level, i.e. to municipalities, include the **Housing Development Programme**, which falls under the Ministry of Transport, which is aimed at specific areas, such as the provision of rental flats, preparation of sites for construction and construction of utilities and the correction of systemic faults of housing estates.

6.5. Unaccompanied minors

Measures for the protection and care of UAMs are found in the Slovak legislation governed by Act No.305/2005 Coll. on Social and Legal Protection of Children and on Social Legal Guardianship, according to which, the measures are taken not only for a minor who is a citizen of the SR, but the Act also governs the measures for a minor who is not a citizen of the SR and who resides in Slovakia without being accompanied by a parent, a legal representative, or any other adult person to whom the minor could be put into custody (Section 2).

Since this target group is provided adequate care within the scope of the given legislation, this study deals with the group very briefly. Following the identification of a UAM, issuing the decision on an interim measure and the appointment of a guardian, the minor is placed in a children's home within 24 hours. In Slovakia there is a special facility for UAMs – Children's Home for Unaccompanied Minors in Horné Orechové, where only boys are placed (girls are

placed there only with male siblings), and there is also Children's Home in Medzilaborce, where only girls are placed along with other Slovak children. These facilities provide care for UAM migrants to the same extent as is provided at any other children's home for minors who are citizens of the SR.

Each UAM is eligible for a tolerated residence in Slovakia until 18 years of age. If a UAM seeks asylum, he/she is relocated to a reception centre. The minor's guardian may, however, request permission from the Head of the Migration Office for a minor to stay at the children's home during the asylum process. This permission should be granted to all UAMs in order to eliminate their frequent relocations and to support their integration within the location where the minors are partly adapted. When a minor reaches the age of 18 and is still attending school, the guardian may request the prolongation of institutional care until the school education is complete, up to the age of 25 which is the maximum. If the tolerated residence expires at the age of 18, the young adult becomes a migrant and his/her further residence is governed by Act on Stay of Foreigners,⁴⁴ and, in case of an asylum application, by the Act on Asylum. After leaving the facility, the children's home does not monitor the youths; the same applies if the youth enters a reception centre. The monitoring is, according to a staff member, a part of the guardian's job.

As far as the long-term integration into local society of UAMs is concerned, this is very much affected by each individual minor's motivation to stay in Slovakia. Minors very often leave facilities and travel to Western countries. If they attended secondary school (mostly vocational courses), the level of their Slovak communication skills is generally very good and,, they have a greater chance of finding a job in Slovakia and becoming self-reliant and also an asset to the country.

⁴³ Act no. 607/2003 Coll., on the state housing development fund, as amended by Act no. 536/2004 Coll.

⁴⁴ <http://goo.gl/bfDvt>

7. Extent of Social Support

7.1. Social Benefits

Refugees and persons granted subsidiary protection often find themselves in complicated financial conditions because the majority of them have no regular income from gainful activities, especially shortly after being granted protection. This fact is supported by the findings of the interviews with respondents, mainly with persons granted subsidiary protection.

The Act on Asylum guarantees a refugee a one time lump-sum allowance of 1.5 times the living minimum for a single adult.⁴⁵ The purpose of the allowance is not defined by the Act; it may be used to provide for a variety of the refugee's needs, e.g. accommodation, food, clothing, in the period of time before being paid the first social benefits or wages. The Act is in compliance with the anti-discrimination law, according to which a temporary affirmative action by the State authorities, aimed at abolishing any form of social and economic handicaps, is not discrimination.⁴⁶

The drawback of the law is that it does not consider so-called "commonly assessed persons", which could include adults and dependent children. Financial support for refugees' children is not taken into account by the respective asylum law.⁴⁷

The PoCs often rely only on material need benefits and related social allowances. According to Section 3 of Act on Assistance in Material Need a citizen is granted to "...a refugee, a migrant granted subsidiary protection,..., if the support is not provided in accordance with special regulations) or according to international treaties by which the SR is bound". According to this definition both the refugee and the person granted subsidiary protection are entitled. The material need benefit is provided for a person whose income is lower than the living minimum. The amount of the benefit depends on whether it is for a single person or other categories of persons.⁴⁸

In addition to the material need benefits the legitimate person is entitled, after fulfilling the conditions, to a housing allowance, activation allowance, health-care allowance and protection allowance.

Relevant contributions to improve housing conditions is, according to the Act on Assistance in Material Need, the housing allowance, which is given to *"a citizen in need and to physical entities who are assessed together with the citizen in need, in order to cover the housing-related costs..."*. At the same time, the person must be receiving the material need benefits and comply with other conditions, including being an owner or a renter of an apartment or a house, or a renter of a habitable room at a facility designed for permanent residency and, at the same time, having been continually paying the housing costs for the last six calendar months. In the case of outstanding payments for housing, the person shall provide a debt acknowledgement and the installments agreement.⁴⁹ The conditions for the housing allowance are assessed each six calendar months.

Although according to the the Act on Assistance in Material Need, a refugee and a person granted subsidiary protection are both entitled to the allowance, it has been stated by NGO staff that the key problem in receiving this benefit is the fact that housing costs are covered by NGO project resources and thus, after this support of NGOs has expired it is impossible for a refugee or a person granted subsidiary protection to prove that they made rent payments, and therefore, they are not eligible to receive this assistance until they are able to prove rent payments for six months.

⁴⁵ As of this study going to print, the amount of a lump-sum allowance for a refugee was EUR284.74.

⁴⁶ Section 8a Article 1 of Act No.365/2004 Coll. on Equal Treatment in Certain Areas and Protection against Discrimination, Amending and Supplementing Certain Acts (Anti-discrimination Act).

⁴⁷ Hrnčárová, Meššová, Srebalová, Macková: Zákon o azyle, Komentár, Prague, C.H.Beck, 2012.

⁴⁸ E.g. the benefit for one person is EUR60.50 a month, the benefit for a couple with a child or with max. of four children is EUR157.60 a month.

⁴⁹ As of this study going to print, the allowance was EUR55.80 a month for an individual, EUR89.20 for a person in need and other categories of persons.

The social support system also provides substantial support in the form of an ad hoc material need benefit paid in a lump-sum to the deprived, the aim of which is to cover emergency costs of essential clothing, elementary household equipment, school equipment for a dependent child and for emergency healthcare costs up to the limit of demonstrated actual costs, or at the maximum of triple the living minimum. Since this initial financial support is provided by NGOs from project funds, refugees and/or persons granted subsidiary protection do not apply for this support.

Based on the statistics sent by the Central Office of Labour, Social Affairs and Family in Bratislava, in 2010 the material need benefits were provided to an average of 1.7 refugees a month, and in 2011, 4.8 refugees a month. Thus it may be assumed that the majority of refugees are employed and have income other than the material need benefits. Regarding persons granted subsidiary protection, the situation is very similar. In 2011 an average of 1.75 persons received the material need benefits. In 2010 the benefits were provided to an average of 3.91 persons who were granted subsidiary protection.

A certain limitation is the fact that the Central Office of Labour, Social Affairs and Family does not keep a record of allowances provided together with the material need benefits and, therefore, it is not possible to objectively determine the number of refugees and persons granted subsidiary protection who received respective allowances.

