

Introduction

This paper analyzes impact of introduction of visa requirement towards citizens of Ukraine by the Slovak Republic on June 28, 2000. It draws mainly from results of international research project “Feasibility Study for Consular and Visa Cooperation Among Visegrad States for Residents of Ukraine and Moldova” which took place in 2004/2005, and on which participated several institutes from the Czech Republic (EUROPEUM), Hungary (Center for Policy Studies, CEU), Poland (Institute of Public Affairs), the Slovak Republic (Research Center of the Slovak Foreign Policy Association), and with help of institutes in Moldova (Institute of Public Policy) and Ukraine (International Center for Policy Studies).¹

Originally, the project focused on options and possibilities of Visegrad cooperation in visa and consular policies towards Ukraine and Moldova. This paper concentrates on changes in human contacts between Slovakia and Ukraine before and after introduction of visa requirement towards Ukrainians by Slovakia. It shows that Ukrainians were affected much more than Slovaks by Ukrainian respective answer and introduction of visa requirement. The study also shows a lack of clear link between visa policy and illegal migration.

1. Impacts of the visa regime on Slovak-Ukrainian relations: analysis of the problem

1.1. Legal migration

The visa debate on both sides of the Slovak-Ukrainian border anticipated the following main apprehension: the visa regime will hit human contacts in Slovak-Ukrainian relations as number of citizens visiting each country will dramatically move down. The following analysis tries to determine the extent in which the “post-visa” facts come up to the above major negative expectation. Comparison of annual statistical data on movement of persons through the Slovak - Ukrainian border for years of 2001 and 2002 - which are the first two years of the visa regime being in force - in comparison with the data for previous “non-visa” years facilitates drawing preliminary conclusions as well as estimates on future trends in respect of effects of visa regime on Slovak – Ukrainian relations.

Table 1: Legal movement of persons through the Slovak-Ukrainian border crossings from the territory of the Slovak Republic, 1998-2003 (number of crossings by persons)

Persons by their citizenship	1998	1999	2000	2001	2002	2003
Citizens of the SR	75.652	62.096	52.718	54.092	76.799	146.071
Citizens of Ukraine	1.765.657	1.247.294	549.726	278.315	326.331	392.144
Citizens of non-visa countries	67.613	54.757	52.876	33.448	35.457	33.045
Citizens of visa-countries	3.040	2.501	15.780	32.446	20.740	19.736
Total	1.911.962	1.366.648	671.100	398.301	459.327	590.996

Source: Office of the Border and Aliens Police, Presidium of the Police Corps of the Slovak Republic, March 2003

¹ Most of credit for original version of this report goes to Alexander Duleba from RC SPPA.

Table 2: Legal movement of persons through the Slovak-Ukrainian border crossings from the territory of Ukraine, 1998-2003 (number of crossings by persons)

Persons by their citizenship	1998	1999	2000	2001	2002	2003
Citizens of the SR	76.104	63.140	53.145	53.608	76.435	140.131
Citizens of Ukraine	1.727.186	1.435.277	620.545	290.849	334.809	400.804
Citizens of non-visa countries	69.446	57.620	53.496	33.330	36.651	34.620
Citizens of visa-countries	2.699	2.065	10.575	24.927	25.237	26.931
Total	1.875.435	1.558.102	737.761	402.714	473.132	602.486

Source: Office of the Border and Aliens Police, Presidium of the Police Corps of the Slovak Republic, March 2003

Table 3: Total number of crossings by persons that passed the Slovak-Ukrainian border crossings, 1998-2003

Year	1998	1999	2000	2001	2002	2003
Number of persons	3.787.397	2.924.750	1.408.861	801.015	932.459	1.193.482

Source: Office of the Border and Aliens Police, Presidium of the Police Corps of the Slovak Republic, March 2003

The above statistical evidence (tables 1 - 3) enables to make the following findings:

