

LEGAL UPDATE

# Residing and working in Slovakia

## Guide for citizens of Ukraine

## Residing and working in Slovakia (Guide for citizens of Ukraine)

### Contents

Border crossing .....	2
Obligations upon arrival .....	2
Residing in Slovakia .....	3
A. Temporary refuge .....	3
B. Subsidiary protection .....	6
C. Asylum .....	7
D. Residence permits .....	9
Working in Slovakia .....	13
Family Reunification .....	15

## Border crossing

If you come to Slovakia by the border, there are two types of border crossings into Slovakia – road border crossings and railway border crossings.

- Road border crossings are at: Veľké Slemence – Mali Slemenci, Vyšné Nemecké – Užhorod, Ublá – Malyj Bereznyj.
- Railway border crossings are at: Maťovské Vojkovce – Pavlovo and Čierna nad Tisou – Čop.

Currently, all border crossings on the border with Ukraine are operational, except for Čierna nad Tisou – Čop railway border crossing, where passenger traffic has been stopped.

Entry will be granted to all persons fleeing from Ukraine. For cases of elevated influx of persons coming from Ukraine, the Ministry of Interior has established so called hotspots in Ulíč, Ublá, Vyšné Nemecké, Veľké Slemence and Čierna nad Tisou.

The Fire and Rescue Force have built a temporary emergency camp in the area of their local unit in Humenné, equipped with approximately 30 tents with camp beds, mats and sleeping bags, heating, and lighting, a huge canteen tent and containers with hygienic utensils. It has capacity of 500 persons.

## Obligations upon arrival

The Slovak Republic and Ukraine have a visa-free regime in place. That means that holders of Ukrainian biometric passports are not subject to visa requirement.

The Slovak Republic due to the ongoing situation currently also allows entrance for all third-country nationals coming to Slovakia from Ukraine that do not fulfil one or more of the conditions laid down in the Schengen Borders Code. (e.g., do not have a travel document, do not have a valid visa if required, etc.).

In order to adapt the border control process at the border crossings of the Slovak Republic, we recommend that persons enter its territory, even if they do not have

valid travel documents, to present documents proving identity, residence status in Ukraine (even those whose time has expired) or the child's birth certificate, if you have such documents with you.

Persons entering into the territory of the Slovak Republic from the territory of Ukraine imminently jeopardized prior to their arrival by the ongoing conflict are currently not obliged to undergo quarantine as provided by the Public Health Authority of the Slovak Republic (the COVID-19 quarantine).

## Residing in Slovakia

Persons fleeing from a war conflict are entitled to a temporary stay up to 90 days. However, they may, upon the entry into the Slovak Republic territory or later, request:

- A. [temporary refuge](#) (the easiest form of protection for those fleeing the war);
- B. [international protection \(asylum, subsidiary protection\)](#);
- C. [residence permits](#).

### A. Temporary refuge

#### 1. For whom it is suitable

1.1. Temporary refuge is provided for the purpose of protecting foreigners from war. The Government currently enacted special type of temporary refuge related to the situation in Ukraine. Persons that may apply for this kind of temporary refuge are:

- a) [citizens of Ukraine](#) and
- b) [their family members](#) – that are: the spouse of a citizen of Ukraine, a minor child of a citizen of Ukraine or a minor child of the spouse of a citizen of Ukraine and the parent of a minor child who is a citizen of Ukraine.

- 1.2. You must be able to prove your identity and family members must also be able to prove their relationship to a Ukrainian citizen (by e.g., driving license together with a birth certificate, a valid travel document or an expired travel document, an ID card, any other photo document together with a birth certificate).
- 1.3. In the case of incoming minors with a parent, you need to be present when the declaration is made physically and the application of the child is considered together with the parent's application.
- 1.4. Persons without a relationship with a citizen of Ukraine (foreigners living in Ukraine) are excluded from the scope of temporary refuge.

## 2. The application for temporary refuge

- 2.1. Temporary refuge can be requested either at the border upon entering the territory of the Slovak Republic or after entering the territory of the Slovak Republic at the Police Department where the person is staying.
- 2.2. After declaration has been made you will be interviewed and you will be issued a card of a foreign requesting a temporary refuge.
- 2.3. After declaration you have to report to the asylum facility in Humenné within 24 hours of making the declaration. If you have secured accommodation in the Slovak Republic, you do not have to go to the asylum facility.
- 2.4. During stay in the asylum facility, you are obliged to undergo a medical examination. You may leave the asylum facility only on the basis of a pass. During your stay in the asylum facility, you will be provided free of charge urgent medical care, accommodation, meals, basic hygiene needs, other necessary things. You can also attend a Slovak language course.
- 2.5. Slovak authorities try to grant temporary refuge to all persons that identify themselves with valid documents as soon as possible. The proceeding on the temporary refuge may take no longer than 30 days, in justified cases, this period may be extended by 30 days, even repeatedly.

