

*The Human Rights League*



## **My Life in Slovakia**

Information Brochure for Unaccompanied Minors in the Slovak Republic

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## **Introduction**

The brochure in your hands is intended mainly for unaccompanied minors, i. e. for all children and young people under 18 years of age who are in Slovakia without their parents or other relatives.

The aim of this publication is to give you and other children in a situation similar to yours answers to questions you would like to know, and thus facilitate your orientation in life in Slovakia.

By reading this publication you will learn about:

- the Children's home for unaccompanied minors in Medzilaborce;
- who is a guardian and what is his/her role;
- what are your options for finding a solution to your current situation;
- what is the asylum and subsidiary protection, and to whom can they be granted;
- the asylum procedure and where will you stay during your asylum procedure;
- what is the tolerated stay permit and what are your rights while having a tolerated stay status;
- whether you have the possibility to return to your country of origin (that means to the country you come from, or directly to your family) and who can help you to do so;
- whether you can reunite with your relatives who live in another country;
- what happens when you reach 18 years of age;
- which authorities and organizations can help you, including contact information;
- finally, you will be offered a dictionary describing terms you can come across in regard to your legal status and your stay in the Slovak Republic.

This brochure should provide you with basic information. Obviously, you might not find answers to all of your questions in it. In such a case, we in the Human Rights League stand ready to provide the necessary help and advice to you. The contact information of our organization as well as other organizations you can turn to can be found at the end of this publication in the chapter "List of organizations and institutions that can help you".

## 1. Children's home for unaccompanied minors in Medzilaborce



### Why am I at a children's home?

The children's home you were placed in after the police had found you on the territory of the Slovak Republic is a children's home for children like you, i.e. for children and young people under 18 years of age who are in Slovakia without their parents or other adult relatives.

You were placed in the children's home on the basis of a court decision. Slovak courts are obliged by law to place each child without adult care into a children's home. The same applies to Slovak children. The aim of this placement is to provide you with care and protection you are entitled to as a child.

### How does the children's home look like and how is it organized?

The building of the children's home has two parts; the reception part – the closed one, and the residential part – the opened one. After arriving to the children's home, each child is first temporarily placed into the reception part as he/she has to go through medical examination that will show whether or not he/she suffers from some disease and whether he/she needs to undergo any treatment. The reception part is a closed one. This means that when you are placed in it, you temporarily cannot move around freely and get in touch with other children

so that you cannot infect them with an infectious and easily communicable disease. Only after going through all the necessary examinations that show you are not ill, you will be transferred to the residential part of the children's home. Now you can move around freely among other children.

Apart from the residential part, there is a fitness room connected with a computer room with Internet connection as well as a yard with a playground in the children's home.

#### What can the children's home provide to me?

The children's home you stay at will provide mainly accommodation, food, necessary clothing and toiletries to you. You are entitled to all of this; however, only to the extent that the funds of the children's home allow.

The children's home will also provide necessary health care to you. In the case of any health problems, you should turn to the staff of the children's home who will help you and take you to the doctor if necessary.

The children's home will ensure Slovak language lessons for you. These lessons will be provided either at school or directly at the children's home. Moreover, several educators and a social worker will take care of you at the children's home. They are employees of the children's home whose work is to look after your education and your positive mental, physical and social development. The educators will spend free time with you, play various games with you, they will take you for a walk or a trip. However, they can also assign you duties like to tidy up your room, or to assist with various minor works at the premises of the children's home.

It is good to realize that the purpose of the children's home is to temporarily replace your real home. It is not a boarding house or a hostel but rather a facility where you will find friends and spend most of your time. The staff of the children's home will seek to create a pleasant environment for you. However, it depends also on you and on how you will contribute to the positive coexistence with other residents and to the friendly atmosphere at the children's home.

May I move freely outside the premises of the children's home?

You may only leave the premises with the consent of the social worker, the director or the educator. They will mainly consider whether the place you want to go to is suitable for you. You should realize that these people are responsible for you and care about your safety.

How long may I stay at the children's home?

You may stay at the children's home as long as you stay in Slovakia and are a minor, i.e. until your 18<sup>th</sup> birthday. In special cases you can stay at the children's home longer. This does not apply if you decide to ask for asylum or subsidiary protection since by law you have to stay at a facility for asylum seekers during your asylum procedure (you will learn more about these facilities in the "International protection" part of this brochure).

## 2. Legal status



Since you are outside your country of origin unaccompanied by your parents and you are younger than 18, your rights, in some points, are different from those of adult foreigners and they grant you enhanced protection compared to adult foreigners.

How are the rights of an unaccompanied minor different?

- the court must establish a guardian for you who will protect your rights;
- the police cannot deport you from the country until you are 18 years old;
- you cannot be placed in a detention center for

foreigners (which is a facility similar to a prison).

What is my legal status after being placed into the children's home?

