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**MIGRATION POLICY OF SLOVAK REPUBLIC:
 ISSUES AND CHALLENGES***

This paper analyzes the key features of migration policies applied in Slovak Republic after its accession to the European Union. It shows its weaknesses and provides recommendations that could contribute to the intensification of flows of skilled migrants to Slovakia. Special attention should be paid also to foreign students who are forerunners of highly skilled migrants.

Keywords: migrant workers; migration policy; skilled migrants; Slovak Republic.

Магдалена Пріварова, Андрей Прівара
**МІГРАЦІЙНА ПОЛІТИКА СЛОВАЦЬКОЇ РЕСПУБЛІКИ:
 ПРОБЛЕМИ ТА ВИКЛИКИ**

У статті проаналізовано ключові особливості міграційної політики Словаччини після приєднання до ЄС. Описано слабкі сторони даної політики та розроблено рекомендації щодо можливостей інтенсифікувати потоки кваліфікованих мігрантів до Словаччини. Особливу увагу має бути приділено іноземним студентам, які потенційно є кваліфікованими мігрантами.

Ключові слова: робітничі мігранти; міграційні політика; кваліфіковані мігранти; Словаччина.

Табл. 3. Літ. 18.

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**МИГРАЦИОННАЯ ПОЛИТИКА СЛОВАЦКОЙ РЕСПУБЛИКИ:
 ПРОБЛЕМЫ И ВЫЗОВЫ**

В статье проанализированы ключевые особенности миграционной политики Словакии после вхождения в ЕС. Описаны слабые стороны данной политики и разработаны рекомендации относительно возможностей интенсифицировать потоки квалифицированных мигрантов в Словакию. Особое внимание должно быть уделено иностранным студентам, которые потенциально являются квалифицированными мигрантами.

Ключевые слова: рабочие-мигранты; миграционная политика; квалифицированные мигранты; Словакия.

Introduction. International labour migration is a part of globalization processes happening in the world economy. It pertains to both developing countries with dominating emigration flows, as well as to developed countries characterized by the dominance of immigration flows to their labour markets. The International Labour Organization estimates that if labour migrants worldwide were summed up, they would create the fifth most populous country in the world (ILO, 2012).

Moreover, since the 1970s, in terms of the new economy, the importance of skilled workers is growing. They are able to use new information and communication technologies which are becoming an important factor for economic growth and competitiveness of the economy. In this context, effective management of the movement of labour force (especially highly skilled) becomes a political priority in majority of economically developed countries.

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Migration policy has several dimensions. National governments are primarily seeking (or should seek) to create within the domestic economy such an economic environment that will hinder brain drain. In addition, they should pursue selective immigration policy promoting the inflow of highly skilled workers to their territories. It should include the measures to stimulate foreign students to stay working on the territory of the country after the completion of their studies.

Literature review. In Europe, immigration was long regarded as a threat to national security (Perri, 2005). However, under the conditions of globalization the issue is not whether to accept or not accept migrants, but what are the ways of effective migration management, i.e., how to maximize positive effects and reduce negative impacts (OIM, 2012). Currently, migration policies are primarily focused on highly skilled workers.

Migration of highly skilled professionals has long been on the periphery of interest in economics and migration policy. International organizations, including the Organization for International Migration (OIM), addressed this form of migration lack of attention, they filed it usually in the broader category, which is economic migration. OECD is probably the only international organization that has in their documents the term "highly qualified workforce", and this category deserves a separate chapter in their annual reports "Perspectives on International Migration" (Privarova and Privara, 2013).

According to the OECD, the flows of international students represent forerunners of highly qualified migrant workers. And this is the main reason why economically developed countries begin to intensify competition in attracting foreign students (Burelli, 2010). It turns out that competition for talent will be successful only for those countries that have effective migration policies (CEDEFOP, 2010).