- o Imposition of visa regime has significantly affected the number of crossings of Ukrainian citizens through the Slovak - Ukrainian border. When in 1998 the border police of the Slovak Republic registered more than 1,7 million crossings of Ukrainian citizens this figure went down to less than 291 thousand of entries in 2001 which is a reduction almost in 6 times. The figure for 2002 shows a slow growth – 326 thousand of crossings - which is possible to explain by the following two main factors: first, entering into force a liberalised visa regime in 2001, and second, improvement of the Slovak consular service in Ukraine and first of all it concerns financial as well as personal reinforcement of the Consulate General in Uzhhorod located closely to the Slovak – Ukrainian border crossings.
- o The visa regime did not affect so dramatically the travel of Slovak citizen to the territory of Ukraine. Whereas there was an initial drop in 2001 when the Slovak border police registered 54 thousand of crossings of Slovak citizens – which is a figure in 1,4 times, res. 1,1 lower than in 1998 res. in 1999, yet in 2002 the number of crossings of Slovak citizens (76.799) overcame this indicator for 1998 (75.652) and 1999 (62.096). In other words, in 2002 there were more crossings of Slovak citizens through the border with Ukraine than it was before imposition of visa regime. It is possible to explain this fact by the following two main factors: first, liberalisation of visa regime in 2001, and second, fee for visas (simple entry - 24 USD) is not so braking factor for Slovak citizens in terms of their average incomes as it could be for Ukrainian citizens.
- o In afterwards of the imposition of visa regime number of crossings of citizens from the third countries with the non – visa regime with Slovakia through the Slovak – Ukrainian border dropped in 1,6 times and at the same time almost in 10 times grew out the number of crossings of citizens from the third visa countries. This could be explained by the fact that Slovakia has imposed visa requirements also on citizens of Russia and Belarus as of 1 January 2001 who present the biggest part of foreign nationals who cross the Slovak – Ukrainian border.

- o The total number of legal crossings of persons through the Slovak – Ukrainian border dropped almost in 5 times if we compare statistical entry for 1998 with that for 2001, the first entire year of the visa regime being in force. This figure has been lightly improved in 2002 when the total number of legal crossings grew out once again in more than 100 thousands in comparison with the figure for 2001. Anyway, it seems that it is correct to conclude that the visa regime imposed in 2000 interfered significantly into the Slovak – Ukrainian border regime in terms of considerable reduction of the total number of persons crossing the border and first of all because of dramatic decrease in number of crossings of Ukrainian citizens.

Thus, negative impact of the visa regime on travelling of Ukrainian citizens to Slovakia and consequently human contacts between the two countries should be considered as the main challenge that must be addressed in the context of the EU enlargement.

1.2. Bilateral trade exchange

In terms of the Slovak-Ukrainian trade turnover, 1999 was the worst in the last seven years, falling to \$281 million after hitting \$410,4 million in 1998 and \$520,7 million in 1997 when it topped since the beginning of Slovak-Ukrainian trade exchange in 1993. One of the key reasons for this decline was the difficult economic situation in Ukraine, which in 1999 was only just recovering from the Russian financial crisis in 1998. Russia is a key business partner for Ukraine, absorbing at that time almost 25 percent of Ukraine's annual exports and providing about 59 percent of Ukraine's imports. Beginning from 2000 the Slovak-Ukrainian trade exchange shows a slight growth.

Table 4: Slovakia's trade with Ukraine, 1993-2002 (in \$ million, current prices)

	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002
Exports	130,9	119,1	121,7	177,0	270,0	229,2	136,2	147,1	145,5	155,8
Imports	142,4	121,0	188,7	241,3	250,7	181,2	144,8	189,0	194,1	186,9
Total	273,3	240,1	310,4	418,3	520,7	410,4	281,0	336,1	339,6	342,7
Balance	- 11,5	- 1,9	- 67,0	- 64,3	19,3	48,0	- 8,6	- 41,9	- 48,6	- 31,1

Source: Ministry of Economy of the Slovak Republic

Table 5: Ukrainian – Slovak trade in services, 1996-2001 (\$ thousand, current prices)

	1996	1997	1998	1999	2000	2001
Exports	8 242	22 988	13 032	9 000	8 097	10 624
Imports	19 376	21 585	17 346	5 500	6 672	6 311
Turnover total	27 618	44 574	30 378	14 500	14 769	16 935
Balance	- 11 133	1 402	- 4 313	3 500	1 426	4 314

Source: State Statistical Committee of Ukraine (Derzhkomstat of Ukraine)²

2 Source: Nyzhnyk, O.M. and Pershyn, V.L., Rozvytok rehional'noho ukrajinsko-slovatskoho spivrobytnytstva (Development of Ukrainian-Slovak regional co-operation), in: *Medzinarodna konferencia Rady Europy o slovensko-ukrajinskej cezhranicnej spolupraci, Michalovce – Uzhorod, 30.-31. maja 2002* (International Conference of the Council of Europe on Slovak-Ukrainian cross-border cooperation) (Bratislava: Council of Europe, Ministry of Interior of the Slovak Republic, Ministry of Economy and European Integration of Ukraine, Ministry of Foreign Affairs of Ukraine, 2002), pp. 76-81, here p. 78.

One of the main apprehensions raised in Slovak debate before introduction of visa regime with Ukraine was that it will have a negative impact especially on trade in services between the two countries and first of all what concerns tourism of Ukrainian citizens to Slovakia. The above data show that the Slovak – Ukrainian trade in services has dropped in a half as early as one year before imposition of the visas. Moreover, thenceforward Ukraine evidences a slight grow in exporting services to Slovakia having a positive trade balance in this area regardless of visa regime since June 2000. Thus, it is difficult to derive a direct correlation between the Slovakia’s EU membership and its negative impact on trade in services between the two countries.