On the basis of the court decision, you were placed in the children's home where you have the right to stay until you are major of age (18 years old). During the whole stay in children's home you are entitled to tolerated stay permit, unless you decide to ask for asylum. Nobody can force you to return to your country of origin against your will.

What are the options for solving my situation?

There are basically four different options for solving your situation depending on their suitability for you. These are the following:

- to reunite with members of your family who live in another country;
- to stay in the children's home with granted tolerated stay permit until you are 18 years old;
- to apply for international protection (asylum or subsidiary protection) in the Slovak Republic;
- to return voluntarily to the country of origin (back home).

You will find more information on the individual options in other parts of this brochure.

### What are my rights of an unaccompanied minor?

Apart from the above-mentioned options for legal solving of your situation, you have mainly the rights you are granted as a child:

- the right to health care (the same as Slovak children);
- the right to be provided with housing, food, sanitary facilities and essential clothing;
- the right to education (the right to attend Slovak language lessons and, in case of a good command of the Slovak language, to attend a Slovak school);
- the right to have your culture, habits and religion respected by others (e.g. respect for your holidays and your habits);
- the right to practice your religion in private as well as in public;
- the right to express your opinion freely;
- the right to express yourself regarding any of the circumstances and measures that relate to you;
- the right to speak in the language you understand (the right to an interpreter);
- the right to access to information;
- the right to have your best interests reflected.

Other important rights that belong to you are:

- the right to legal aid in the asylum procedure (from the beginning of the asylum procedure);
- the right to the protection of your personal data;
- the right to voluntarily choose the solution to your current life situation;
- the right to be informed on the status of your procedure and on your legal status;
- the right to contact your guardian if you have a problem.

### Who can answer my questions regarding my legal status?

These questions can be answered mainly by your guardian (the Office of Labor, Social Affairs and Family). You also have the right to contact a lawyer of a non-governmental organization, who will provide free legal assistance to you. All necessary contact information can be found at the end of this brochure.

### 3. Guardian



#### Who is a guardian and how will he/she help me?

The guardian supervises the rights you are granted as a child and does all the legal acts related to solving your situation. This means, for example, that through your guardian you can apply for tolerated stay permit, for asylum, etc.

The guardian is appointed by the court and it is usually the Office of Labor, Social Affairs and Family in Medzilaborce. An employee of this office will represent you every time a relevant decision related to your socio-legal status has to be made. The guardian allows you to make a free decision and to express what you think is the best for you; however, all the necessary steps towards solving your status have to be taken by your guardian.

The guardian communicates with all important authorities and institutions to ensure either the legalization of your residence in Slovakia (by lodging an application for a tolerated stay permit or for asylum), or your return back home, or, upon meeting certain requirements, he/she can help you to reunite with your family abroad. During your stay in Slovakia, he/she should also be interested in your well-being and try to help you in the case of a serious problem.

Having a serious problem or wanting to be updated regarding your legal status, you have the right to turn to your guardian. You can do it by asking a worker at the children's home or at the camp for asylum seekers (depending on where you are staying) to make contact with your guardian. The guardian communicates with you with the help of an interpreter from the language you understand.

#### 4. International protection



#### What does it mean to “ask for asylum”?

The asylum is a form of international protection that is granted by the Slovak Republic to a foreigner who has a well-founded fear of being persecuted for reasons of **race, nationality, religion, political opinion or membership of a particular social group** and owing to such fear is **unable or unwilling to return** to his/her homeland.

The fear of being persecuted means that the **foreigner fears to return to his/her country of origin because there is a risk of being killed, tortured, or treated cruelly, or a risk of serious abuse of his/her basic human rights (the right to life, protection from torture and slavery and so on).**

**If you fled and you are afraid to return back to your country of origin because you are of a certain race or nationality, you hold certain religious beliefs or a certain political opinion, and you are afraid of persecution, you can ask for asylum.**

The asylum can also be granted on humanitarian grounds. These grounds, however, are not specified in the law. It is, therefore, upon the office that grants asylum (it is called Migration Office) to consider whether it is appropriate to grant asylum on humanitarian grounds in a particular case. This could, for example, include poor health or serious mental problems.

#### The asylum procedure – step by step

**If you decide to ask for asylum, inform your guardian about your decision, or tell the social worker or the educator at the children's home that you want to ask for asylum and the children's home will subsequently contact the guardian.**

The guardian will accompany you to the pertinent Foreign Police Department where you will make a statement – you will apply for asylum. Apart from your personal data, you will be questioned about the **reasons for applying for asylum. It is important to specify what you are afraid of in the country of origin / what you want to flee from.**

Then, within 24 hours, an employee of the children's home will take you to the Reception Center for Asylum Seekers in Humenné (in eastern Slovakia) where you will spend around one month and will be subjected to medical examination. Nevertheless, if you want to stay at the children's home because you are already adapted to it, you study Slovak language and you go to school or plan to do so, because you already have friends or you have some health problems, let the guardian know. He/she can ask the Migration Office for exception thanks to which you would not need to go to the Reception Center. The reception center is not a facility for children and young people under 18 years of age and the life in it is different from the live in a children's home.