The following benefit entitlements stem from the social support benefits:

Table 7.1: Social benefit allowance entitlements

Entitlement	Protection	
	refugees	subsidiary protection
Childbirth allowance ⁵⁰ (EUR151.37) and bonus (EUR678.49)	yes	no
Parental allowance ⁵¹ (EUR194.70) per month	yes	yes
Child care allowance ⁵² (max. EUR230) per month	yes	yes
Child allowance ⁵³ (EUR22.54) per month	yes	yes

All the above-mentioned allowances are provided equally for refugees and for persons granted subsidiary protection, excluding the childbirth allowance which is provided for refugees only. This status quo stems from the fact that the conditions of entitlement for the given allowances include the permanent residence of a person entitled by law within the territory of the SR. This very condition is met only by refugees and cannot be met by a person granted subsidiary protection. All the allowances are conditional upon permanent or temporary residence of the legitimate person and by other specific requirements defined by other respective laws. For example, the allowances are not provided to a refugee-mother or a person granted subsidiary protection who gives birth to a child and who has been put into institutional care provided by a children's home. This is an actual example found during the research at Lastovička Children's Home in Trenčín. In this case, institutional care is provided to the mother and her child, who live independently in an apartment that is a part of the children's home facility - since all-day care (including housing, food, clothing and pocket money) is covered by the State, the mother is not provided with any of the social benefit allowances. The home's headmaster confirmed that once the institutional care expires, every young adult is assisted in finding appropriate housing and his/her conditions are further monitored after leaving the children's home.

The Instructions of the Migration Office for refugees and persons granted subsidiary protection on the above-mentioned social benefits do not provide any further details or specifications and only refer to the respective Offices of Labour, Social Affairs and Family.

⁵⁰ Act No. 235/1998 Coll. on the Child-birth Allowance and on Allowances for Parents who Have 3 or More Children Born at the Same Time or Twins More Than Once in Two Years, as amended.

⁵¹ Act No. 571/2009 Coll. on Parental Allowance, as amended.

⁵² Act No. 561/2008 Coll. on Child Care Allowance, as amended.

⁵³ Act No. 600/2003 Coll. on Child Allowance, as amended.

7.2. Support by NGOs

After the Migration Office started in 2010 to interpret the law as meaning that the Ministry of Interior is allowed, not obliged, to provide support for persons granted subsidiary protection, the majority of measures related to social support and integration of PoCs have been taken over by NGOs as a part of their respective projects.

7.2.1. Housing and additional support

NGOs provide support for persons granted international protection, funded by ERF, using special project grants presented on the basis of a national appeal under the auspices of the Ministry of Interior.

Particularly problematic was the period of change-over to NGO-run projects at the beginning of 2010 when persons granted subsidiary protection were no longer provided accommodation at the Migration Office facility in Gabčíkovo, and the NGO projects funded by ERF had not yet fully commenced. Homelessness could have been a major problem at that time, as PoCs were stuck in a no-man's land. However, most of the persons survived this interim period by staying temporarily with friends or acquaintances, or they struggled to fund their own accommodation at lodging-houses or dormitories.⁵⁴

Should a similar issue with lapses in service due to project implementation change-over from one provider to another (or back to the State) occur in the future and/or the ERF grants be terminated, the Migration Office admitted that in special cases the State would take over the care for families and mothers with small children. However, the other social groups would have to take care of themselves individually. This means that, to a certain extent, a large percentage of those granted international protection in Slovakia would be under the threat of becoming homeless.

NGO project – ASAP 3

Two NGOs, with financial support from ERF, have partnered together to provide basic and complementary services for 2011-2012 for persons granted international protection; the Slovak Humanitarian Council (SHC) in Western and Central Slovakia, and ETP Slovakia, covering Eastern Slovakia.

Within the NGOs' project the services provided, aimed at integration, differ in their content and intensity for refugees and persons granted subsidiary protection. For refugees the services provided include mainly complementary services, e.g. education, vocational courses, employment counseling and assistance at offices and institutions, and with regard to housing the services include counseling for finding appropriate accommodation. For vulnerable groups (families and mothers with children) a housing allowance as well as the allowance for children of school age is provided, in addition to those services already mentioned.

Regarding persons granted subsidiary protection, the emphasis lies on securing basic needs, including accommodation, food, pocket money and material assistance. Social and legal counseling or assistance is included in the supplemental services. Clients have no legal entitlement to such support, be it financial or non-financial.

NGOs offer clients (persons newly granted subsidiary protection or refugees) the possibility to be accommodated at the hostel in Košice or Bratislava (upon availability) and, following the acceptance, the client will sign a contract with the NGO in a language he/she understands. This will stand for his/her consent that the benefits from the project will be provided to him/her only upon the cooperation with the NGO's social workers during the process of integration, and upon following the accommodation rules. The client is also instructed on possible sanctions. The most crucial rules, so often breached by clients, are: the duty to notify a social worker within seven days of leaving the lodging house, to take an active part in Slovak language courses and to actively cooperate with the NGO in finding a job.

Financial allowance for accommodation at a private lodging-house is provided by the project, mostly for persons newly granted subsidiary protection, typically for the first 12 months. After this period has expired the support may be stopped. Clients may then apply for rent payment financial support, a maximum of EUR100 per head, for a period of four months. This support can be used upon the actual client's needs, i.e. it does not have to be four consecutive months. In cases where a client gains employment the project support is stopped.

⁵⁴ Status of Integration of Persons Granted Subsidiary Protection into Society, 2011.

Persons living abroad, who return to Slovakia in order to apply for the prolongation of subsidiary protection and have not used the complete 12-month support in the past, are allowed to re-apply for support, upon fulfillment of the conditions. Assistance with rent payments (partial or full) is also provided for vulnerable groups (families and mothers with children) regardless of the form of their international protection (it does not matter if it is a refugee or a person with subsidiary protection). These groups often find themselves in unfavorable conditions with one parent unemployed (mostly mothers, or fathers with health problems) and thus, the family is unable to find appropriate accommodation by their own means for many years. Currently, 10 families are supported by the project; most of them have been receiving support for two to three years.

On the basis of a thorough evaluation of the support system provided to PoCs, the research team concluded that satisfying basic needs - accommodation, food, and pocket money - should be the State's primary duty. Other integration support services for persons granted international protection should be carried out by the NGOs.

NGOs would gain more space for realizing the vital activities aimed at full and complete integration of PoCs into society if the ERF funding and staff were freed up from the responsibility of providing the basic necessities. In reality, however, persons granted subsidiary protection are only provided with the necessary means to secure their basic needs – the minimal level required to survive - since it is assumed that they will return to their home country in a short period of time.

8. Phenomenon of Refugee Homelessness

8.1. The concept of homelessness

In terms of inquiry into homelessness among PoCs - refugees as well as persons granted subsidiary protection - this research adopts the ETHOS⁵⁵ typology of homelessness. This typology differentiates several types of homelessness, and the categories of “houselessness” (regarding refugees who live or inhabit refugee shelters, emergency housing facilities, halfway shelters or low-threshold centres) and “rooflessness” (refugees who inhabit public places or night shelters) will be of the highest importance in this report.