Before 2004, Slovakia belonged to the countries with the lowest number and share of foreign workers in the total number of persons employed in the national economy (Salt, 2006). The cause of low immigration flows to Slovak Republic before 2004 can be found mainly in the unfavorable situation at Slovak labour market, reflecting the negative impact of the transformation process in Slovak economy. This period was characterized by the very unfavorable structure of the economy. Heavy Slovak industry was oversized – with mostly metallurgical, chemical, and engineering industry corporations. These industries demand raw materials, which had to be imported into Slovakia. Moreover, the decision to convert military corporations evoked a steep decline of industrial manufacturing and approximately 160,000 people lost their jobs as a result of this (Privarova, 2001).

An important milestone in the development of labour migration in Slovakia became its accession to the EU in 2004, as well as further enlargement of the Union in 2007 by Romania and Bulgaria, i.e. the states which occupy an important place among the source countries of Slovak immigration.

The data from Table 1 demonstrate that after Slovakia's accession to the EU, the share of foreign workers at Slovak labour market has been permanently increasing.

Slovakia's accession to the EU is also important because it brings qualitative changes to labour migration in the Republic. Since 2004, we observe an increasing number of workers from the EU-15, employed as experts, consultants, scientists,

researchers, lecturers, top managers and highly qualified personnel in large foreign companies (Kellenbergerova, 2006).

Table 1. Percentage of employed foreigners in Slovakia, %, own processing of the data from (UPSVaR and SuSR)

Year	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Proportion of foreigners	0.13	0.26	0.26	0.43	0.57	0.65	0.79	0.96	0.92	0.76

Labour migrants who come to Slovakia after 2004 are therefore characterized by a surprisingly high level of educational attainment (Mihaly and Divinsky, 2011). Comprehensive view of their development shows that in 2004 more than 50% of migrant workers in Slovakia had university education. This share gradually decreased to 34.1% in favor of persons with completed secondary education (Domonkos, 2010).

Research objective. The aim of this paper is to analyze the migration policy of Slovak Republic after its accession to the EU. We point to the weaknesses associated with the problems of foreigners integration into Slovak labour market. Attention is also paid to foreign students, which we consider as the forerunners of highly qualified migrant workers.

Key results. A low (perhaps even negligible) proportion of migrants in the total economically active population of Slovak Republic is probably the main reason why international migration was not interesting for policy makers for a long time. Therefore, it is not surprising that a "clearly formulated migration doctrine, i.e., an official ambiguous attitude of state and society towards international migration (or more accurately migration) in accordance with its interests and processes of European integration in relation to demographic and economic development, as well as the needs of the labour market", was missing in Slovakia for a long time (Divinsky, 2007).

As we pointed out earlier, there has been a substantial increase of foreigners at Slovak labour market after the accession to the EU. In this context, more attention is being devoted to labour migration and migration in general. This is supported by 3 important documents, approved by Slovak Government in the recent past: The Concept of Foreigner Integration in Slovak Republic, Plans for the Migration Policy of Slovak Republic for the Period 2011–2015, and The Migration Policy of Slovak Republic with prospects until the year 2020. In all 3 documents resonates the idea that the labour migration model should not focus only on solving shortage occupations, but also on supporting the immigration of highly qualified workers from third countries in accordance with the needs of Slovak labour market and economy.

A 2011 modulation of Council Directive 2009/50/EC as of May 25, 2009 is considered to be a significant change in the employment of foreigners from third countries, simplifying their economic participation. The directive introduces the so-called European Blue Card for highly skilled workers from third countries.

The Blue card is a new type of temporary residence for third-country nationals who may require for highly qualified employment in Slovakia. The basic assumption for obtaining it is higher professional qualification in the form of university education or evidence of at least 5 years of professional experience. Another condition is a work contract or a written promise by an employer which employs a foreigner for a period of at least 1 year. Agreed wages shall be of not less than 1.5 times of the average wage

in the economy in the sector. Blue card entitles migrant workers from third countries to enter, reside, work on the territory of Slovak Republic, to travel abroad and back. It is awarded to a maximum of three years and may be renewed repeatedly.

1. The integration of immigrants at Slovak labour market. Access of foreign workers to Slovak labour market is closely related to their status and their residence in the country. In other words, the degree of stability of a residence permit affects the efforts of immigrants to integrate into Slovak society.