Your application for asylum will be assessed by the Migration Office of the Ministry of Interior of the Slovak Republic. Under the Asylum Act, the Migration Office will issue a decision in your case usually **within 90 days (3 months); however, the Migration Office can extend this period, if necessary.**

In order to assess your application, an official from the Migration Office will make an interview with you **in which he/she will ask detailed questions about your reasons to apply for asylum.** Most likely, this interview will take place during your stay at the

Reception Center in Humenné; it may also be held shortly after your arrival to the camp though. Apart from the migration officer, there will be an interpreter from your native language – or other language you understand – present during the interview. **It is important that you understand everything they will ask you and tell you during the interview. Therefore, in case you don't understand the interpreter properly, tell the migration officer so.** You have the right to a new interview with an interpreter you will understand well. There will also be an employee of the Office of Labor, Social Affairs and Family present during the interview and in case you have a lawyer, he/she will be present as well. **There will probably be just one interview held with you during the asylum procedure. It is therefore of great importance that you mention all the facts relating to your flight from the country of origin as well as talk about your concerns for which you do not want to return.** If necessary, the migration officer in charge of your case may require a second, additional interview – this, however, depends on his/her decision.

**You have the right to have your own lawyer from the beginning of the asylum procedure until its end. The lawyer must be granted a power of attorney to represent you in the asylum proceedings. The power of attorney can be granted to him/her by your guardian. Thus, if you want a lawyer, you have to ask your guardian.**

After about one month of your stay at the Reception Center, you will be transferred to an accommodation center where you will live until the end of your asylum procedure.

The Migration Office may render a decision either to grant, or to deny you asylum. In the case that the Migration Office decides not to grant you asylum, in the course of asylum proceedings it always considers the possibility of granting you subsidiary protection.

What is “subsidiary protection”?

Subsidiary protection is a form of international protection the Migration Office can provide to you in the case that it denies you asylum. Under the Asylum Act, the Slovak Republic provides subsidiary protection **if there are serious reasons to believe that in the case of return to the country of origin, the asylum seeker would face a real risk of serious harm.**

Serious harm amounts to:

1. Imposition of the death penalty or its execution;
2. Torture and other inhuman or degrading treatment or punishment;

3. Serious and individual threat to life, or to the integrity of the person due to arbitrary violence during an international or national armed conflict.

This simply means that you can be granted subsidiary protection when you face the risk of death penalty or torture in the country of origin, or when your life is at risk because of fighting going on in your country.

To whom is the decision of the Migration Office delivered?

As you are a minor and have a guardian appointed by the court, the decision of the Migration Office is **not delivered directly to you but to your guardian. In the case that you have a lawyer to represent you in asylum proceedings, the decision will be delivered to your lawyer.** Your guardian or your lawyer should inform you about the content of the decision. Apart from the assertion of whether you were or were not granted asylum, or were or were not provided subsidiary protection, every decision contains also a reasoning of the decision – it tells you why the Migration Office decided that way.

What happens when I am granted neither asylum nor subsidiary protection by the Migration Office?

In such a case you have the right to appeal against the decision of the Migration Office within 30 days after the delivery of the decision. To appeal means to express that you do not agree with the decision of the Migration Office. The appeal is decided upon by the court. **You may write the appeal to the court yourself in your native language. However, since the appeal must meet the requisites prescribed by law, it is better for your lawyer to do it. If you do not have your own lawyer for asylum proceedings, you have the right to ask your guardian to grant power of attorney to a lawyer of a non-governmental organization or to a lawyer from the Legal Aid Center (Centrum právnej pomoci) to represent you in the second-instance (appellate) procedure – this means in the proceeding before the court – as well as to write an appeal.**

What will follow after having lodged an appeal to the court?

**The sense of the proceeding before the court lies in the fact that the court reviews the decision of the Migration Office and evaluates whether it was or was not issued correctly and in accordance with the law.** The court can **abolish** the decision of the Migration Office as a whole (in its entirety) or partially (only in the part relating to subsidiary protection) and

return it back to the Migration Office for further proceedings and **issuance of a new decision; or it can confirm the decision of the Migration Office.**

The court may order a hearing during the appellate procedure (it means the case will be heard at the court in your presence), or it can decide without hearing, solely on the basis of the file. You will get a written notice from the judge (through your guardian, or your lawyer) inviting you to declare whether you want a hearing to be held or not. The hearing will take place in front of a single judge (one judge) and there will also be an interpreter (from a language you understand), your lawyer (if you have a lawyer), your guardian (or his/her colleague), a representative of the Migration Office and a typist present at the hearing. If you have a lawyer, he/she presents legal arguments to the court on why the decision of the Migration Office should be abolished. You will also be called upon by the judge to state the reasons for your asylum claim; why you fled from your country of origin and why you cannot return back. At the end of the hearing, the judge renders a decision that will subsequently be delivered to you, your lawyer, or your guardian via mail.