The extent to which persons granted international protection in Slovakia are exposed to the risk of homelessness, i.e. the circumstances from which houselessness and rooflessness may result, as well as situations in which they are forced to live under inadequate and unstable conditions (insufficient sanitary conditions, insufficient heating or crowdedness) are all analysed. The analysis of homelessness pertains only to persons granted international protection, i.e. asylum or other subsidiary protection (pursuant to the UNHCR Note and Agenda on Refugee Integration in Central Europe⁵⁶).

8.2. Extent of refugee homelessness

For the purposes of identifying the extent of homelessness among PoCs, the first step was to review the facilities established to provide social services to secure necessary preconditions to cater to elementary life requirements. According to the type of provided social services, pursuant to the Act on Social Services, these facilities are divided into 1) night shelters, 2) casualty wards, 3) half-way houses, 4) low-threshold day centres and 5) emergency housing facilities. All of the facilities in the above five categories - in all major cities in Slovakia - were contacted, first by email and later by telephone, in order to establish the number of PoCs who were, at the time of the study, utilizing their services, as well as the number of persons having utilized those services in the past.

Managers of these facilities were asked in email correspondence to try to provide as precise an estimate as possible of the number of refugees and persons granted subsidiary protection who recently (from one week to one month prior to the survey) had utilized their services as well as an estimate of the number of these persons to have utilized their services in the past year (i.e. in the period from March 2011 to March 2012). As several of these facilities record the identity of their clients, there was the assumption that they would be able to identify PoCs from among all their clients. As a follow-up, those facilities which had confirmed having had clients who were PoCs were contacted by telephone as were those facilities which did not respond to the email communication.

Current state: During the period of research, several facilities stated that such persons were at that time housed in their facilities. However, after subsequent inquiry it was established that these persons were neither refugees nor persons granted subsidiary protection. Even though these persons were citizens of third countries, they had not been granted international protection in Slovakia and had only been in Slovakia in terms of a tolerated stay, often connected with the necessity to acquire documentation necessary for a voluntary return to their country of origin.

These TCNs had been placed into these facilities (two shelters for the homeless in Bratislava) as they were required to leave a refugee centre, and in an effort to avoid being placed into the detention centre in Medvedov they were granted the necessary aid by the International Organisation for Migration (IOM), which, among other issues, deals with voluntary returns of migrants to their countries of origin. IOM can arrange shelter for migrants for a period of several months, until the situation concerning their stay in Slovakia is resolved.

⁵⁵ European typology of homelessness and housing exclusion, created by FEANTSA (European Federation of Organisations working with people who are homeless), with financial support of the European Commission.

⁵⁶ <http://goo.gl/O3CEN>

Past: Concerning the utilization of social facilities by PoCs for the period of the past year (March 2011 – March 2012), extensive accounts indicate that these facilities did not provide such services to PoCs. Even if a facility provided information that PoCs used their facilities, again, these turned out to be persons with tolerated stay, waiting for the issuance of documentation for the return to their country of origin (four persons in total). Besides these persons, accommodation had been provided to foreign citizens and economic migrants, especially from Romania, Bulgaria, Poland and Russia. Approximately 10 women were among those who had sought accommodation.

During the research period it was determined through telephone interviews that these social service facilities had never been utilized by PoCs.

A unique case was found at one non-profit organisation focusing on providing social care to abused and mistreated children and mothers. This facility had provided temporary accommodation to UAMs due to insufficient capacity at the children's home in Horné Orechové, which focuses on this particularly vulnerable group (temporary accommodation was provided for 12 minors in total). In addition to this case of the minors, only one facility in Košice informed us that in the past, they had provided social care to a female, a refugee from Burundi. They helped her to find accommodation and work, as she had not been able to integrate into society on her own, despite her great efforts to find work and accommodation.

Not even NGOs which have been taking part in the implementation of projects devoted to aiding refugees for several years (Slovak Humanitarian Council and ETP Slovakia) mentioned having encountered any cases of PoCs being homeless. They could only recall one emergency case in the last year when a person granted subsidiary protection, after having failed to file a request for an extension of his protection, needed assistance. As a result, he was offered the option to temporarily utilize a casualty ward or night shelter, but at the last minute he was taken care of by friends.

During the research, two meetings with representatives of organisations working with the homeless took place, and they were asked about their experiences working with homeless PoCs. These meetings more or less confirmed the previous findings; particularly that PoCs generally do not find themselves in facilities of this type

and provision of social services to PoCs is rather an exception, as in the last year, no representative of these organisations had encountered PoC clientele.

Overall, it appears that the extent of homelessness among refugees and persons granted subsidiary protection in terms of rooflessness, is very low in Slovakia and occurs only scarcely or in isolated cases.

This, on the one hand, is rather positive, but does not automatically mean that it is a result of an adequate strategy of integration and may rather reflect the fact that in the SR, the overall number of persons that are granted international protection is very low. Even out of these few persons, many of them still leave, or leave and return, for only a brief period of time before leaving again. As a result, the number of persons granted international protection actually living in Slovakia is lower than the official number. Between 1993 and 2011, about 1,000 persons were granted international protection (asylum and subsidiary protection). According to an internal analysis of the Migration Office, the number of refugees actually living in Slovakia in the year 2004 was only 25% of all granted asylums.⁵⁷ It is believed that the rest had left for other countries of the European Union, which points to the fact that for many persons granted international protection, Slovakia becomes - due to its insufficiently functioning system of protection and assistance - a transit country.

On the other hand, homelessness in terms of houselessness is a far more common problem especially among persons granted subsidiary protection. Taking into account that practically all persons with newly granted subsidiary protection (about 80-90 each year) are provided with one year of paid housing in private lodging-houses (besides families with children) by NGOs - all of them may be said to fall into the category of houselessness, as defined by the ETHOS typology. Only a small number of them are able to find a rental and pay for it from their own resources after some time. It also happens that some of them live in lodging-houses in their friends' rooms, whereby they themselves have not found accommodation or are not able to afford it at that given time.

⁵⁷ Statement of the Office for Migration

Limits: A specific limitation of the research approach is the fact that it has been aimed exclusively at facilities providing aid and accommodation to homeless persons and as such, did not encounter those PoCs who do not seek out these facilities and/or avoid them altogether. This latter group is thus “invisible” to these facilities, as they do not establish any form of contact with them. Only minimal indirect evidence to account for such persons, in the form of anecdotal evidence, was uncovered about a truly homeless - roofless person. From all of the PoCs interviewed, only one mentioned a case where they knew about a PoC having lived for some time on the street. But as one director of a NGO which deals with homeless persons said:

“...life on the streets is very hard, without a sufficient knowledge of the language and the surroundings, one has to know where the gardens, squats, bridges, pipes or similar places are, and without this knowledge a PoC would not be able to take care of themselves ... even dustbins have been claimed by homeless people in different regions ... apparently, these persons would look for other solutions or leave for a different country.