1.3. Cross-border and “shuttle” trade

Table 6. Transport movement through the Slovak-Ukrainian border crossings from the territory of the Slovak Republic, 1998-2003 (number of crossings)

Transport means	1998	1999	2000	2001	2002	2003
Cars	327.848	211.923	154.180	188.293	227.483	285.863
Buses	NA	15.449	6.425	3.701	6.625	3.419
Trucks	29.504	15.965	12.862	16.289	20.380	34.243
Fare trains	1.439	1.589	1.827	1.954	2.059	2.661
Freight trains	985	1.383	3.730	6.512	5.563	6.611
Total	359.776	246.309	179.024	216.749	259.110	332.797

Source: Office of the Border and Aliens Police, Presidium of the Police Corps of the Slovak Republic, March 2003

Table 7. Transport movement through the Slovak-Ukrainian border crossings from the territory of Ukraine, 1998-2003 (number of crossings)

Transport means	1998	1999	2000	2001	2002	2003
Cars	327.500	224.981	169.995	187.765	223.830	276.370
Buses	NA	13.265	7.760	3.894	4.151	4.313
Trucks	33.220	17.240	14.029	17.508	23.054	36.922
Fare trains	1.439	1.588	1.827	1.954	2.059	2.665
Freight trains	983	1.373	3.820	6.608	5.652	6.648
Total	363.142	258.447	197.431	217.729	258.746	326.918

Source: Office of the Border and Aliens Police, Presidium of the Police Corps of the Slovak Republic, March 2003

The above facts concerning the cartage transport indicate that the visa regime did not effect exchange of goods and services between Slovakia and Ukraine in negative terms regardless of fact that a significant part of increased number of cartage transport crossings in the course of the first two “visa years” of 2001 and 2002 through the common border represent a transit from and to the third countries. As figures on bilateral trade show, the Slovakia’s trade with Ukraine grew over the years of 2001 and 2002 regardless of imposition of the visa regime. In other words, one of the two main apprehensions raised during the “visa debate” in both Slovakia and Ukraine before imposition of the visa regime and namely that it will cut-down bilateral economic co-operation and trade exchange has not been settled.

Even though the visa regime imposed in June 2000 did not affect the foreign trade exchange on the national Slovak – Ukrainian level, it did impact “shuttle trade” among inhabitants of neighboring regions on both sides of the common state border. Although there are no official data allowing assuming a volume of such trade in the Slovak – Ukrainian borderland, the following facts could bring more light in this field: the number of buses which crossed the Slovak – Ukrainian border from the territory of Ukraine dropped from 13.265 in 1999 to 3.894 in 2001 and from the territory of Slovakia from 15.449 in 1999 to 3.701 in 2001.³ E.g. before imposition of visa regime there were regular bus connection between centers of the both Eastern Slovak regions – Kosice and Presov – with Uzhhorod six times a day, after imposition of visa it was reduced to one bus line to Uzhhorod and back.

As to Oleg Suprunenko from the Transcarpathian Institute of Agroindustrial Production in Uzhhorod, illegal or semi-legal trade with the neighboring countries became one of the main activities of Transcarpathian inhabitants. According to him a considerable amount of sale goods (textile products, footwear, cosmetics, etc.) and foodstuffs are imported to Transcarpathia illegally from Poland and Hungary. Main articles of smuggling from Ukraine to neighboring countries are alcoholic beverages and cigarettes. Before imposition of visa regime the same concerned Slovakia, in addition a Slovak beer was an important article in this illegal cross-border trade. But after imposition of the visa regime this sort of cross-border trade was practically stopped in Slovak-Ukrainian context, which damaged - as to him - first of all small retail traders on the Slovak side of the border.⁴

1.4. Labour migration

On March 7 1997, Slovakia and Ukraine signed a bilateral intergovernmental agreement on reciprocal employment of citizens, which entered into force on 5 May 1998.⁵ The agreement has authorized the National Labor Office of the Slovak Republic and the State Employment Center of the Ministry of Labor and Social Policy of Ukraine as the agencies responsible for its implementation. Both agencies signed an implementing protocol to the agreement on 25 April 2002. According to the Article No. 3, Paragraph No. 1 citizens of the party to the agreement may be employed on the territory of the other party in the following three categories:

- a) Long-term employment – for one-year period as the maximum, however with an option to prolong the employment term in six months when situation on the labor market in the respective party to this agreement does facilitate it;
- b) Short-term employment – seasonal jobs for six-month periods as maximum within one and the same calendar year; and
- c) Employment of citizens resulting from an implementation of the trade and economic contracts concluded between both legal and physical persons of the countries, which are parties to this agreement, for two-year period. This period may be elongated in one year on the three-year

3 Office of the Border and Aliens Police of the Slovak Republic.

4 Suprunenko, Oleg, Interregional situation in Ukraine. in: *Report on the State of the Carpathian Euroregion. Interregional Situation in the Carpathian Euroregion*. Prepared by the Budapest University of Technology and Economics, Regional Research Center (Carpathian Foundation, March 2002).