In the case of a negative decision of the Regional Court (Krajský súd), it is still possible to make an appeal to the Supreme Court of the Slovak Republic (Najvyšší súd SR).

#### What is important to know about the asylum procedure?

- By applying for asylum, you ask the Slovak Republic for international protection and declare that you cannot return to your country of origin for fear of your life or your basic human rights.
- Already when applying for asylum – filing asylum application with the police – **it is important to state why you are afraid to return to your country of origin and why you are asking for protection.**
- **It is important to enter your name and date of birth correctly and not to change your identity during the proceedings, since it may result in you being assessed as non-credible** (that you cannot be believed), which may have a negative impact on the assessment of your application by the Migration Office.
- **Do not submit forged travel documents or other documentation, or if you hold a forged passport, do not present it as your own but state that it is a fake one and the reason for holding it.**

- During the interview at the Migration Office, state **in detail all the reasons for applying for asylum and the circumstances that made you flee from your country.**
- If you do not understand the interpreter well during the interview, say you do not understand him/her. The Migration Office will schedule a new interview and provide another interpreter for you.
- **Do not answer questions you do not understand. If you do not understand the question well, say it. If you do not know the answer to a question, say you don't know.**
- **When you get tired during the interview, ask for a break.**
- During the whole asylum procedure, including the proceedings in front of the Migration Office, you have the right to have your own lawyer who will provide free legal assistance to you and will defend your interests in the asylum procedure.
- **If you want a lawyer, tell your guardian about it because, as you are a minor, you cannot empower a lawyer to represent you (grant a power of attorney to a lawyer to represent you) yourself but your guardian can do it for you.**
- In the case that you think your rights are being violated during the asylum procedure, or you have some other serious problem, for example regarding your accommodation in the asylum camp, turn to your lawyer, or if you do not have a lawyer, to your guardian. You can also turn to the Office of the United Nations High Commissioner for Refugees – UNHCR.
- If you do not have a lawyer in the proceedings in front of the Migration Office, **the law gives you the right to be represented at the court by a lawyer from the Legal Aid Center who will also write an appeal against the negative decision of the Migration Office for you.**

## 5. Family reunification



What does “family reunification” mean?

If you know that a parent of yours or some other relative lives in a country of the European Union, or in another country other than your country of origin and you want to travel to him/her, **tell your guardian about it.**

The guardian will then try to find out whether your relative **lives legally** in that country, **what type of residence does he/she have** and whether he/she wants you to live with him/her and is willing to take care of you. **If so, the guardian decides upon which way would be the best to ensure the travel to your relative.**

To reunite you with your relatives, the guardian will need the following documents:

- your ID (identity document) or birth certificate (if it is possible to get it);
- the ID (passport) of your relative you want to reunite with;
- your relative’s certificate of residence in the country he/she currently lives in;
- if your relative has already been granted asylum in that country, then also his/her certificate of asylum;
- the consent of your parent/parents to reunite you with your relative (if possible);
- a letter in which your relative states that he/she agrees with you coming to him/her and is ready to take over the responsibility for you.

Your relative who you want to reunite with must be in a country of the European Union, or in another country, **legally, that means he/she must have a residence permit there, or must have already been granted asylum or subsidiary protection or be an asylum seeker.**

**The country your relative is in will accept you only when it has been confirmed that you really are a family.** In the case of any doubts, the country your relative lives in can ask for a blood test (DNA test) to verify the family relationship between you.

How is the family reunification in another country of the European Union implemented?

There are more options for ensuring family reunification. Your guardian will decide which one of these options is the best for you.

Family reunification is mostly ensured under the so called Dublin procedure. That means that you ask for asylum and Slovakia asks the EU member state where your relative, who you want to reunite with, lives to take over the responsibility for assessing your asylum application. While handling the necessary documents, you will stay at the children's home and you will be granted a tolerated stay permit. If your case is being solved under the Dublin procedure mentioned above, you will be transferred to an asylum camp after you have asked for asylum, unless your guardian applies to the Migration Office for an exception for you. If you don't want to be transferred to an asylum camp, tell your guardian so. In the case that the family reunification fails, your asylum claim will be assessed by Slovakia.

## 6. Voluntary return



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In the case that you want to return to your family in your country of origin, inform either your guardian or an employee of the children's home about it.