8.3. Profile of persons endangered by homelessness

Even if the number of PoCs without a roof above their heads is, according to these findings, very low, the risk of being endangered by homelessness is still rather high. Persons granted international protection, who are the most at-risk for homelessness, according to our research, include:

- Persons granted subsidiary protection, who within the first year of having been granted subsidiary protection leave from abroad and return to renew this protection, as this is granted only for one year. Persons with newly-granted subsidiary protection are, in terms of an NGO project, provided with accommodation for one year so they do not breach the conditions of eligibility for the project. One of these conditions is the timely notification of leaving for abroad, whereby such a stay should not exceed 30 days. They are informed of these conditions in advance and they sign a document

confirming that they have been informed of this fact. Still, many of them do not respect these conditions and shortly after being granted subsidiary protection, they travel abroad without notification, be it to see their friends or families, or with the intention of being granted international protection abroad (which is not possible, due to the provisions of the Dublin Convention, and they either do not know this or they leave despite this fact). Generally, they spend several months abroad (nine at the most, as subsidiary protection is granted for 12 months but the decision-making process takes up to three months, and must be requested in advance). They then return either voluntarily, based on the necessity to extend their subsidiary protection, or they are sent back to Slovakia by foreign authorities, according to the terms of the Dublin Convention. In doing this, they are in breach of the conditions of the project and are not granted financial aid and accommodation anymore. Thus, they pay for the accommodation themselves or they solve this situation by repeatedly leaving Slovakia and returning only to extend their subsidiary protection. They tend to repeat this cycle several times.

A foreigner from Iran was apprehended at the Slovak State border, but on the next day, he had already fled for Sweden, where he had family. There, he was placed in a refugee centre for four months, was granted financial support of about EUR210 a month, but subsequently (due to the Dublin Convention) he was deported back to Slovakia. After a one-month stay in Humenné, he was granted subsidiary protection and was subsequently relocated to Rohovce, then to Gabčíkovo, where he spent a total of three months just to leave for Sweden again, for a maximum duration of nine months. He returned to Slovakia only to extend his subsidiary protection. This time, he was placed in a night shelter in Bratislava for three months and after his subsidiary protection was renewed, he left for Sweden again. He was never employed in Sweden, he was financially supported by his sister, who had been sending him financial help, even during his stay in Slovakia, otherwise, as he said, he would not have survived. After nine months, he returned to Slovakia again, he lived in Košice (receiving a daily allowance of EUR4), and later in Humenné and finally, he was granted asylum. He left for Bratislava, requested to be assigned to the integration flat and after having found work, he rented a flat in Petržalka.

- Persons requesting an extension of their subsidiary protection and who are no longer eligible for aid in terms of the NGO project. After 12 months, persons granted subsidiary protection are generally no longer eligible⁵⁸ for aid from NGOs. After this period, they must pay for their accommodation themselves. Should such a person be employed, or have some form of income, they are able to find accommodation; otherwise, they are left only with the benefit in material need, which is EUR60.50. These benefits are insufficient to cover adequate accommodation (e.g. in a shelter the fee is EUR4 per day, which is about EUR120 a month). In many cases, even social workers of NGOs do not know what happens to these persons and it is highly probable that these persons solve this situation by going abroad. The key issue is the discontinuous coverage of the residence permit (e.g. when persons granted subsidiary protection dispose of valid international protection but do not dispose of valid documentation) and the issues connected to it. In practice, the responsible agencies do not respect the obligation to issue documentation confirming residence within 15 days and so it may happen that this person is granted valid protection but does not have all the necessary documentation, which makes it impossible for them, for example, to find accommodation, etc. In this manner, they find themselves in a rather risky situation, and they may even end up in the street.

An Afghani was apprehended in 2008 in Slovakia and later, after having requested asylum, placed into a reception centre in Humenné. After 20 days, he was relocated to Opatovská Nová Ves for the same period of time, followed by a transfer to Rohovce for one year. He was granted subsidiary protection and later moved to Gabčíkovo. Owing to Slovak acquaintances, he found illegal work at a grocery shop. After that, he lived for two months in Zvolen, another two months in Žilina, where he lived in a paid lodging house. His subsidiary protection has not been extended and even though a court of appeal granted him subsidiary protection again, the police did not issue the accompanying documentation. He then decided to leave for Switzerland, where he lived in a refugee centre for six months after which he came to Bratislava for two months, only to leave for Switzerland again for 1,5 months. The same situation repeated once more and he currently lives in Bratislava.

⁵⁸ After 12 months, they still have a chance to receive financial support of EUR 100 to pay for rent for 4 months.

- Long-term (more than one year) unemployed persons and persons older than 50 years who depend only on material need benefits, the sum of which (EUR60.50 a month) is too low to cover adequate accommodation. It is not even enough to cover monthly fees in a shelter. These persons are then dependent on the help of their family or friends. As this form of aid either cannot be provided in the long term or it is not accessible to a person altogether, they find themselves in a severe life situation.

A family from Chechnya was granted asylum and subsequently placed into an Integration Centre for seven months and were able to find occasional part-time work as fruit pickers, but they never had stable employment. They themselves knew that in looking for employment, they were disadvantaged, as they are of older age; it was particularly their nationality that caused a problem in the interviews with the potential employers. Employers were prejudiced and preferred to employ a Slovak national. Later with the help of friends, they found a flat. For a year, half of the rent was paid by the Slovak Humanitarian Council who also purchased elementary household equipment for them. Both spouses received benefit in material need. Due to a very unfavorable financial situation, they were forced to borrow money on several occasions but they always managed to pay it back. At the moment, they are being helped by charity in the form of food and food benefits. Even though the couple took requalification courses, they say that they are still being discriminated in the labour market due to their origin.

- Persons with a low proficiency in the Slovak language and a low level of education (or without education) and/or those without documents proving education who, due to these circumstances, depend largely on the aid of NGOs in order to deal with their life situation, be it in looking for work or accommodation, taking care of their health, communicating with institutions, etc. At the same time, this makes them undesirable to potential employers. To gain work they must gain at least a minimum proficiency in the Slovak language. Without work, they are unable to afford adequate accommodation and are dependent on financial support from the State and NGOs.

- Families with children (especially large families) are, due to their increased financial requirements for basic life necessities, a high-risk category. Children must attend school or kindergarten, which further increases the financial stress on the family. Certain aid may be provided by NGOs, which may partially cover tuition, purchase of school supplies or expenses for transportation of children to school. Especially endangered are those families in which one of the parents is unable to perform work in a regular manner (due to health issues or other reasons).

An Afghani family with three children was apprehended in Slovakia in 2008. After four months spent in the Humenné reception centre, they were granted subsidiary protection, whereby they were placed in Opatovská Nová Ves and Gabčíkovo. In the centres, they had to share rooms with several foreigners and the children were not able to attend school. The family then left for nine months to Norway where they had relatives. After returning, they had to spend another month in the centre in Opatovská Nová Ves, wherefrom they were later moved for two months into a lodging-house in Žilina. Living among workers was rather inconvenient for the minor children. While ill, their daughter was not hospitalized at the local hospital, not even after the whole family contracted Measles. From there, they were moved to a different lodging-house in Bratislava, which was again a very unsuitable place to live for a family with children. Later, an NGO provided a single room flat. In the meantime, the father of the family fell severely ill and lost his job. Even though the Migration Office aids the family with partial coverage of the treatment, this is insufficient. The mother became the head of the family; she has been learning the Slovak language, took part in several requalification courses and is constantly looking for work. The monthly income of this family does not even cover basic expenses for food, education and health care and they depend on the aid of the NGO. If the NGO ceases to provide this aid, the family would have exponentially more problems.

