

Slovakia: Information for stateless people and those at risk of statelessness fleeing Ukraine



European
Network on
Statelessness

ENS Focal Point: [Human Rights League Slovakia](#)

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This briefing provides country-specific information for stateless people and those at risk of statelessness fleeing Ukraine. It is intended as a source of information for refugee response actors and affected individuals. The focus is on stateless people and people at risk of statelessness, including those who are undocumented. Links to more general information for refugees from Ukraine are provided throughout. We will endeavour to keep this information updated. Please contact Ukraine.crisis@statelessness.eu if you have relevant updates. Unless otherwise shown, the source of information provided is the ENS Focal Point.

1. SITUATION AT THE BORDER & ENTRY REQUIREMENTS

There are three border crossing points from Ukraine to Slovakia, all open 24 hours. There are currently no reported issues for stateless people, those at risk of statelessness, or undocumented people crossing the Slovak border, although some issues have been reported on the Ukrainian side. People without documents may need to undergo an individual assessment to gain entry. Slovakia allows entry to all persons fleeing Ukraine under the humanitarian ground exception in the Schengen Borders Code. The [European Commission](#) confirms that a lack of travel documents or medical documents (certificate of vaccination, COVID-19 test) should not be an obstacle to entering the EU throughout the Ukraine crisis.

For more information on the location of border crossings, estimates of current waiting times, and entry requirements, see: [From Ukraine to Slovakia](#) (also in [UKR](#) and [SK](#)), Ministry of Interior's [Ukraine Information and Assistance page](#) and [Ukrainian Border Guard](#).

Documents required	<ul style="list-style-type: none">• <u>Stateless persons</u>: any document (even expired); entry should be permitted to all those fleeing Ukraine even without documents• <u>Adults</u>: passport, ID document, birth certificate, or any document (even expired)• <u>Children</u>: documentation to prove family relationship with accompanying adult; unaccompanied children will be permitted entry
Entry and registration	<ul style="list-style-type: none">• <u>Stateless persons</u>: registered, fingerprinted, photographed and allowed to stay for 90 days; if permanent residence or international protection in Ukraine, eligible for Temporary Refuge upon entry; otherwise, may apply for asylum or subsidiary protection; register with Foreigners' Police within 3 days• <u>Undocumented persons</u>: as above• <u>Beneficiaries of international protection</u>: registered, fingerprinted, photographed and allowed to stay for 90 days; eligible to apply for Temporary Refuge upon entry at the border or nearest Foreigners Police Office• <u>Unaccompanied children</u>: children not accompanied by a relative (who can prove relationship) will be taken to nearest Labour, Social Affairs & Family Office by the police and later to a children's home
Documents issued	<ul style="list-style-type: none">• <u>Asylum seeker</u>: identification card proving that an application is pending• <u>Applicant for Temporary Refuge</u>: temporary refuge certificate• <u>Visitor</u>: entry stamp in passport permitting stay for 90 days
Entry status	<ul style="list-style-type: none">• Temporary refuge, visitor, or asylum-seeker

2. ROUTES TO INTERNATIONAL PROTECTION

Slovakia grants two types of international protection (Asylum/Refugee Status and Subsidiary Protection), in addition to Temporary Refuge introduced on 1 March 2022 (expanded on 17 March) for people fleeing the war in Ukraine. These routes to protection are summarised in the table below. More details on Refugee Status and Subsidiary Protection can be found [here](#). More details on Temporary Refuge can be found [here](#).

	Refugee Status (Asylum)	Subsidiary Protection	Temporary Refuge
What is it?	Protection under 1951 Convention Relating to the Status of Refugees	Temporary protection for persons who do not meet 1951 Convention definition but would be subject to serious harm upon return	Temporary refuge for persons fleeing the war in Ukraine
Can stateless and/or undocumented persons apply?	Yes	Yes	Yes, but only if they meet eligibility criteria (i.e. persons (& their family members) who had international protection or equivalent national protection or permanent residence in Ukraine and cannot return to country of origin)
Where to apply?	At the border or specific asylum police authority	Same as Refugee Status	Registration at the border or at large capacity centres (Humenné, Michalovce, Nitra, Žilina, Bratislava); currently registration at the Foreigners Police Department for vulnerable persons only (pregnant women, elderly, etc.); undocumented persons are advised to register at the Asylum Dept. in Humenné
Procedure & rights	After applying, transfer to asylum centre in Humenné to undergo quarantine and placed in detention , then to centre in Rohovce or Opatovská Nová Ves; may reside during procedure but not travel and documents are withheld; decision should be given in 6 months but may be extended; may get right to work after 9 months; School is mandatory for children under 16	Same as Refugee Status	People who apply at the border are transported to centres where they can submit applications (including electronically) and then transported to designated accommodation; biometric data is taken either at the centre or by police if applying elsewhere; protection may be granted immediately if documents held, otherwise decision within 30 days; during this period accommodation provided at Migration Office in Humenné,