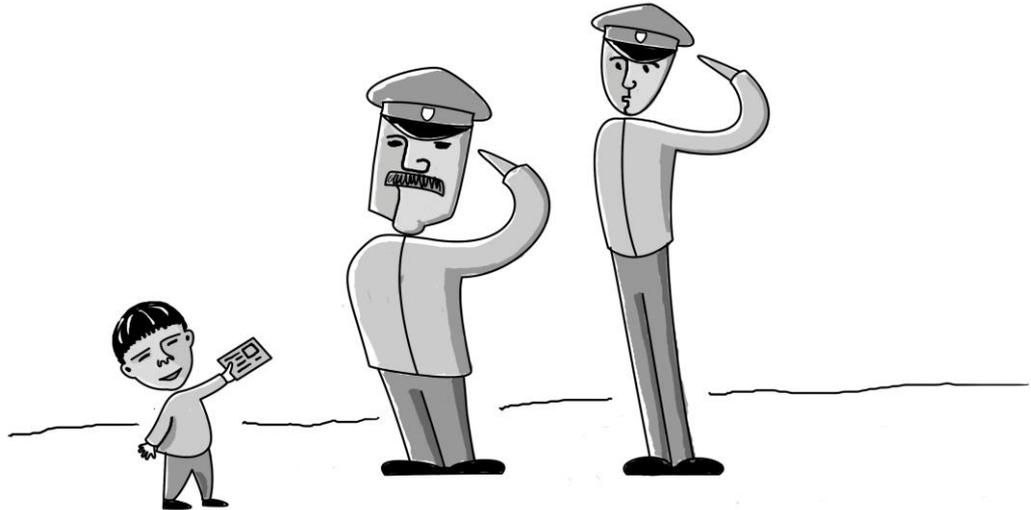
If the guardian assesses this alternative as the most appropriate for you, he/she subsequently takes the necessary steps to ensure your return. Generally, he/she contacts the International Organization for Migration (IOM) that ensures voluntary returns.

IOM not only tries to identify your will to return home, but it also contacts your family that must give a written consent with your return; moreover, IOM examines the family conditions in your country of origin.

IOM will provide you with travel document – in the case that you do not have your own passport – and a plane ticket as well. All expenses related to your transportation back home are covered by IOM. Your transfer to the country of origin is secured by an accompanying person from IOM. At the airport in the country of origin, the IOM employee hands you over to an officer of the IOM mission in your country of origin that will ensure your secure return home to your family.

If you want to return home but have no family there who could take care of you, your country of origin will have to take over the responsibility for you. In that case, the guardian makes sure that you will be provided care and protection after your return and, thus, whether your return is safe enough and appropriate for you. Your return to your country of origin must be voluntary and your personal consent is required.

## 7. Tolerated stay permit



**Every unaccompanied minor found in Slovakia has the right to be granted the permit for tolerated stay.** This is one of the types of residence permits granted by the police; it will make your residence in Slovakia legal (legitimate). **Your guardian will apply on your behalf and in your presence for tolerated stay permit at the particular Foreign Police Department – providing you haven't decided to ask for asylum. The Police will render a decision on your application for tolerated stay permit within 15 days after the submission of the application.**

For how long will the tolerated stay permit be granted to me?

**Under the law on the residence of foreigners (Aliens Act), the police grant you a tolerated stay permit for no longer than 6 months (180 days).** However, this stay permit will be further extended, always for another 6 months, until you are of age, i. e. 18 years old.

The tolerated stay permit terminates when:

- you reach 18 years of age; or
- you leave the territory of the Slovak Republic; or
- you ask for asylum.

BUT! If you were granted tolerated stay permit for the last three years and you were constantly preparing yourself for future occupation (i. e. attending school), after you reach 18 years of age, you can apply for a permanent stay permit for an unlimited period of time!

#### What does the tolerated stay permit entitle me to?

During the duration of the tolerated stay permit, you will live in the children's home in Medzilaborce. You will be learning Slovak language and attending a primary or a secondary school, just as other children in the children's home.

At the same time, you will be issued a foreigner's passport. This passport entitles you to travel throughout the whole territory of Slovakia and to travel out of Slovakia. BEWARE – the foreigner's passport does not entitle you to re-enter (return to) the territory of the Slovak Republic. Once you leave Slovakia, you cannot return legally. The foreigner's passport serves as an identity document (ID) by means of which you can prove your identity, for example when a policeman stops you in the street and asks you to produce a proof of your identity.

### **8. When I reach 18 years of age...**

After reaching 18 years of age, next steps will depend **on your legal status in Slovakia at the time of reaching legal age.**

#### 1. If you have the asylum seeker status

If you are an asylum seeker, there will be no substantial change to your legal status. Even after reaching 18 years of age your asylum procedure will go on and you will continue living at the camp for asylum seekers or in the children's home.

As already mentioned in the chapter relating to international protection, you have the right to choose your own lawyer during the asylum procedure. **When you are a minor, your guardian must grant the power of attorney to the lawyer for you. After reaching 18 years of age, you are the one to grant the power of attorney to the lawyer.**

If you do not choose a lawyer, all the legal acts relating to the asylum procedure have to be done by yourself; the Migration Office as well as the court delivers all the decisions to you then.