8. Phenomenon of Refugee Homelessness

- Single mothers with children are one of the most endangered categories with respect to homelessness. Women may have a harder time looking for work than men, as men are able to perform more physically demanding work in factories. The need to care for a child and provide it with basic needs becomes more difficult for a working mother. Mothers with children thus depend largely on the aid of NGOs or State social aid (social assistance, child support, etc.).

In 2004, a Vietnamese woman with a minor child came to Slovakia. At first, she lived in the reception centre in Adamov for three months and from there, she was moved to the refugee centre in Gabčíkovo, where she lived with her child for four and a half years. During this period, she worked on occasions for a rather symbolic salary of EUR17 per month. Only after this long period, she was finally granted asylum. They were moved to the Integration Centre in Zvolen; she regularly attended a language course and requalified as a beautician. Still taking care of her child, she found part-time work as a shop assistant in a second-hand shop. After seven months, she was forced to move and was given an integration flat in Bratislava. On her own, she was looking for work and finally found a job as a shop assistant in Bratislava. The shop went out of business after six months and she applied for material need benefits. After one year, she also had to leave the integration flat, after which she lived in a social flat and at the moment, she works at a Vietnamese restaurant. Her situation is still uncertain, though, as she has to extend her accommodation contract each year and her work may not be stable either.

Overall, persons prolonging their subsidiary protection are more endangered by homelessness, which results from the type of their international protection and their resulting rights. Persons granted subsidiary protection possess fewer rights and are thus subject to more legislative restrictions in their integration into society. Moreover, their uncertain situation (only one-year of protection) often leads to making decisions which later expose them to additional risks (frequent departures abroad and forced returns). Also, families or women with children are generally more vulnerable, as they have fewer options in comparison to men to acquire financial resources via employment and more stable accommodation through stable work.

8.4. Root causes of the current situation

8.4.1. Increased social exclusion

In connection with PoCs, a general disadvantage with regard to education, employment, accommodation and financial resources is apparent, which is reflected in their social exclusion. This exclusion is largely created and maintained by prejudice and stereotypical attitudes of the majority. The results of a recent representative research study concerning the attitude of the public towards foreigners shows that a significant part of the population of Slovakia is not ready to accept foreigners and has a problem accepting others, even though the majority of Slovaks do not dismiss the idea of a successful and conflict-free co-habitation of people from different cultures.⁶⁰

A majority of the respondents reacted negatively to a question about the possibility of co-existing with these foreigners in one residence, as indicated by responses to the statement *“In our city/ village, there should live no people of different cultures. It would cause nothing but problems”*, to which 44.5% of surveyed Slovaks agreed. Also, the statement *“If foreigners living in Slovakia do not adapt to Slovak lifestyle, their rights should be limited”* was met with a 50.3% acceptance. A large part of the population of the SR apparently does not accept cultural diversity in practice and is ready to limit their rights granted by international treaties.⁶¹

The level of acceptance of a broadly-defined group of foreigners in Slovakia, however, does not exhibit extremely negative attitudes.⁶² Citizens perceive foreigners mostly as refugees, which is mirrored by common prejudices considering them being bearers of diseases or being people one must care for. This adds to the increasing level of refusal of foreigners in Slovakia. Moreover, it is also connected to the fact that respondents have a rather vague knowledge of foreigners living in Slovakia. This cautiousness and common refusal of foreigners originates from the fact that Slovaks consider themselves poor and thus do not have the resources to “take care” of others. Prejudices also prevail due to the fact that in many cases, people rarely come into contact with members of a different group and do not have the chance to alter their traditional, stereotypical attitudes. For example, as much as 51.4% of the respondents agreed with the statement that *“Refugees add to the increase in crime rates in our area”*.

Foreigners enter the Slovak labour market and despite still being low in numbers, they are perceived as a threat by the domestic working population and it is this feeling of being threatened that generates further prejudice.

On the other hand, 72.6% of the respondents answered in the positive to the statement *“Refugees should be accepted in Slovakia and provided with aid and protection, if they have been forced to flee their home country due to severe reasons”*, which points to a readiness of people to bear certain expenses and, at the same time, an understanding of the refugee issue.⁶³

Those that may actually come into contact with a PoC, a possible employer or accommodation provider, are the ones where the impact of the majority’s negative sentiments most significantly affects refugees. Social workers of NGOs play the key role in communicating with potential providers of employment and accommodation to hopefully sway in their favor and attain work and accommodation for PoCs. This role should also be played by the employees of relevant agencies and by representatives of self-governing regions and municipalities, which would require focused work with them.

8.4.2. Absence of an integration programme

In Slovakia, there is a lack of any kind of focused State integration programme for PoCs. For the time being, integration measures are currently in place only for refugees. There is a lack of clear-cut standards, rules and scope of integration activities for these target groups. This is then reflected in several legislative limitations (labour, education, accommodation, etc.), especially concerning persons granted subsidiary protection. As a result of this situation there is an enormous dependence of many PoCs on the aid of NGOs.

⁵⁹ The quantitative research was conducted in October 2009 by the agency Focus, on a representative sample of 1053 respondents.

⁶⁰ Michal Vašečka (2009). *Postoje verejnosti k cudzincom a zahraničnej migrácii v Slovenskej republike*. IOM: Bratislava. ISBN 978-80-970307-0-4.

⁶¹ Ibid.

⁶² Ibid.

⁶³ From the survey of the agency Focus, dated May 2005, performed for UNHCR.

It is important to point out the fact that currently for the integration of persons granted international protection, NGOs have mostly become responsible, be it in connection with accommodation, language education, requalification, financial as well as non-financial aid, material aid, legal advice, aid in finding work, accommodation, or health issues, etc.. The State thus takes responsibility only for the process of granting international protection and deals only with the issue of accommodation for refugees in integration flats. NGOs are subsequently overloaded by securing basic life conditions for refugees and do not have the necessary resources (financial, as well as personnel) for more specific, targeted aid.

The implementation of an integration policy (which is not even formalized) exclusively via projects of NGOs also brings about several severe risks, the greatest being the possibility of discontinuation of funding at any time, for any reason. This would then influence and endanger the provision of elementary aid to refugees (like the provision of accommodation, pocket money and material aid) and thus the international obligations of the SR as well.

According to a statement from the MO, the SR would take over the provision of elementary aid, in the case of some interruption in funding / service, for the period of time until the issue would be solved (especially the provision of accommodation). However, it is possible to provide this aid only to highly vulnerable groups of refugees, like families or mothers with children, abused women, seriously ill etc., but not to all those who have been granted this aid at present. As a result, a large percentage of persons granted international protection would become endangered by homelessness (especially persons granted subsidiary protection).