5 *Dohoda medzi vladou Slovenskej republiky a vladou Ukrajiny o vzajomnom zamestnavani obcanov* (Agreement between the Government of the Slovak Republic and Cabinet of Ministers of Ukraine on reciprocal employment of citizens) (Legal Codex of the Slovak Republic No. 110/1998, p. 2074).

period if the contract implementation requires it. The employment period of managing staff may be prolonged to the four-year period as the maximum term.

The agreement determines the following annual quotas of persons who may be employed on the territory of the other party according to the above categories (Article No. 6, Paragraph No. 1: a) – up to 200 persons, b) – up to 300 persons and c) – up to 1800 persons. Thus, the maximum number of Ukrainian citizens who could work legally on the territory of the Slovak Republic and vice versa within one and the same calendar year is 2300 persons. The figures from the below table given by the National Labor Office of the Slovak Republic show that agreed quotas are not fully drawn down.⁶

There are different estimations as far as size of hidden employment and illegal work in Slovakia is concerned ranking from 76.000 to 200.000 persons. Thus, the Research Institute of Labor estimates that number of illegal employees in Slovakia ranks between 76.000-82.000 persons, the Ministry of Labor, Social Affairs and Family - 82.000, the National Labor Office – between 80.000-140.000, the Moody's Rating Agency – 160.000 and finally the Taxation Office of the SR – 200.000 persons.⁷ If we calculate an average size of estimated illegal workers in Slovakia as 126.200 persons of whom – as to the nationwide labor inspections of 2000-2002 – 33,3 percent are foreign nationals then we get the number of estimated foreign illegal workers in Slovakia – 42.025 persons. There are no available data on national structure of detected foreign nationals who worked illegally, but even if we theoretically assume that all they are Ukrainian citizens – which of course is simply unlikely - the received figure is much more realistic than some of original assumptions estimating there are about 60.000 illegal Ukrainian workers in Slovakia. It is possible to make an assumption that real number will be lower than 40 thousand persons.

Table 8: Applications of Ukrainian citizens for employment in the SR (submitted in accordance with the bilateral agreement on reciprocal employment of citizens signed as of 7 March 1997)

	1998	1999	2000	2001	2002
Category a)					
Number of applications	50	50	255	209	212
Number of approved applications	48	50	203	202	197
Number of disapproved applications	2	0	52	7	5
Category b)					
Number of applications	0	0	61	15	91
Number of approved applications	0	0	57	14	63
Number of disapproved applications	0	0	4	1	28
Category c)					
Number of applications	22	34	189	100	1
Number of approved applications	22	34	174	83	1
Number of disapproved applications	0	0	15	17	0

Source: National Labor Office of the Slovak Republic

⁶ Author's special thanks belong to representatives of the International Relations Dept. of the National Labour Office of the Slovak Republic for their kind co-operation in collecting data presented in this part of the report.

⁷ *Nezamestnanost na Slovensku (Unemployment in Slovakia)* (Bratislava: Office of the Government of the Slovak Republic, 2002).

The visa regime does not present an impassable obstacle for illegal employment of Ukrainian citizens in Slovakia. It is a public secret that most of them work as day workers in the building industry. Even if we assume that they receive a half of standard monthly wage in this sector of Slovak economy, which is about 5.000-6.000 SKK (\$125 – 150, at the course of 1 USD : 40 SKK) and pay for one-entry visa \$24 (allowing them to stay in Slovakia within 30 days), they still earn more than \$100, which is about 550 Ukrainian Hrivnas whereas an average monthly wage in Ukraine was 310 Hrivnas in 2001. Of course, this is a minimal assumption of their eventual earnings, which is in a reality two-three times higher ranking between 600 – 900 Hrivnas a month as they work through weekends, 14-16 hours/day, etc. The visa regime together with other administrative measures cannot stop illegal labor migration from Ukraine to Slovakia, provided that the visa fee will make illegal earnings still economically effective as well as until there will be a market demand on such type of work in Slovakia.