			including free meals, healthcare and hygiene supplies
Rights upon recognition	Permanent residence (permit for 10yrs), travel document, right to study, work, free healthcare, integration assistance, and travel in the EU	Right to residence, residence permit for 1 year (then 2yrs upon renewal), 'alien passport' if no travel document, access to healthcare free if working, right to work	Tolerated stay permit valid until 4 March 2023, to be automatically extended for 6 months up to max. 1 year unless the Council of the European Union decides otherwise; right to work, access to education, healthcare, accommodation, social security allowances

For more information, see:

- Human Rights League Slovakia & Mareena, [Information for people coming from Ukraine to Slovakia](#) (also in [UKR](#) and [SK](#))
- Human Rights League, [FAQs Asylum and Subsidiary Protection](#)
- Ministry of Interior of Slovak Republic, [Temporary Refuge](#)
- Ministry of Interior, [Leaflet with QR codes on Temporary Refuge](#)
- Right to Protection, [Who are stateless persons who fled Ukraine after the Russian invasion on 24 of February, 2022](#)
- KIND & Child Circle, [Note on unaccompanied children fleeing Ukraine](#)
- European Commission, [Information for people fleeing the war in Ukraine](#)

3. STATELESSNESS DETERMINATION AND PROTECTION STATUS

For stateless people, it is important to determine both a claim for international protection and their statelessness. Each application should be assessed and both types of status should be explicitly recognised so that even if international protection ceases, the person remains entitled to protection as a stateless person. Statelessness determination should be conducted either in parallel with or following the refugee status determination, with due regard to the primacy of the asylum claim and the principle of confidentiality for refugees in statelessness determination procedures. For more information, see: [ENS briefing on statelessness determination & protection in Europe](#).

[Slovakia does not have a dedicated Statelessness Determination Procedure but there are some provisions in law for the protection of stateless people in Slovakia](#). Statelessness is usually dealt with in the course of the asylum procedure or an application procedure for residence or Slovak citizenship. According to the Act on the Residence of Foreigners (Act no. 404/2011 Coll.), stateless persons are recognised as stateless if they prove that they do not hold nationality of their country of birth, former residence or stay, or of their parents' and siblings' country of nationality. The Ministry of Interior [may grant a residence permit for 5 years based on statelessness may grant a residence permit for five years based on statelessness](#) at its discretion but there is no clear procedure for this, and the burden of proof is on the applicant.

Stateless persons and persons at risk of statelessness are strongly advised to seek expert legal advice on their rights in Slovakia (e.g. from [Human Rights League Slovakia and the Legal Aid Centre, a state-funded centre which provides legal aid to persons in material need](#)).

4. REQUIREMENTS FOR ONWARD TRAVEL TO THIRD COUNTRIES

People granted Temporary Refuge are not obliged to stay in Slovakia. They may be granted temporary protection in another EU Member State, which will cancel their temporary refuge status in Slovakia. Family reunification is possible if an individual has family members in another EU country. People who apply for asylum or subsidiary protection in Slovakia should not travel on to other EU countries during the procedure and must stay in Slovakia until a decision is made on their application. If they travel to other EU countries, the Dublin procedure may apply to them.

5. OTHER RELEVANT INFORMATION

Instances of discrimination against Romani people have been reported. The Slovak Government developed a [website](#) for persons fleeing Ukraine to access information on accommodation.

6. ORGANISATIONS ASSISTING STATELESS PEOPLE

<p>Human Rights League www.hrl.sk +421 800 222 350 ukrajina@hrl.sk</p>	<p>UNHCR https://help.unhcr.org/slovakia/</p>
<p>Slovak Bar Association - legal aid https://www.sak.sk/web/en/cms/sak +421 911 175 387 +421 (0) 2/204 227 44 pomoc@sak.sk</p>	<p>Mareena www.mareena.sk +421 948 113 947 info@mareena.sk</p>
<p>International Organisation for Migration (IOM Slovakia) https://www.mic.iom.sk/ 0850 211 478 +421 2 5263 0023 +421 55 625 8662 mic@iom.int</p>	<p>Ukraine-Slovakia SOS - Ukrainian community in Slovakia https://www.facebook.com/UkraineSlovakiaSOS +421 911 201 889 ukrajina.sk.sos@gmail.com</p>
<p>Legal Aid Centre http://www.centrumpravnejpomoci.sk/ Call center: 0650 105 100</p>	