There is also a risk resulting from the situation that accommodation for persons granted subsidiary protection is provided in private lodging houses, with which NGOs have no long-lasting contractual relations and these persons are thus accommodated just as any other clients. There is therefore a constant risk that such cooperation may be, due to various reasons (violation of terms of accommodation, hygiene, violence, alcohol, etc.) immediately terminated, which would endanger the provision of accommodation for these persons. Particularly significant, and directly related to the risk of becoming homeless, is the issue of discontinuity of the validity of the residence permit stemming from the fact that the Migration Office issues the decision on the extension of protection

only after the applicant's validity has ended or even later, and a possibility to get the residence permit - done in the police office - is only possible after the submission of the decision on the extension of the protection. Without valid proof of residence the applicants face also another big problem in their everyday life, i.e. they cannot get accommodation and are in direct risk of homelessness and even rooflessness.

The integration programme should prepare PoCs sufficiently for the fastest possible adaptation to society and employment, with which two additional key issues of provision of adequate accommodation are connected: barriers of entry to the labour market and the language barrier.

8.4.3. Barriers to entry to the labour market and the risk of long-term unemployment

Persons granted subsidiary protection, in contrast to asylum-seekers, are limited by several legislative barriers in entering the labour market. The Act on Employment Services No.5/2004 Coll.⁶⁴ enables them to find work only after being issued a work permit by the competent labour office. This is issued without taking into the consideration the current situation in the labour market, which thus neutralizes its practical significance and it becomes merely a bureaucratic formality. Moreover, persons granted subsidiary protection (same as other citizens of third countries) should provide adequate qualification to perform work, but common practice is that offices of labour accept a solemn declaration certified by a notary, stating that the applicant is not able to provide proof of their highest achieved education in their country of origin (this is largely impossible for many refugees, as they were not able to take these documents with them when fleeing their country or as Slovakia does not recognise such documentation, which is the case of Somalia, for example). The working permit thus represents the only and "artificial" obstacle that encourages the potential employers.

Another major obstacle is the practice of labour offices to issue work permits only for employment governed by regular employment contracts. As a consequence, they do not issue work permits to persons granted subsidiary protection for jobs performed

⁶⁴ <http://goo.gl/XQ73I>

outside the employment relationship, which makes it impossible for them to perform seasonal work or temporary work. Labour offices do not consider work performed outside the employment relationship to be employment as defined by the Act, which is an ambiguous interpretation of the Act. Labour offices will not even issue a work permit to agencies of temporary employment. It is also important to point out the issue connected to the issuance of work permits to persons granted subsidiary protection if they are employed by a personnel agency. It is especially temporary and seasonal work that is the most accessible type of legal work for persons granted subsidiary protection and that is why they are often forced to perform this work illegally. This is connected to the problem of employers abusing persons granted international protection as cheap labour with a tendency to take advantage of their disadvantageous situation. It is manifested especially in not respecting work ethics (overtime, lower wages for the same type or amount of work, work on holidays and weekends, withholding a part of their salary, etc.).

A negative role in entering the labour market is also played by short-term residence permits issued to persons granted subsidiary protection, which is another obstacle seen by employers. Many employers consider the period of time for which a person granted subsidiary protection is granted temporary residency to be too short to consider the person to be an “attractive” candidate and they give preference to applicants with a longer career perspective. Also, when changing workplaces, it is necessary to request a new work permit, which is issued only for a period equal to the validity of the passport of the applicant.

Finally, there is a tendency to place PoCs (refugees as well as persons granted subsidiary protection) into locations with a very high unemployment rate. These are especially the areas of the Banská Bystrica and Košice regions (Zvolen, Košice, Lučenec, etc.), which have the highest unemployment rate in Slovakia (about 20%). In accordance with the recast of the Qualification Directive, it is therefore necessary to abolish the mentioned barriers of entry into the labour market by means of revoking the obligation of work permits for persons granted subsidiary protection and enable them to utilize other employment services provided by the labour offices.

⁶⁵ Northern European countries like Sweden, Denmark or Norway, where language courses take place every day for several hours.

8.4.4. Language proficiency

One of the main conditions of successful integration into society is an adequate level of proficiency in the Slovak language. The better knowledge of the language, the more independent and able to solve their own situations the refugees are (communication at offices, seeking employment or accommodation, etc.). Despite this obvious fact, language proficiency of PoCs is, generally, relatively low. On the one hand, this is a result of a lower intensity of language teaching (refugee centres provide a course schedule of 90-minute meetings two to three times a week, which is about 12 hours per month) considerably less than in other countries.⁶⁵ This is felt by many PoCs, who lack sufficient space to learn and practise the language. Moreover, there is an absence of the basic studying materials, particularly the textbooks that would typically be used for Slovak language courses.

Another fact that is reflected in the lower language proficiency is that refugees, after being granted international, especially subsidiary, protection, go abroad with a vision of a brighter future (or the hope of being granted international protection elsewhere, which is not possible) and return only to re-apply for subsidiary protection. Therefore, they are only scarcely exposed to the Slovak language with little to no practical application.

Finally, there is a certain unwillingness from the side of some PoCs to learn a difficult foreign language, which Slovak certainly is. This is often connected to a feeling of insecurity in relation to their future, as subsidiary protection is only temporary and is not renewed automatically. This then leads to a sense of pointlessness in learning a language which they may never need to speak and which is not used anywhere else in the world. This is illustrated by the following statements:

“ Few people attended the language course in the centre (Gabčíkovo) and so the teacher only came once a week. Nobody came to learn Slovak. Even I did not want to learn, because they speak Slovak only here and in the Czech Republic and it is a very difficult language.

Refugee from Iran, 46 years old

“ We have no one to practise the language with and so it makes no sense to attend the course, as we forget quickly what we have learned.

Afghan granted subsidiary protection, 24 years old

The language barrier also became apparent during the interviews as many PoCs preferred to speak in English rather than Slovak (even refugees who have been living here for several years now). This confirmed the insufficient level of proficiency of numerous PoCs, but of course, not all of them.

As far as the budgetary possibilities of projects for refugees are concerned, it would be desirable to intensify and diversify language classes more and such an ambition is currently in a trial period. This should add to meeting the needs of those PoCs who do make an effort to learn the language and hopefully speed up the progress.

Another desired change is to standardize the Slovak language education for various levels of achieved language proficiency according to the Common European Framework of Reference for Languages (such legislation exists in the Czech Republic, for example).

One of the identified issues was also the low motivation common for persons granted international protection to attend the language courses on a regular basis. In this case, it may be practical to consider adequate motivational rules, in the case of irregular attendance or low language proficiency. In accordance with the regulations of the project currently implemented for PoCs, sanctions are formally possible but hardly ever enforced. Still, the needs and possibilities of PoCs should be taken into consideration when scheduling courses (families with children, work-times, specific problems with learning, etc.), which may be the cause of low attendance in some instances.

9. Key Issues and Recommendations

The findings of this report identified for each target group the key issues that are directly or indirectly related to housing. For each problem the report proposes appropriate solutions.