In Slovakia, the entry and residence of citizens of the EU and European Economic Area is revised by a regime that puts them on a par with Slovak citizens. It is therefore reasonable to focus on the nationals of third countries. For those we encounter three possible types of stay (Act no. 404/2011 Coll. on the stay of foreigners):

- permanent residence;
- temporary residence;
- tolerated stay on the territory.

Permanent and temporary residence are the main types of residence which enable their holders to enter the labour market. Mode of tolerated stay on the territory is the special regime. It may be granted for the maximum of 180 days and does not guarantee the right to apply for a work permit. This option is reserved mainly due to family reunification.

A foreigner from a third country, planning to settle in Slovakia for work, study or business, may obtain, upon meeting the conditions laid down by law, a temporary residence permit. After receiving this type of residence, the migrant may reside on the territory of Slovak Republic for the maximum of 2 years. Permit is granted for a specific purpose, which must be documented in the application. Renewal of authorization may be for the maximum period of 3 years (Bargerova, 2008).

Residence permit is a type of stable residence. Foreigners who receive this have the same rights and the same duties as locals – employment, social security, medical care etc. The first permit is granted for the maximum period of 5 years, the renewal may be requested for an indefinite period. In connection with their first application, the applicant must demonstrate, among other things, information concerning its financial situation, health insurance in Slovakia and housing.

As already mentioned, EU/ EEA citizens have the same legal status as Slovak citizens. However, when entering the labour market they must undergo EU citizen registration process.

In case of a non-resident of EU/EEA, there are several modes, depending on the legal status of an applicant. A foreigner must generally undergo a process of granting work permit and after obtaining this he/she may obtain a temporary residence permit to perform work activities. A foreigner who has obtained a permit for permanent residence does not need to apply for a work permit. He basically enters the labour market in the same way as Slovak citizens do.

2. Weaknesses of integrating immigrants at Slovak labour market. Analyzing the current status of immigrants at Slovak labour market we need to refer to specific weaknesses that can be considered as barriers for foreigners.

The first of these is the case when an immigrant wants to leave the job and find another job. In the event of termination or change of employment, the employer is

required within 7 days to inform the Labour Office that employment of the immigrant was terminated. The latter must inform police that for this reason the permit lost its validity. Termination of employment therefore leads to the annulment of a residence permit. Immigrants are therefore obliged to leave the country within 30 days, return to their country of origin and apply for a new permit for temporary residence.

Secondly, in case of dismissal the immigrant's work permit is automatically voided. Unemployed immigrant must leave Slovakia and apply for a new permit staying outside the country.

Third, the high rate of unemployment in Slovakia is the major cause of unfavorable working position of immigrants at Slovak labour market. According to the OECD recommendations, Slovakia should increase its expenditures allocated for active labour market policies development to increase its effectiveness (Etudes économiques de l'OCDE, 2012: 29).

Slovak expenditures on active labour policies are among the lowest in the OECD countries today. A significant proportion of resources allocated to active labour market policy are dedicated to the unemployed who start a business. The effectiveness of these measures is uncertain (Kluve, 2010).

3. Foreign students as part of Slovak migration policy. Transfer of students may help reduce pressures at the labor market and in particular the lack of skilled labour force. In this respect foreign students are sort of forerunners of highly qualified migrants. That is why, policies that encourage students and international academic mobility are also important.

Because of demographic changes the total number of students in Slovakia decreases. The number of foreign students, on the contrary, is growing, as evidenced by the data in Table 2.

Table 2. Slovak and international students in Slovakia in dynamics (2007–2013)

Year	2007	2008	2009	2010	2011	2012	2013
The total number of students in Slovakia	220059	225766	225588	217039	211984	200743	188885
Foreigners	5248	6327	8137	8874	9239	9919	10797

Source: Annual report on the state of university education 2007–2013.