1.5. Illegal migration

As the below table shows (Table 9) the number of illegal migrants detained annually by the Slovak border police at the border with Ukraine rose from 91 persons in 1993 to more than 2.000 persons in 2002 with a slight exception for 2000, but not because of imposition of visa regime in Slovak – Ukrainian relations in June 2000. The critical year in this development was 1999 when the number of illegal migrants detained at the Slovak – Ukrainian border has more than trebled in comparison with the previous years. The growing dynamics of the press of illegal migrants on Slovak – Ukrainian section of borders corresponds with the growing press of illegal migrants on the whole state border of the Slovak Republic. Therefore, it is possible to conclude that regardless of the visa regime in bilateral Slovak – Ukrainian relations the press of illegal migrants on Slovak – Ukrainian border shows a growing tendency over the last decade. Moreover, the number of detained illegal migrants during the first two “visa years” exceeds considerably the number of illegal migrants detained in the “pre-visa” period.

Table 9. Number of illegal migrants detained by the Slovak border police at the Slovak-Ukrainian state border, 1993-2003

Year	Movement of illegal migrants		Total number of illegal migrants
	To Slovakia (SR)	From Slovakia (SR)	
1993	55	36	91
1994	56	10	66
1995	72	20	92
1996	225	10	235
1997	99	6	105
1998	353	12	365
1999	1.509	52	1.561
2000	1.428	27	1.455
2001	1.846	14	1.945
2002	2.391	8	2.399
2003	5.468	15	5.483
Total 1993-2003	13.502	295	13.797

Source: Office of the Border and Aliens Police, Presidium of the Police Corps of the Slovak Republic, March 2003

The statistical data from tables 9-11 prove certain redirection in movement of illegal migrants to and from the Slovak territory. The most pressed national section of Slovak state borders in 1993 was border with Hungary, whereas in 1995 it became border with Poland. In 1996 the most problematic became the border with the Czech Republic and during the last two years of 2001 and 2002 the most pressed became the border with Austria. The significant change is evidenced on border with Ukraine in 1999 when the press of illegal migrants has increased more than 4,5 fold in comparison with previous years. At the beginning of the 2000s, the border with Ukraine became the third most problematic section of Slovak borders after the border with Austria and the Czech Republic in terms of the press of illegal migrants.

Table 10. Press of illegal migrants* on the borders of the Slovak Republic with neighbouring countries, 1993-2003

Border on	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003
Czech Rep.	0	380	631	1 622	926	5 254	3 433	2 190	4.098	3.983	2.130
Ukraine	91	66	92	235	105	365	1 641	1 473	1.945	2.399	5.483
Austria	309	163	155	220	665	504	1 365	1 233	6.083	6.293	3.908
Poland	744	715	1 015	755	564	843	776	736	748	761	599
Hungary	1 038	567	893	497	561	1 270	586	427	1.703	1.799	373
Slovakia - inland	NA	0	971	0	NA						
Total	2 182	1 891	2 786	3 329	2 821	8 236	7 801	6 059	15.548	15.235	12 493

Note (*): Number of identified and unidentified persons who illegally crossed the Slovak state border in both directions - from and to Slovakia

Source: Office of the Border and Aliens Police, Presidium of the Police Corps of the Slovak Republic, March 2001

Table 11. Press of illegal migrants on the Slovak Republic's state borders by direction – from and to Slovakia, 1993-2003

Direction	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003
From SR	1.141	1.017	1.446	2.774	2.088	6.320	5.071	3.822	10.773	10.252	6.104
To SR	1.041	883	1.340	955	733	1.916	2.818	2.237	4.775	4.983	6.389

Source: Office of the Border and Aliens Police, Presidium of the Police Corps of the Slovak Republic, March 2003

The press of illegal migrants on Slovak borders topped in 2001 when it rose to 15.548 persons, which is the largest number since Slovakia became independent state in 1993. The figure for 2002 confirms this phenomenon. In other words, the press of illegal migrants on Slovak state border has practically doubled during the last two years in comparison with the previous years when the top figure was 8.236 illegal migrants detained in 1998. If one compares statistical entries for 2002 and 2001 with that of 1993 figures show that the press of illegal migrants on the Slovak borders rose in more than 7 times. However, the above statistics gives us only relative picture and could be interpreted also in the following way: the fact that the Slovak border police detained more illegal migrants in the course of the last two years (2001 - 2002) does not mean that real numbers of migrants in previous years was considerably lower, but statistical data demonstrate a significant improvement of efficiency of the Slovak border police performance. The argument which backs

the above assumption follows a fact that just in the course of 2001 and 2002 respective Slovak authorities started to implement serious reforms of border management in the context of the EU accession process.