9.1. Common problems

A. Absence of a rental housing market for low-income groups

Due to the almost non-existent market of generally affordable rental flats for low-income groups, as well as the unsatisfactory performance in the measures taken to satisfy the needs of accommodating foreigners in the framework of the Concept of Foreigner Integration there is no possibility for the PoC to obtain rental flats on a constant and dependable basis. In the case of refugees, the problem relates to the unavailability of such rental flats in economically stronger regions. Since there is no payment history of the PoC during their stay in Slovakia, they can not prove the capability to pay for housing without the intervention of the State.

Possible solutions are:

- Allow persons with international protection to obtain social housing through the adaptation of the general binding regulations of municipalities whereupon the conditions will be laid down for the foreigner to fulfill (cooperation between Association of Towns and Communities of Slovakia (ZMOS), Union of Cities and Municipalities). These conditions should be set so as to not discriminate against PoCs and based, e.g. only on permanent residence. An option could also be to extend the areas listed in the anti-discrimination law so that it is possible to take affirmative action in the area of housing.
- Share the information about social and/or rental housing for PoCs through the NGOs and the municipal authorities.
- Take steps towards more efficient fulfillment of the measures in the area of housing in accordance with the Concept of Integration

of Foreigners (i.e. to increase the offerings of rental housing and social housing to persons with international protection), including intensifying cooperation with ZMOS and the City Union and the Association of Employers. For this purpose it is necessary to define the goals, timetable and identify the authority and responsible entity for their fulfillment.

- Modernize the existing housing stock (refurbish the unused and damaged residential buildings), as well as allocate funds for housing from the State budget. To include housing development among the priorities of the State. In its Programme Declaration for 2012-2016, the Government of the SR pays attention - in the field of construction - to raising the level of housing construction and reconstruction of the housing stock all in order to develop rental housing. Financial resources in the construction programme for low-cost house-building should be stabilized with the investment of private funds. More specifically, the level of financed or the number (percentages) of newly built, or renovated rental houses is not stated and the proposals are evolving on too general terms.
- Conduct an analysis (in cooperation with the Ministry of Transport, the Migration Office, ZMOS, the Union of Cities and NGOs) of the market with the local rental flats and establish cooperation with the cities and municipalities (responsibility of the institutions implementing projects of integration of persons with international protection), that have the possibility to accommodate persons with international protection, with respect to the employment opportunities in the respective region.
- Mediate the savings or micro-loan programmes for PoCs (cooperation between Ministry of Labour, Ministry of Interior, Ministry of Transport, ŠFRB, etc.). Such programme would provide an acceptable alternative for improving the quality of housing of socially disadvantaged individuals and families through the financial bonus granted to the beneficiaries of the programme in the same amount as the amount they have saved. Saving accounts reward clients who regularly put money aside for certain purpose (usually to improve housing) with a financial bonus of a ratio of 1:1. Many of these persons cannot take loans from

banks due to their financial situation and borrowing from non-banking subjects does not offer favorable terms of repayment. Education, which at its core acts as an incentive for customers to save and economically manage their financial resources, results in the ability to amass sufficient funds that can further be used to improve the quality of their housing. The institution responsible for the implementation of projects for PoCs (mostly NGOs or the Migration Office) will be responsible for the administration and promotion of the savings programme. If this programme is implemented by a State institution, it would be necessary to define this in a law.

B. Absence of a national programme for the integration of PoCs

The integration measures are currently planned only for the persons who are granted asylum (according to the Act on Asylum) even though this group also lacks a specific concept of integration (the *Concept of Integration of Foreigners* speaks of refugees and persons with subsidiary protection, but only in the broader context of foreigners living in Slovakia). The persons with subsidiary protection as well as UAMs are not currently considered persons that should be integrated into society. Furthermore this is reflected in a number of legislative restrictions (work permits, short duration of authorized stay and problems with accommodation) as well as the strong dependence of these persons on help from NGOs.

Possible solution:

- Create a national integration programme for PoCs which will define clearly the standards, rules and scope of integration activities for all PoCs. This programme would establish as a rule the development of the individual integration plan for every person for their effective integration into society (with an emphasis on employment and adequate housing).

C. Problems with conceding the housing allowance

In the event of termination of the financial support from an NGO project, the PoCs are not entitled to receive the State housing allowance due to the fact that they have not paid for their accommodation by themselves during the past six months. In most cases the expenses for the accommodation are covered by the NGOs, so the PoCs have no chance to prove that they have paid for their accommodation independently. Moreover, the basic condition to the entitlement of this allowance is receiving the material need benefits at the same time. From the projects though, the clients receive support that usually exceeds the conditions of the minimum income. Moreover, the problem also arises in cases when PoCs have sub-renting contracts or they reside only with an accommodation contract, as Act on Assistance in material need defines one of the conditions as the ownership or rent contract for the house or the flat.

Possible solution:

- Amend legislation to include the period of payment of rent by an NGO project with the period defined under the Act on Assistance in material need as needed to qualify for the housing allowance.
- Increase the awareness of the PoCs by the NGOs in the area of administration of accommodation contracts

D. Deter accommodation of vulnerable groups in lodging houses

Accommodation in lodging houses is not adequate for vulnerable groups (families, mothers with children, women and the elderly) in many ways. In the past, it sometimes happened that for a certain period of time, such groups were accommodated in lodging houses.

Possible solutions:

- Create, housing reserves for vulnerable groups in cases of emergency, together with transparent rules, where it would be possible to accommodate such families for the necessary time (i.e. until appropriate accommodation is secured for them). Since

the integration flats and the rental apartments for refugees are not used in their full capacity, these possibilities exist.

- Increase the effectiveness of the use of the integration flats for all persons with international protection (in accordance with the recast of the Qualification Directive), as living in rented or sub-rented private homes is unaffordable for these persons. In particular, persons with low income are unable to secure such housing alone.

E. Absence of statistical indicators

The Office of Labour, Social Affairs and Family does not record statistics of PoCs receiving State social benefits or material need benefits. With those statistics the relevant bodies concerned with provision of the social assistance for PoCs could get detailed information upon which they could plan more specific assistance for social need.

Possible solution:

- The Office of Labour, Social Affairs and Family should regularly develop statistics on receipt of social benefits and allowances by the PoCs.

F. Lack of practical information for PoCs

Once the PoCs are admitted to an NGO project they are provided with too much information at once. This information is not available to the client in one place for later reference. Due to this, different misinterpreted information can occur among individual groups.

Possible solution:

- NGOs that provide basic services for the PoCs should have the task of creating practical information publication or a starter kit with information, which would be given to the clients in a language they understand. It would consist of basic information of the current legislation (laws and regulations), their responsibilities and rights that stem from the law. Furthermore, to provide them information about the region, the possibility of job counseling and

the possibilities to get support in the search of accommodation and so on would be included. At the same time it would be necessary to regularly update the information accordingly (legislation and project information).