### 3. Granting temporary refuge

- 3.1. Upon successful application for temporary refuge, no further decision will be issued, but directly document of tolerated stay marked “ODÍDENEK”.
- 3.2. After granting temporary refuge, you have the status of a foreigner who has been granted tolerated residence, you will be entitled to reside in the Slovak Republic and also to work in the Slovak Republic.
- 3.3. After granting temporary refuge you will also be entitled to be granted urgent health care (while you are not yet employed in Slovakia). If you become employed, then same level of health care as for the citizens of the Slovak Republic will apply to you.

### 4. Duration of Temporary refuge:

- 4.1. The temporary refuge may be granted and remains valid from 1 March 2022 until its end on 31 December 2022. The Government of the Slovak Republic may decide to terminate it early or to extend it. The Government should reconsider extending the temporary refuge during December 2022.

### 5. Miscellaneous information

- 5.1. If you leave Slovak Republic during the application process, the temporary refuge procedure shall be terminated.
- 5.2. The accommodation allowance may be provided by the Government to the person providing the accommodation to the persons granted temporary refuge.
- 5.3. Tolerated residence that lapses during the extraordinary situation related to COVID-19 or within one month after its recall shall lapse only after 2 months since recall of the extraordinary situation. The extraordinary situation related to COVID-19 is currently still in effect.

## B. Subsidiary protection

### 1. For whom it is Suitable

1.1. Subsidiary protection shall be granted to people who have serious grounds for believing that they would be exposed to a real threat of serious wrongdoing if they return to the country of their origin. There is a real individual threat to life through indiscriminate violence caused by armed conflict.

### 2. The application for subsidiary protection

2.1. If you enter the Slovak Republic through a border crossing point, you can apply for subsidiary protection at the border police department at the border crossing point. If you are already on the territory of the Slovak Republic, you can apply for subsidiary protection exclusively at the Asylum Department of the Police Corps in Humenné.

2.2. After declaration has been made you will be interviewed and you will be issued an applicant's card and you will have to report to the asylum facility in Humenné within 24 hours of making the declaration. This doesn't apply to people with granted temporary or permanent residence.

2.3. During stay in the asylum facility you are obliged to undergo a medical examination. You may leave the asylum facility only on the basis of a pass. During your stay in the asylum facility, you will be provided free of charge urgent medical care, accommodation, meals, basic hygiene needs, other necessary things. You can also attend a Slovak language course.

2.4. You cannot do business and you also cannot work in Slovakia for first 9 months of application process. This does not apply one people with granted temporary or permanent residence.

2.5. The procedure should normally last 6 months, but this period can be extended by another 9 months and then, if there are serious reasons, by 3 months (a total of 18 months).

### 3. Granting subsidiary protection

3.1. Upon successful application for subsidiary protection, the police department shall issue a residence permit marked “doplňková ochrana”.

3.2. After granting subsidiary protection, you will have the status of a foreigner who has been granted temporary residence, is entitled to reside in the Slovak Republic and can also work in the Slovak Republic.

3.3. After granting subsidiary protection the person is also entitled to the same level of health care as citizens of the Slovak Republic.

### 4. Duration of subsidiary protection:

4.1. The person whom has been granted subsidiary protection is considered to be a foreigner who have been granted temporary residence for a period of 1 year. If the reasons persist, it is extended by 2 years (an extension must be requested).

### 5. Miscellaneous information

5.1. If you leave Slovak Republic during the application process, the subsidiary protection procedure will be terminated.

## C. Asylum

### 1. For whom it is suitable

1.1. Asylum shall be granted to people that have a well-founded fear of persecution in the country of origin on racial, national, religious, state; or are persecuted in the country of origin for exercising political rights and freedoms. It is also possible to grant asylum on humanitarian grounds due to vulnerabilities, which may be e.g., illness, old age, trauma, etc.

### 2. The application for asylum

2.1. If you enter the Slovak Republic through a border crossing point, you can apply for asylum at the border police department at the border crossing point. If you are already on the territory of the Slovak Republic, you can apply for asylum exclusively at the Asylum Department of the Police Corps in Humenné.

2.2. After declaration has been made you will be interviewed and you will be issued an applicant's card and you will have to report to the asylum facility in Humenné within 24 hours of making the declaration. This doesn't apply to people with granted temporary or permanent residence.

2.3. During stay in the asylum facility, you will be obliged to undergo a medical examination. You may leave the asylum facility only on the basis of a pass. During your stay in the asylum facility, you will be provided free of charge urgent medical care, accommodation, meals, basic hygiene needs, other necessary things. You can also attend a Slovak language course.