## 2. If you have refugee status (you were already granted asylum)

If you were been granted asylum, which means you obtained protection in Slovakia for unlimited time, the police will grant you a permanent stay permit and you cannot be returned back to your country of origin. This applies even after reaching 18 years of age.

**As a person granted asylum you have the right to live at the integration center in Zvolen for 6 months.** A social worker will help you to navigate in life in Slovakia and will accompany you to all important offices. At the same time, you will be attending a Slovak language course. You have half a year to find a job placement or a school, if you want to study, as well as a suitable accommodation and to start an independent life in Slovakia.

Since you were granted asylum, you will be issued a foreigner's travel document upon your request that entitles you to travel abroad. However, if you wanted to work or study abroad, **you would need a permit issued by that particular country.**

## 3. If you were granted subsidiary protection

If you were already granted subsidiary protection, that means you have obtained protection in Slovakia for **one year**, the police will grant you a temporary residence permit and you cannot be returned to your country of origin. Even if you reach 18 years of age during the duration of your subsidiary protection, it continues to be valid.

During the provision of subsidiary protection, you can stay accommodated in a facility that accommodates foreigners granted subsidiary protection. Apart from accommodation, there will be meals, basic hygiene needs and allowance (pocket money) provided to you. At the same time, a Slovak language course will be provided to you.

As a foreigner granted subsidiary protection you will be issued a foreigner's passport by the police that entitles you to travel abroad. However, if you wanted to work or study abroad, **you would need a permit issued by that particular country.**

**BEWARE! Unlike asylum, with subsidiary protection status you have to apply at the Migration Office for an extension of subsidiary protection.** Upon meeting all requirements and submitting an application, the subsidiary protection status will be extended always **by two years**. You are obliged to submit the application **at the earliest 90 days and at the latest 60 days before the expiry of the one-year period**. The NGO workers will assist you with

submitting the application. **Failure to comply with the statutory deadline for submitting the application will result in non-extension of the subsidiary protection!**

4. If you were granted a tolerated stay permit

If you were granted a tolerated stay permit and were staying at the children's home until reaching legal age, your tolerated stay permit will terminate on the day of reaching 18 years of age. **BUT – if you were staying at the children's home until the age of 18, you were granted the tolerated stay permit for the last three years and, at the same time, you were attending school in Slovakia properly, after you reach 18 years of age, you can apply for a permanent stay permit for an unlimited period of time.** If this is not the case, your tolerated stay permit will terminate on the day of reaching 18 years of age and, subsequently, you will be a foreigner staying unlawfully in Slovakia. **If you do not ask for asylum, you will most probably be expelled from the territory of Slovakia and also detained for this purpose. We therefore advise you to contact a lawyer of a non-governmental organization before reaching the age of 18. The lawyer will assess your case and advise you on your legal options.**

## 9. Human trafficking



*Each year, an estimated 800,000 to 900,000 human beings are bought, sold, or forced across the world's borders.<sup>1</sup>*

### What is human trafficking?

Human trafficking is the luring of people, mostly by means of trick, deception, threat of violence or the abuse of one's vulnerable position, for the purpose of exploitation/abuse. That includes the exploitation for prostitution or other forms of sexual exploitation, forced labor or service, begging, criminal activity, enslaving or removal of organs. (Abbreviated Palermo Protocol) The human traffickers do all that for money and profit from enslaving a person who believed them.

Human trafficking is a modern form of slavery and it is a serious criminal activity. Victims of human trafficking are mostly persons who come from poorer regions of the world and who are looking for a way out of poverty, loneliness, a way out of a bad family background, or of a bad financial situation. **Particularly you as an unaccompanied minor without protection of an adult family relative are at risk during transit and could be an easy prey for traffickers. The traffickers work through acting like people who try to help you, they promise you work, accommodation and journey, they ensure documents that you don't have to pay for at the beginning. Nevertheless, later you will pay dearly for these “services” because you will have to “buy yourself out from your debt”.**

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<sup>1</sup> US Department of Justice, Child Exploitation and Obscenity Section, Trafficking and Sex Tourism, 2003, <http://www.usdoj.gov/criminal/ceos/trafficking.html>

### ***Forced labor:***

Minors may be sold as a cheap labor force to factories, for domestic labor, agriculture and construction works, work in restaurants or for forced begging. One of the frequent types of child exploitation is to lure children to perform a well-paid work in Western-European countries where, contrary to the promised offer, they are forced to beg, steal, sell drugs or commit other crimes. The members of criminal gangs can force them to do this by taking their travel documents, threatening them or their family or, on the contrary, promising them a high reward or a property they will, however, never receive. Life in such illegal group or with one trafficker may involve restrictions on freedom of movement and constant control, violence, as well as sexual abuse.