Table 12: *Illegal crossings through the Slovak state borders with neighbouring countries, 1998-2003*

Year	Number of recorded events	Number of green-border guides	Number of persons in trafficking
1998	60	92	1.394
1999	60	94	2.566
2000	87	118	2.428
2001	73	169	879
2002	94	233	1.173
2003	94	198	1.268
Total	468	904	9.708

Source: *Office of the Border and Aliens Police, Presidium of the Police Corps of the Slovak Republic, March*

Table 13: *Illegal crossings through the Slovak-Ukrainian border, 1998-2003*

Year	Number of recorded events	Number of green-border guides	Number of persons in trafficking
1998	11	21	65
1999	24	52	1.029
2000	11	18	249
2001	44	73	531
2002	153	94	517
2003	30	67	443
Total	76	158	1.786

Source: *Office of the Border and Aliens Police, Presidium of the Police Corps of the Slovak Republic, March 2003*

Following the above data, it is possible to derive an interesting picture concerning a relative share of Ukrainian border in the total press of illegal migrants on Slovakia's borders. Whereas the border on Ukraine represents only 6 percent of the total length of the Slovak state borders, the activities connected with the illegal migration registered in the course of 1998-2000 ranks this section of the Slovak borders on the top of the agenda - 12,3 percent of the total illegal crossings in the course of 1998-2000 have been recorded on border with Ukraine, 12,9 percent of the total number of the green border guides were detained at the Slovak – Ukrainian border, and finally, 15,9 percent of the total registered human beings in trafficking have been registered on the border with Ukraine. The above indicators far exceeds the 6 percent share of Ukrainian border in the total length of Slovakia's state borders.

The structure of illegal migrants detained at the Slovak – Ukrainian border as to their country of origin is about the same for several last years – nationals of India, China, Afghanistan, Iraq and Bangladesh markedly prevail in this statistics. There are only two European countries nationals of which belong to the top ten group of countries of origin of illegal migrants – Moldova and Ukraine. The number of Ukrainian citizens who have been detained by Slovak authorities when

they illegally passed the Slovak state border moves around 30 persons annually, however in 2002 it went up in more than two fold and rose to 68 persons.

Table 14: *Illegal migrants detained at the Slovak-Ukrainian border by country of origin, 1998-2001 (number of persons)*

Country of origin	1998		1999		2000		2001		2002		2003	
	To SR	From SR										
India	74	10	261	7	504	0	584	25	427	2.005	362	0
Afghanistan	81	4	561	0	233	9	408	10	1.021	1.767	226	0
Vietnam	16	0	12	0	131	0	269	0	132	132	34	0
Iraq	1	0	13	3	12	0	164	31	461	1.193	223	0
China	47	0	134	0	267	0	115	0	734	1.702	646	0
Moldova	0	0	13	6	60	7	81	7	199	323	240	0
Pakistan	9	2	48	0	33	0	32	1	92	169	72	0
Ukraine	13	7	26	2	21	0	30	3	32	36	56	0
Bangladesh	5	1	13	14	8	0	23	2	329	976	142	0
Sri Lanka	26	0	383	9	103	0	19	12	56	73	14	0
Other	20	1	45	11	56	11	121	8	1.500	1.876	3.453	15
Total	292	25	1.509	52	1.428	27	1.846	99	4.983	10.252	5.468	15

Source: *Office of the Border and Aliens Police, Presidium of the Police Corps of the Slovak Republic, March 2003*

1.6. Border crime

The focus paid by Slovak authorities to the protection of border with Ukraine since the reform of border service capacities which has been begun in 1999 led to decreasing number of registered illegal activities (other than illegal migration) committed by persons crossing the Slovak – Ukrainian border. Likewise, the number of persons who have been not allowed to cross the border by Slovak border police shows a decreasing line from more than 8 thousand in year of 1998 to little bit more than 4 thousand in 2002.

Table 17. *Illegal activities recorded by the Slovak border police at the Slovak-Ukrainian border crossings – offended by persons moving from the territory of the Slovak Republic, 1998-2003 (absolute numbers)*

Kind of recorded illegal activity	1998	1999	2000	2001	2002	2003
Tampered travel documents	1	1	1	0	1	0
Tampered visa	0	0	0	0	0	0
Number of detained travel documents	NA	NA	2	0	0	2
Spoil vehicles	110	88	37	36	21	17
Blocking persons, vehicles and goods	191	97	74	63	75	13
Number of persons detained upon police order	20	6	9	8	5	9
Other criminal activity	NA	NA	1	1	0	NA
Total	322	192	124	108	102	41

Source: *Office of the Border and Aliens Police, Presidium of the Police Corps of the Slovak Republic, March 2003*

Table 18. *Illegal activities recorded by the Slovak border police at the Slovak-Ukrainian border crossings – offended by persons moving from the territory of Ukraine, 1998-2003 (absolute numbers)*