5.2. You cannot do business and you also cannot work in Slovakia for the first 9 months of application process. This does not apply to people with granted temporary or permanent residence.

2.4. The procedure should normally last 6 months, but this period can be extended by another 9 months and then, if there are serious reasons, by 3 months (a total of 18 months).

### 3. Granting asylum

3.1. Upon successful application for asylum, the police department shall issue a residence permit marked „azylant“.

3.2. After granting asylum the person has the status of a foreigner who has been granted permanent residence, is entitled to reside in the Slovak Republic, and can also work in the Slovak Republic.

3.3. After granting asylum the person is also entitled to the same level of health care as citizens of the Slovak Republic.

#### 4. Duration of asylum:

4.1. The person who has been granted asylum is considered to be a foreigner who has been granted temporary residence for an indefinite period.

#### 5. Miscellaneous information

5.1. If you leave Slovak Republic during the application process, the asylum procedure will be terminated.

### D. Residence permits

#### 1. For whom it is suitable

1.1. Persons with granted temporary refuge, subsidiary protection or asylum have the right to stay in Slovakia and do not have to apply for residence permits. However, when you have temporary refuge, you may also apply for residency permit to secure your right to stay and work in Slovakia after the temporary refuge expires.

1.2. Residence permits may be granted upon an application as temporary residence permits or permanent residence permits.

#### Temporary residence permits

##### 1. Application for temporary residence permits

1.1. Temporary residence permit may be granted mainly for purposes of work, doing business, study, research, family reunification, or as the EU blue card for highly qualified workers, etc.

1.2. To obtain temporary residence permit, you have to meet the conditions for the purpose of the residence:

- a) for temporary residence permit for work – you have to get either work permit from the respective Labour Office or a confirmation on vacant job position from the respective Labour Office – in such a case, you do not need a separate work permit;
  - b) for residence permit for doing business, you have to prove that you are doing business or plan to do business in Slovakia;
  - c) for the blue card in Slovakia, you have to be a highly qualified worker with college or university education (Bachelors, Masters, PhD).
- 1.3. Application for temporary residence permit or the blue card may be submitted at the Slovak embassy in your country or at the respective Foreign Police Office, in case you are legally in Slovakia.
- 1.4. With the application for temporary residence permit, you have to provide mainly:
- a) a valid passport;
  - b) 2x colour photo of 3x3.5 cm;
  - c) a document proving purpose of the residence – e.g., work permit, a confirmation on being registered with the Trade Registry or the Commercial Registry; or business plan with assumed costs; decision on recognition of education; employment contract, etc.;
  - d) criminal clearance certificate issued in the country where the applicant resided in the last 3 years at least for 90 days within 6 consecutive months;
  - e) a document on accommodation – proving securing of accommodation at least for 6 months;
  - f) a document proving having sufficient funds – at least in the amount of living minimum for each month of residence – currently EUR 218.06 per month.

1.5. Fees for applications for temporary residence permits are the following (amount in case of application submitted at embassy in brackets):

- a) EUR 165.50 (170) for purpose of work,
- b) EUR 232 (240) for purpose of business,
- c) EUR 165.50 (170) for purpose of the blue card,
- d) EUR 132.50 (135) for purpose of family reunification.

1.6. The respective Foreign Police Office decides in the timeline not longer than 90 days, if there are serious reasons, the timeline may be extended by 30 days.

## 2. Duration of temporary residence permits

2.1. Temporary residence permit is granted for the period not exceeding:

- a) 5 years in case of residence permit for purpose of work, with possibility of extension,
- b) 3 years in case of residence permit for purpose of doing business, with possibility of extension,
- c) 6 years in case of residence permit for purpose of study, with possibility of extension,
- d) 5 years in case of residence permit for purpose of the blue card, with possibility of extension,
- e) 3 years in case of residence permit for purpose of the family reunification, with possibility of extension.

2.2. Temporary residence that lapses during the extraordinary situation related to COVID-19 or within one month after its recall shall lapse only after 2

months since recall of the extraordinary situation. The extraordinary situation related to COVID-19 is currently still in effect.

## Permanent residence permits

### 1. Conditions for permanent residence

1.1. Permanent residence may be granted as permanent residence for 5 years for:

- a) persons that are spouses of Slovak nationals,
- b) children under age of 18 in care of Slovak nationals, spouses of Slovak nationals, or persons with granted permanent residence for 5 years,
- c) or if it is in interest of the Slovak republic.

1.2. Permanent residence may be granted for unlimited time to persons that:

- a) have permanent residence for 5 years at least for 4 years,
- b) or children under age of 18 in care of persons with permanent residence for unlimited time.