G. Decision on the placement of the PoCs

Although in general, the PoCs can choose a place to live, in practice, due to such circumstances as the malfunctioning of the Integration Centre, they must choose among a few realistic possibilities. Also there is great demand among persons with subsidiary protection for housing in Bratislava, but due to lack of availability and possibilities included in the budgets of the NGO projects, the NGOs have the sole decision on their placement. If the client refuses the accommodation offered by the NGO, he/she can be provided with housing assistance to the extent that the NGO pays for the other clients. If the PoC changes his/her residence address there is a problem in registering a new one. This is caused by the heavy bureaucracy, the endless running between numerous offices. Moreover, in the case of private rentals, the landlords usually disagree with their tenants registering themselves at their address, because this brings many bureaucratic obligations for the landlord (e.g. tax payment).

Possible solution:

- Simplify the process of residence address change for the PoCs with a consequent change in the Act on the Stay of Foreigners.

9.2. Problems specific to persons granted subsidiary protection

H. Length and discontinuity of the validity of the residence permit

The discontinuity in the validity of the residence permit comes as a result of current practice. Primarily, the responsible offices do not keep up with the set deadlines for issuing the documents. Moreover, the Migration Office issues the decision on the extension of the protection only after the validity of the current one has ended, and getting the residence permit from the police is only possible after the submission of the decision on the extension of the protection. Without valid proof of residence the applicants also face another large problem in their everyday life, i.e. they can not get their accommodation. On top of that, the current practice shows a complete absence of residence permits for persons granted subsidiary protection even for a minimal period of one year as the Qualification Directive sets forth. Related to this is the reluctance of the landlords to provide accommodation to persons with limited time residence permission.

Possible solution:

- Respecting the legal deadlines in issuing the documents and avoiding discontinuity of the validity of the residence permit throughout the duration of the subsidiary protection, e.g. making this process smooth by legislation change whereby the Act on Asylum would regulate automatically the period of stay until a final decision is made on the request for the extension of the subsidiary protection.

I. Accommodating the basic needs through the project activities of the NGOs

Since 2010 the basic services for the PoCs are provided by NGO projects financed by the ERF. Thus the NGOs took over the entire agenda of providing basic services. There is no legal entitlement to any of the assistance provided to the PoCs. For this reason, an entire group of persons newly granted subsidiary protection as well as persons granted asylum who do not use the option of living in the Integration Centre are directly threatened with homelessness.

Provision of basic services does not leave the NGOs with sufficient space to provide more targeted and specific services, such as developing individual integration plans, improving working and career counseling, children and adult education, and managing the orientation courses, etc. The problem is also in the length and continuity of service provision for the PoCs, as the NGOs have only a one-year, or at maximum a two-year, period to implement the project. After that they have to apply for a new project.

Possible solutions:

- Review the entire model of provision of basic services through the activities of the NGOs and secure State guarantees for the accommodation of all PoCs.
- Define through legislation how and to whom basic needs would be provided for the PoCs in case there is no more possibility to use the funds from the ERF (for whatever reason).

J. Discrimination against the employed

We believe that the conditions for provision of the financial support from NGOs disempower PoCs with newly granted subsidiary protection who manage to find employment during the year of their eligibility for project support. According to the rules of the project, an individual who manages to get a job loses his/her financial support for accommodation. The threat of losing such support from the project can discourage the PoCs from finding a job. However, as soon as the person loses the job, they can again be included in the project, so that they are not left completely without any resources.

Possible solutions:

- For reasons of equity towards the individuals concerned it is recommended that the NGOs reconsider provision of the financial support related to housing for persons included in the project so that they are able to receive financial assistance independently from the fact of being employed or unemployed. Alternatively, they can either compensate the loss of such support with the provision of an incentive package (e.g. material aid) or to provide the housing allowance from the project for a certain period after getting the job (e.g. six months) with a gradual reduction.

K. Barriers to entering the labour market

The availability and quality of housing are closely linked with one's employment. Due to the fact that the work permits are neither issued for the temporary work nor for employment through agencies, the PoCs cannot legally benefit from these alternative employment arrangements. Moreover, many employers still have insufficient information on the specifics of employing PoCs.

Possible solutions:

- Raise the awareness among employers about the legal status of persons with subsidiary protection and the conditions under which they can be employed.
- The Migration Office should together with relevant NGOs and in cooperation with the Ministry of Labour, Social Affairs and Family, search for the possible benefits for employers that they would be able to take advantage of when employing PoCs.
- The Migration Office in cooperation with Ministry of Labour, Social Affairs and Family should propose a legislative change in order to abolish the need for work permits for persons granted subsidiary protection.
- The Migration Office should initiate a legislation change to enable persons with subsidiary protection to get a long-term (permanent) residence after five consecutive years of residence in Slovakia.

9.3. Problems specific to refugees

L. Non-utilization of integration flats

Due to the fact that the Migration Office does not fully utilize the integration flats in Bratislava, the refugees are facing slight disadvantages in comparison to the persons with subsidiary protection, who are getting their accommodation fees paid by the NGO projects. The refugees in this region are forced to live entirely in privately owned flats. According to the financial possibilities of the budget of the ERF-funded project, these persons, providing they belong to any of the vulnerable groups, can be provided a financial contribution in order to pay the rent - partially or even in full. The

NGO decides in each individual case what the total amount of the contribution will be. There is no legal entitlement to such financial contribution.

Possible solution:

- The Migration Office should make a better use of the integration flats and facilitate the access to these flats for all PoCs (particularly to vulnerable groups such as families, mothers with children, the sick, the elderly, etc.)

9.4. Problems specific to UAMs

M. Lack of opportunities for durable solutions

The target group of UAMs lacks durable solutions. In the area of housing the main problem is once the minors turn 18, their tolerated stay officially expires and they have to leave the children's home. If the UAMs were granted some form of international protection they would be further accommodated in lodging houses according to available vacancies. By leaving the location in which they have already been partly adapted, the process of their integration is interrupted.

Possible solutions:

- Create an integration framework for the target group of UAMs directly incorporated in the Concept of Integration of Foreigners that would allow UAMs already granted some form of international protection to continue the integration process in the region where they were placed during the past period.

N. Placing and transfer of UAMs during the asylum procedure

Once the asylum procedure has started, UAMs are transferred from the facility of socio-legal protection of children in Horné Orechové to the reception centre in Humenné, but also to the accommodation Centre in Opatovská Nová Ves. Here they are accommodated together with the adult asylum-seekers. Since the Ministry of Interior is not facilitating socio-legal protection of children and does not have the capacity to exercise all necessary measures to ensure appropriate care for children, we suggest the following:

Possible solution:

- Possibility to continue the provision of care in the children's home even after the application for asylum is submitted, which should be stipulated directly by the Act on Asylum, which will simultaneously support the integration of the minor and will not interrupt his/her education process in the school where he/she started.

Acronyms

CI	Concept of Foreigner Integration of 2009
ERF	European Refugee Fund
EU	European Union
GDP	Gross Domestic Product
IOM	International Organisation for Migration
MO	Migration Office (of the Ministry of Interior of the Slovak Republic)
NGO	Non-Governmental Organisation
PoC	Person of Concern
ŠFRB	State housing Development Fund
SHC	Slovak Humanitarian Council
SR	Slovak Republic
TCN	Third Country National
UAM	Unaccompanied Minor
UNHCR	United Nations High Commissioner for Refugees
ZMOS	Association of Towns and Communities of Slovakia

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