Kind of recorded illegal activity	1998	1999	2000	2001	2002	2003
Tampered travel documents	0	0	0	1	0	0
Tampered visa	2	12	2	1	1	0
Number of detained travel documents	NA	NA	1	0	2	1
Spoil vehicles	0	0	2	2	3	4
Blocking persons, vehicles and goods	682	341	210	130	105	20
Number of persons detained upon police order	1	0	12	5	2	15
Other criminal activity	NA	NA	0	9	16	NA
Total	685	353	227	148	129	40

Source: Office of the Border and Aliens Police, Presidium of the Police Corps of the Slovak Republic, March 2003

Table 19. *Total number of all illegal activities recorded by the Slovak border police at the Slovak-Ukrainian border crossings – offended by persons moving in both directions from- and to the Slovak Republic, 1998-2003 (absolute numbers)*

	1998	1999	2000	2001	2002	2003
Recorded illegal activities – cases total	1.007	545	351	256	231	81

Source: Office of the Border and Aliens Police, Presidium of the Police Corps of the Slovak Republic, March 2003

Table 20. *Number of persons turned away by the Slovak border police from the Slovak-Ukrainian border crossings that have been moving from the territory of the Slovak Republic, 1998-2003*

	1998	1999	2000	2001	2002	2003
Citizens of the SR	89	194	82	45	68	83
Aliens	2.602	1.066	736	297	257	170
Total	2.691	1.260	818	342	325	253

Source: Office of the Border and Aliens Police, Presidium of the Police Force of the Slovak Republic, March 2003

Table 21. *Number of persons turned away by the Slovak border police from the Slovak-Ukrainian border crossings that have been moving from the territory of Ukraine, 1998-2003*

	1998	1999	2000	2001	2002	2003
Citizens of the SR	287	17	26	32	37	19
Aliens	5.194	4.716	3.245	4.548	4.075	2.268
Total	5.481	4.733	3.271	4.580	4.112	2.287

Source: Office of the Border and Aliens Police, Presidium of the Police Force of the Slovak Republic, March 2003

It could be concluded that neither imposition of the visa regime on Ukraine in June 2000 nor administrative capacity reform of the border police of the Slovak Republic that started in 1999 has significantly effected the scope of the selected actions taken by the Slovak border police, e.g.

number of admitted and remitted persons, number of granted visas, number of cases settled by mulcting, etc.

Table 22. Total number of all persons (both Slovak citizens and aliens) turned away by the Slovak border police from the Slovak-Ukrainian border crossings that have been moving in both directions from- and to the territory of the Slovak Republic, 1998-2003

Year	1998	1999	2000	2001	2002	2003
Number of persons	8.172	5.993	4.089	4.922	4.437	2.540

Source: Office of the Border and Aliens Police, Presidium of the Police Force of the Slovak Republic, March 2003

As to the information given by the Customs Directorate of the Slovak Republic the customs service at the border with Ukraine in the course of 1993 – 2001 registers one case of stopping trafficking in narcotics (25,94 kg of heroin) and 6 cases of an attempt of illegal transport of armaments (hand carried weapons, munitions and spare parts for tanks).⁸ Departing from the above statistics it is possible to conclude that the national section of Slovak border with Ukraine as to the cross-border illegal activities does not stick up if one compares it with other national sections of Slovak borders, rather on the contrary.

The Custom Directorate of the Slovak Republic also reports that the number of cases of custom offences committed by legal persons (business entities) and physical persons (individuals) transporting goods over border crossings on the Slovak-Ukrainian border dropped significantly after imposition of the visa regime in 2000.

Table 23. Selected actions taken by the Slovak border police at the Slovak-Ukrainian border crossings, 1998-2003 (absolute numbers)

Action/number of persons	1998	1999	2000	2001	2002	2003
Remitted persons	1.146	2.189	1.978	1.419	1.070	935
Admitted persons	1	10	4	3	1	9
Persons that have been not readmitted by Slov. side	0	0	0	0	0	0
Persons that have been not readmitted by Ukr. side	0	0	0	19	0	1041
Total number of granted visas	1.214	920	4	2	4	33
Of which free of charge	5	305	2	2	4	0
Granted armament certificates	1	9	2	0	1	0
Of which free of charge	1	8	0	0	1	0
Injunction of staying in the SR	191	273	260	267	260	647
Number of cases settled by mulcting	NA	6.027	3.315	2.910	2.492	3.012
Total sum of mulcting in SKK	NA	2.879.200	1.590.800	1.361.200	1.378.200	1.982.450

Source: Office of the Border and Aliens Police, Presidium of the Police Force of the Slovak Republic, March 2003

⁸ This information has been provided by the Customs Directorate of the Slovak Republic by letter sent on 13 February 2002 following the author's personal application submitted in written form as of 22 January 2002.