### 2. Application for permanent residence permits

2.1. Application for permanent residence permits may be submitted at the embassy in your country or at the respective Foreign Police Office, in case you are legally in Slovakia.

2.2. With the application for temporary residence permit, you have to provide mainly:

- a) a valid passport – in case of 5 years residence;
- b) 2x colour photo of 3x3.5 cm – in case of 5 years residence;

- c) a document proving purpose of the residence – in case of 5 years residence;
- d) criminal clearance certificate issued in the country where the applicant resided in the last 3 years at least for 90 days within 6 consecutive months;
- e) a document on accommodation – proving securing of accommodation at least for 6 months – in case of 5 years residence;
- f) a document proving sufficient funds – at least in the amount of living minimum for each month of residence – currently EUR 218.06 per month;
- g) health insurance – in case of unlimited residence.

2.3. Fees for applications for temporary residence permits are the following (amount in case of application submitted at embassy in brackets): EUR 165 (170).

2.4. The respective Foreign Police Office decides in the timeline not longer than 90 days, if there are serious reasons, the timeline may be extended by 30 days.

2.5. Permanent residence that lapses during the extraordinary situation related to COVID-19 or within one month after its recall shall lapse only after 2 months since recall of the extraordinary situation. The extraordinary situation related to COVID-19 is currently still in effect.

## Working in Slovakia

### 1. Working for without needing a work permit

1.1. If you have granted temporary refuge, subsidiary protection or asylum in Slovakia, you have permission to work in Slovakia without any other formalities.

1.2. You may also work in Slovakia if you have permanent residence, temporary residence for purpose of family reunification after 12 months of uninterrupted residence in Slovakia.

## 2. Work permits

2.1. A separate work permit is not required in case of temporary residence for purpose of vacant job or with the blue card.

### Temporary residence permit for vacant job

2.2. If you apply for temporary residence for purpose of vacant job, the respective Foreign Police Office will request the confirmation on the possibility to fill a vacancy by a foreigner directly from the Labour Office.

2.3. Your future employer must report the vacancy to the competent Labour Office at least 20 working days prior to your application for temporary residence. When you get the confirmation, you will be granted temporary residence, without the need to get a work permit.

### The blue card

2.4. If you apply for the blue card, your future employer must report the vacancy to the Central Office of Labour, Social Affairs and Family, depending on your future place of work. The Labour Office will assess if the position can be filled by a candidate registered in the Register of Unemployed Job Seekers.

2.5. If the vacant position is not filled within 15 working days of reporting the vacancy by a candidate listed in the Register of Job Seekers, your employer may issue you a written promise of employment or conclude a contract of employment.

### Working permit

2.6.If you need a work permit, you or your future employer have to submit an application for work permit at the respective labour Office. Work permit may be granted upon an application of the employer to the Labour Office, provided that the position cannot be filled by any candidate for employment registered with the local Register of Unemployed Job Seekers.

2.7.The Labour Office decides on issuing the work permit within 20 days since filing of the application. You may apply for work permit only after 10 working days from reporting the vacancy.

## Family Reunification

### 1. Family reunification for person with granted temporary refuge, subsidiary protection or asylum

1.1. If you have legally obtained status of temporary refuge, subsidiary protection or asylum you can apply for these statuses for your family members on behalf of family reunification.

1.2. You can apply for a temporary refuge on behalf of family reunification for:

- a. your spouse, if the marriage lasts and lasted even at the time when you left the country of origin and you consent in writing to the merger in advance,
- b. your unmarried children and unmarried children of your spouse of up to the age of 18,
- c. other close relatives, if they lived with you in the same household and were wholly or partly dependent on you.

1.3. You can apply for subsidiary protection or asylum on behalf of family reunification for:

- a. your spouse, if the marriage lasts and lasted even at the time when you left the country of origin and you consent in writing to the merger in advance,
- b. your unmarried children and unmarried children of your spouse of up to the age of 18,
- c. your parent if you are under the age of 18 or a person who has been entrusted to your personal care if you agree in writing in advance,
- d. your children born in the territory of the Slovak Republic.

1.4. Applicants must be staying in the territory of the Slovak Republic and may not have been granted permanent residence in the territory of the Slovak Republic.

## 2. Temporary residence for purpose of family reunification

2.1. Temporary residence for purposes of family reunification may be granted to the following family members of persons with granted temporary residence:

- a) a spouse, if both spouses are younger than 18 years,
- b) unmarried child or unattended younger than 18 years of the person with temporary residence or their spouse,
- c) their parent or a parent of their spouse, requiring their care.

**Useful Contacts:**

Migration Office of the Ministry of Interior  
Pivonková 6, Bratislava  
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