*Story: A group of three boys from Albania was forced to scrounge for their uncle in Rome. When they failed to scrounge the sum required by their uncle every day, they were forced to steal to make up for the missing money. They were then arrested in theft by the police who found out the background of their story and a prosecution started against their uncle. (From an IOM publication)*

### ***Sexual exploitation:***

Another type of abuse and at the same time one of the most well-known and the worst purposes of human trafficking the children are also subject to is sexual exploitation. It does not relate only to girls but also to minor boys. Work in sex business, prostitution, pornography, or forced homosexual intercourse is, similarly to the previous case of servitude, enforced directly by using physical violence, threats, or imprisonment in somebody else's apartment. The traffickers use different practices to obtain full power over the exploited person – one of such practices implies causing their drug addiction.

*Example: A young girl from Russia was abandoned by her mother who had left for abroad. She started neglecting school and going to discos where she met a young likable man. She fell in love with him and after some time she was persuaded by him to leave together with him for work in Sweden. There he sold her to a pimp (a person who makes money by controlling prostitutes) who forced her to do prostitution in a locked apartment under the influence of drugs.*

- What to do if you get into trouble? Run to a place where there are people – to a public and at the same time an official place (a police station, an official institution, a library, a post office, etc.).

- Even if you are in any of the countries of the European Union illegally and without any documents, **don't be afraid**. The victims of human trafficking are being protected in the EU countries. Therefore, if you tell your story, a non-governmental organization whose aim is to help the victims of human trafficking will take care of you together with the police.
- You can also seek help in places marked with a cross, for example in hospitals, churches, first aid centers and so on.
- If you are abroad, try to contact the embassy of your country.
- Ask for contact information to a helping organization. In Slovakia, such organization is IOM Bratislava or the Slovak Catholic Charity (Slovenská katolícka charita). In many countries of the European Union, it is the organization La Strada. Nevertheless, also other well-known organizations can help you, for example the Red Cross or the UNICEF.
- In most countries you can call the emergency number 112 from a telephone box.
- 
- Whom can I contact if I am in trouble?

If you are in Slovakia, except for the above mentioned phone number, you can call the free national helpline: 0800 800 818 (IOM – Bratislava).

If you are in the children's home or in a camp for asylum seekers, you can confide in an educator of the children's home, or in a social worker at the camp. You can also tell about your concerns to your guardian or to the workers of a non-governmental organization. You can go directly to the police as well.

#### How do I realize from my story that I might be a victim of human trafficking?

- You traveled with the help of traffickers, in poor conditions, you do not know where exactly you are heading and what are you going to do there.
- You were equipped with forged travel documents or your own documents were taken from you.
- All the travel expenses and possibly also accommodation were covered for you providing that you would pay off the DEBT afterwards.
- Someone else (for example, your family) sent you abroad to make money; however, you have concerns and do not trust people who should provide work for you, even if these are, for example, family friends, etc.

- They told you that if the police separated you when crossing the border, you should ask for asylum; on the basis of that, you would go to the asylum camp from where you would flee with the traffickers after a certain period of time to continue the journey.
- You have a phone number to contact the traffickers in the case that you are separated.
- You were told you shouldn't tell anybody the true story, not even people in the children's home, your guardian, the lawyer of a helping organization and, above all, not to the police. They told you you should not trust anybody because you're "illegal" and you would be either deported or imprisoned.
- The people smugglers or traffickers will find out where you are, they will contact you and try to lure you to flee from the children's home, for example.
- If you are in an asylum camp, they will try to lure you to apply for pass to go out and, subsequently, flee together.
- They will offer you work abroad; it's not an official work, though – you have no signed work contract.
- You are aware that the work offered to you will be illegal and you do not know exactly where and under what conditions you are going to work, where you are going to stay.
- If you ask questions or don't cooperate, you are threatened and intimidated (for example, by being forced to pay off your debt, or by being told that they would announce you to the police as an illegal migrant and you would therefore go to prison).
- They used violence against you and restricted your personal freedom (for example, during the journey or at the final destination you were locked in an apartment/a house/some other building and you were not permitted to leave alone – unattended –, to go to a shop, they take your documents away from you, etc.)

What happens when the state organs of the Slovak Republic find out that I am a victim of human trafficking?

Under the Slovak law, human trafficking is a criminal offense for which the offenders face an imprisonment. The offender is the person or the group of persons who wanted to trade you for profit. **However, you as a victim of human trafficking are entitled to protection in Slovakia and nobody will punish you for staying illegally in Slovakia. Under the Aliens Act, you will be granted a tolerated stay permit in Slovakia.**

## **10. Education in Slovakia**

**In Slovakia, each child has the right to education. The education is compulsory up to 16 years of age.**

**You too have the right to education.** However, before you start attending a Slovak school properly, you have to learn Slovak. Slovak language lessons will be provided to you by the children's home either at a school in Medzilaborce or directly at the children's home.