Table 24: Custom offences committed by legal business entities

	1998	1999	2000	2001
Number of cases	91	69	36	38
Total value of goods (in SKK, current prices)	41,820.400	65,690.295	18,953.300	53,128.384
Custom and tax evasion (in SKK)	182,478.275	32,247.964	9,007.708	3,064.923

Source: Custom Directorate of the Slovak Republic, 2002

Table 25: Custom offences committed by individual persons

	1998	1999	2000	2001
Number of cases	1.389	4.130	3.927	886
Custom and tax evasion (in SKK)	852.558	547.672	22.756	7.485

Source: Custom Directorate of the Slovak Republic, 2002

1.7. Criminal activities of Ukrainian nationals in Slovakia

Another expectation raised during the “pre-visa debate” in Slovakia was that the imposition of the visa requirement on Ukrainian citizens would stop them engaging in criminal activity on Slovak territory. However, the “Report on fulfilling tasks that result from the complex programme for combating crime” submitted to the Slovak government by the interior minister in May 2001 stated that “the imposition of the visa regime on Ukraine did not lead to the significant decline in the number of crimes committed by Ukrainian citizens that we originally expected”.⁹ The Slovak police registered the total number of 93,053 crimes committed on the territory of Slovak Republic in 2001 of which 1,223 (1.3 per cent of the total) were committed by 1,054 persons of foreign origin. Most crimes by foreign nationals were committed by citizens of Romania (174 persons), followed by the Czech Republic (168), Ukraine (143) and Bulgaria (109). In 2001, the Slovak authorities expelled 1,684 foreign nationals using administrative measures, as well as 62 expelled following court verdicts.¹⁰

From 1993-2000, the number of foreign nationals barred from visiting Slovakia because they had been designated *persona non grata* by the Slovak authorities was 2,791 persons, of whom 782 (28 per cent) were Ukrainian citizens. This means that Ukrainian nationals rank in second place after Romanian citizens, who comprise 45.2 per cent of those declared *persona non grata* by the Slovak authorities.¹¹ In other words, the criminal activity of Ukrainian citizens in Slovakia does not as

⁹ *Správa o plnení úloh vyplývajúcich z komplexného programu boja so zločinnosťou*, Bratislava, Government of the Slovak Republic, 9.5.2001, p. 20.

¹⁰ *Správa o bezpečnostnej situácii v Slovenskej republike za rok 2001*, Bratislava, Government of the Slovak Republic, 13.3.2002, p. 12.

¹¹ Migration Office of the Slovak Republic, December 2001.

such represent an exceptional phenomenon that would challenge the existing bilateral police co-operation between Slovakia and Ukraine if there were no visa regime.

Conclusion

A number of conclusions can be drawn from this analysis of the impacts of the visa regime on the Slovak-Ukrainian border regime. The imposition of a visa regime significantly affected the number of border crossings made by Ukrainian citizens, which decreased to a sixth of the volume during the pre-visa period. However, the visa regime did not have much effect on travel to Ukraine by Slovak citizens: quite the contrary, in 2002 the number of border crossings by Slovak citizens exceeded that in the pre-visa years.

Moreover, the imposition of the visa regime did not affect transport movements over the Slovak-Ukrainian border as dramatically as the legal movement of persons. Figures on bilateral trade show the Slovakia's trade with Ukraine grew in 2001 and 2002 in spite of the imposition of the visa regime. Nevertheless, contacts across the Ukrainian section of the Slovak border did show a downward trend after the visa regime was imposed when compared to the borders with other neighbouring countries, and this applied in particular to the movement of persons (rather than freight). Both these basic indicators are far below the 6 per cent share of the Slovak-Ukrainian border in the total length of the Slovak state borders.

However, when it comes to detecting illegal migration, the Ukrainian section of the Slovak border has been steadily increasing in significance, with by far the most marked increase in 1999. Slovak-Ukrainian experiences from the two "visa years" tend, therefore, to support the argument that there is no link between introducing a visa regime in bilateral relations and protecting the border against illegal migration from the third countries. The visa regime has significantly affected legal movement of persons through the Slovak-Ukrainian border, but has done practically nothing to reduce the pressure of illegal migrants from the third countries on the border. However, the attention the Slovak authorities have paid to protecting the border with Ukraine since the reform of the border services began in 1999 has led a decrease in the number of registered illegal activities other than illegal migration committed by persons crossing the Slovak-Ukrainian border. Nor does the visa regime present an insurmountable obstacle for the Ukrainian citizens seeking illegal employment in Slovakia. Finally, imposition of the visa regime against Ukraine did not lead to a significant decline in number of criminal activities committed by Ukrainian citizens on the territory of the Slovak Republic.