Student mobility in Slovakia, however, is characterized by the number of Slovak students leaving to study abroad being higher than the number of foreign students coming to study in Slovakia. As of 2009, there is a decrease in the number of Slovak students, it is clear that our universities will have to try to attract more students from abroad (Fedak, 2011). Therefore, in 2011, there was a strategic document – "Minerva 2.0" – adopted. This document assumes that Slovak educational institutions have become more open to the world. Internationalization of education in Slovakia should be achieved primarily through the presentation of Slovak universities and universities abroad, as well as through the creation of courses in foreign languages and joint study programs (Minerva 2.0).

The data presented in Table 3 indicate that the number and the share of foreign students in Slovak tertiary education is growing. This is not a cause for satisfaction,

because it is still true that our country significantly lags behind economically developed countries of the world by this indicator.

Table 3. Number and share of foreign students at universities in Slovakia (2007–2013)

Year	2007	2008	2009	2010	2011	2012	2013
Quantity	5248	6327	8137	8874	9239	9919	10797
Proportion, %	2.38	2.80	3.61	4.09	4.36	4.94	5.72

Source: Annual report on the state of university education 2007–2013.

Slovak Republic does not belong to those countries that can attract large numbers of foreign students. The causes for this include:

- Slovakia has no comprehensive strategic document outlining migration of foreign students.

- Universities (excluding medical, pharmaceutical and veterinary faculties) haven't developed their marketing strategies on attracting students from abroad.

- Information on the conditions of the study in Slovakia, scholarships of Slovak Government and The Ministry of Education, Science, Research and Sport of Slovak Republic on studying in English at some universities, admission conditions, necessary visa and residence permits and the procedures for obtaining them are listed on the web portal www.studyin.sk, whose founder is The Ministry of Education, Science, Research and Sport of the Slovak Republic. Information for foreign students are published by the institutions themselves on their websites. The situation in this respect is not satisfactory because 13 of 36 universities provide this information in Slovak language only.

- Strict legislative conditions in some way demotivate foreign students to study in Slovakia. In addition, foreign students studying in Slovakia cannot work more than 10 hours a week which is less than in some other countries. (For example, in Norway, the maximum allowed is part-time job during the school year and full time job during holidays. In France, 60% of the full-time job all year round is permitted).

- In addition, the current legislation stands also contrary to the interest of the country to motivate students to stay and work in the country. Completion of studies is considered as the automatic cancellation of temporary residence for foreigners and therefore a foreign student must leave Slovakia. Ministry of Labour, Social Affairs and Family, however, is preparing a change in legislation that would allow these graduates a three-month transition period, so after graduation they can find a job in Slovakia.

Conclusions:

- The surge in demand for highly qualified labour force (particularly, in the sector of information and communication technologies) stimulated the governments of many countries adopt measures to facilitate the entry of foreign experts on their territory. In this context, migration undoubtedly has an important impact on the labour markets. Its effective management contributes crucially to economic growth and competitiveness of any country. Governments of economically developed countries (especially in Europe) take various measures to manage migration policies and flows. It can be expected (according to the recent demographic trends) that in the near future they will compete with each other in attracting highly qualified migrants.

- Basing on this brief sketch of the main features of migration policies we can stated that our country is becoming more open to foreigners. After overcoming the problems associated with the transformation process and after Slovak Republic joined the EU, the direction of immigration policy was set, which better reflects the current trends – the free movement of workers between the member states of the Union. An important step is the introduction of the blue card in order to attract skilled foreign workers from third countries.

- A weakness in migration policy is the lack of immigrants integration at Slovak labour market. Active participation of immigrants at the labour market is a necessary condition for ensuring social cohesion and also for the reason why Slovak population will be willing to accept a greater number of immigrants. Their integration in Slovak labour market is negatively affected mainly due to the action of two main factors – namely high unemployment and very strict employment conditions for immigrants. Important also is the fact that within the current Slovak legislative system immigrants are perceived more as a threat rather than as a vulnerable group, which requires additional protection.

- Slovak Republic has made so far only the first steps towards selective migration policy. We see the biggest reserve in profiting from the potential offered by foreign students. Currently, the influx of foreign students in Slovakia is low. If our country wants to be successful in the growing competition for highly qualified professionals, it must focus on the university education and promote the inflow of students from third countries to Slovakia, also allowing them easier access to the labour market after completion of their studies.

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