If you have lived in Slovakia for a longer period of time (i.e. you were granted a tolerated stay permit, or you obtained international protection in Slovakia) and you handle the basics of Slovak, you will start attending normal classes at a Slovak secondary or primary school (depending on your age). **Primary and secondary school education is free in Slovakia.**

## Conclusion

Let us tell you some final words. It is not just important to make the right choice between the above mentioned options for solving your situation; **you also need to be patient.** The handling of necessary documents always takes some time, which will require your patience and persistence. Even if you decide on a tolerated stay permit that you are guaranteed, you should be aware that mainly the first weeks in a foreign country in a facility with foreign people **won't be easy.** Nevertheless, we believe that these people will become your future friends and persons you can turn to with confidence. **Don't forget: the difficult situation you are in now may turn in your favor. Prudence and avoidance of acting in a hasty manner can help you to make use of the chance you have. You also have to be cautious and should not succumb to unrealistic promises of a wonderful life and a well-paid work abroad as it can be an illegal work and an unlawful stay, or you might face a risk of** being forced to do work you do not want to do; not being paid for work; paying off an unlimited debt to people who arranged your transfer; restrictions on your freedom of movement; forced sex; or violence. Do not give your travel documents or some other identity documents to people you don't know and always have contact information to the police or to non/governmental organizations with you, so that you can call them and ask for help if necessary.

## List of organizations and institutions that can help you

### *1. The Human Rights League – HRL (Liga za ľudské práva)*

*It can provide free legal counseling to you when deciding for one of the options in Slovakia or, in case of an asylum claim, it can assign you a lawyer to represent you during the asylum procedure.*

**Contact information:** The Human Rights League (Liga za ľudské práva); Hurbanovo nám. 5; 811 03 Bratislava  
Phone: 02 544 35 437 (office in Bratislava)

0918 682 457 (mobile phone)

You can also send us an email to: [hrl@hrl.sk](mailto:hrl@hrl.sk)

### *2. International Organization for Migration (IOM)*

*It will provide assistance to you if you decide to return to your country of origin voluntarily. IOM also helps victims of human trafficking to solve their situation.*

**Contact information:** IOM; Grösslingova 4; 811 09 Bratislava  
Phone: 850 211 478 or 02 5263 0025

**National helpline for victims of trafficking:** 0800 800 818

E-mail: [mic@iom.int](mailto:mic@iom.int)

### **3. The Marginal Civil Association (OZ Marginál)**

**Office in Košice:** Jesenského 25, 040 01 Košice

**Office v Žilina:** Daniela Dlabača 22, 010 01 Žilina

**Office in Bratislava:** Páričkova 18, 821 08 Bratislava

Phone: + 421 (0)948 900 791

E-mail: [info@marginal.sk](mailto:info@marginal.sk)

### **4. The Office of the Public Defender of Rights (Úrad verejného ochrancu práv)**

#### **Registered address**

Kancelária verejného ochrancu práv

Nevädzová 5

821 01 Bratislava-Ružinov

#### **Correspondence address**

Kancelária verejného ochrancu práv

P. O. Box 1

820 04 Bratislava 24

Phone: 02/48 28 72 39

Fax: 02/48 28 72 03

[sekretariat@vop.gov.sk](mailto:sekretariat@vop.gov.sk)

### **5. Migration Office of the Ministry of Interior of the Slovak Republic (Migračný úrad MV SR)**

It makes decisions on asylum claims and administers the camps for asylum seekers (in Humenné, Rohovce, Opatovská N. Ves)

**Contact information:** Migračný úrad MV SR; Pivonková 6; 812 72 Bratislava

Phone: 02 4341 4775 or 02 4825 4104

### **6. Camps for asylum seekers**

**Contact information:** Reception Center in Humenné; Mierová 100; 066 01 Humenné; phone: 057/7866 716

Accommodation Center in Rohovce; 930 30 Rohovce; phone: 031/5598 498

Accommodation Center Opatovská Nová Ves; 991 07 pošta Slovenské Ďarmoty; phone: 047/489 162

### **7. Emergency phone numbers**

These phone numbers will help you in emergency situations when in need of urgent help.

**Police: 158**

**Fire service: 150**

**Ambulance: 155**

**112** is a single European emergency phone number. You can dial this number in the case of any accident; the local operator will transfer you to the most appropriate emergency service – the ambulance, the police or the fire service.

**8. La Strada Hotlines:**

*Hotlines of the La Strada organization in several European countries. On these hotlines you will be given help in the case of human trafficking and forced labor.*

**Belarus**

Hotline: + 375 17 295 31 67

**Bulgaria**

Hotline: + 359 2 981 76 86

**Czech Republic**

Hotline: + 420 2 22 71 7171

**Moldova**

Hotline: + 373 22 23 33 09

**Macedonia**

Hotline: + 389 2 2777 070

**Netherlands**

Hotline: + 31 33,448 11 86

**Poland**

Hotline: + 48 22 628 9999

**Ukraine**

Hotline: + 380 44,205 36 94