

# HOUSING SUPPORT FOR BENEFICIARIES OF INTERNATIONAL PROTECTION IN THE CZECH REPUBLIC AND THE SLOVAK REPUBLIC

Edited by Ondřej Novotný



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## 1. Introduction

Adequate housing serves as a basic precondition for the integration of individuals into society. Not only does it provide the necessary shelter, but it is the main location of children's upbringing and adults' daily commute to work. It is the center of leisure and families' contacts with neighbors and the local community. From the point of view of the integration of beneficiaries of international protection (BIPs), assistance with the provision of housing must be one of the priorities of any integration policy, because without stable housing, the path to gradual adaptation to a new life situation in a new society is significantly more complicated.

The following pages demonstrate how the governments of the Czech Republic and the Slovak Republic approach the integration of BIPs in the area of housing. Even though both countries are signatories to the Geneva Convention Relating to the Status of Refugees, the UN International Covenant on Economic, Social and Cultural Rights, the European Social Charter and are subject to European Union law, which all together imply a basic legal framework for states dealing with BIPs, the specific forms of local national policies vary considerably.<sup>1</sup>

This text captures the basic characteristics of current housing support mechanisms in both countries, shows their advantages and disadvantages, and indicates general gaps in our knowledge. These gaps make it difficult to draw qualified conclusions about the effectiveness of the current integration policies. However, partial recommendations for the development of relevant integration policies based on the experience of professionals working with BIPs are presented throughout the text.

This is one of four planned publications which compare integration policies for BIPs in selected countries of the so-called Visegrad Four (Czechia, Slovakia, Hungary and Poland). They should demonstrate to readers from the V4 countries the various forms of integration policies of countries in the region – a region that is characterized by similar modern historical development and a small population of BIPs. In the international arena, the V4 countries present themselves more or less as allies on the issue of forced migration, while their restrictive approach to asylum-related issues develops in parallel with skeptical public opinion.<sup>2</sup> Although newspaper headlines and

1 For more details see: ECRE, The Right to Housing for Beneficiaries of International Protection, 2016, available online at: <https://www.ecre.org/wp-content/uploads/2016/12/The-Right-to-housing-for-beneficiaries-of-international-protection.pdf>.

2 Standard Eurobarometer 93, 10/2020, p. 114.

numerous political proclamations are not always sympathetic towards BIPs, the states' de facto approaches to BIPs on their territories may go the other way, showing the majority population that integration is possible and effective. These texts should also be a source of inspiration for good integration practice, while pointing out risks and policy dead ends.

## 2. Czech Republic

### The system of support for BIPs' access to housing

In the Czech Republic, systematic housing support for BIPs can be divided into two general areas. In the form of targeted support, it is linked to the participation of asylees and beneficiaries of subsidiary protection in the State Integration Program (SIP),<sup>3</sup> which as a comprehensive integration system is focused on recent BIPs as its only target group. The existence of the SIP is enshrined in the Act on Asylum<sup>4</sup> and its specific form is given by a government resolution valid at the time.<sup>5</sup> The second area relates to the legally guaranteed access to housing support which BIPs can benefit from under the same conditions as Czech citizens. This support entails mainly state social support benefits, assistance in material need and, at the same time, access to residential social services facilities.<sup>6</sup> Equal access to municipal (affordable/social) housing lacks legal guarantees.

Conceptually, the support of housing for BIPs is also enshrined in the SIP, as the broader national strategic document Concept of the Integration of Foreigners does not address the area of housing as its priority.<sup>7</sup> Unlike the Concept, however, the SIP does not directly articulate the broader meaning of its individual tools or the needs to which they respond. Instead, it simply lists a system of integration measures, which in effect obscures the general direction and objectives of the implied strategy for the integration of BIPs. The current Concept of Social Housing in the Czech Republic, although not yet enshrined in legislation, does not define its target groups according to

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3 English version of the homepage of the State Integration Program can be found here: <http://www.integracniprogram.cz/en/>.

4 §68- §70 of Act no. 325/1999 Coll., on Asylum.

5 The current version of the SIP was approved through Resolution of the Government No. 954 on 20. 11. 2015. On 16. 1. 2017 it was updated through Resolution of the Government No. 36.

6 §5 of Act no. 111/2006 Coll., on Assistance in Material Need; §3 of Act no. 117/1995 Coll., on State Social Support; §4 of Act no. 108/2006 Coll., on Social Services.

7 The latest concept, titled Concept of Integration of Foreigners – In Mutual Respect, is from 2016. Full text (in Czech) is available at <https://www.mvcr.cz/migrace/soubor/kic-2016-a-postup-pri-realizaci-kic-2016-usneseni-vlady-c-26-2016-pdf.aspx>.

citizenship and residence status, but rather according to the fact of combined housing deprivation and lack of disposable income.<sup>8</sup> At the same time, however, it mentions “people leaving institutions” as a priority target group in terms of access to affordable housing. According to the responsible authority, it is possible to include persons leaving residential asylum facilities under this heading.

### Targeted housing support

The core of the current system of targeted support is the offer of temporary housing in the Integration Asylum Centers (IACs) managed by the Administration of Refugee Facilities of the Ministry of the Interior (ARF). IACs, the operation of which is financed from the state budget, serve persons who have been granted international protection, joined the SIP and applied for temporary shelter.<sup>9</sup> There are four IACs in the Czech Republic and their capacity in 2019 stood at a total of 124 beds in 43 accommodation units.<sup>10</sup> The average size of units in individual IACs ranges from 40 to 58 m<sup>2</sup> and the time that clients can spend at an IAC is a maximum of 18 months, but is typically 12, while they have to pay for their stay themselves. The rent itself is set at CZK 20 per m<sup>2</sup>/month (approx. EUR 0.8), excluding the price of utilities (electricity, water, etc.). If residents meet the conditions stipulated by law, they can use material need benefits to cover the costs.

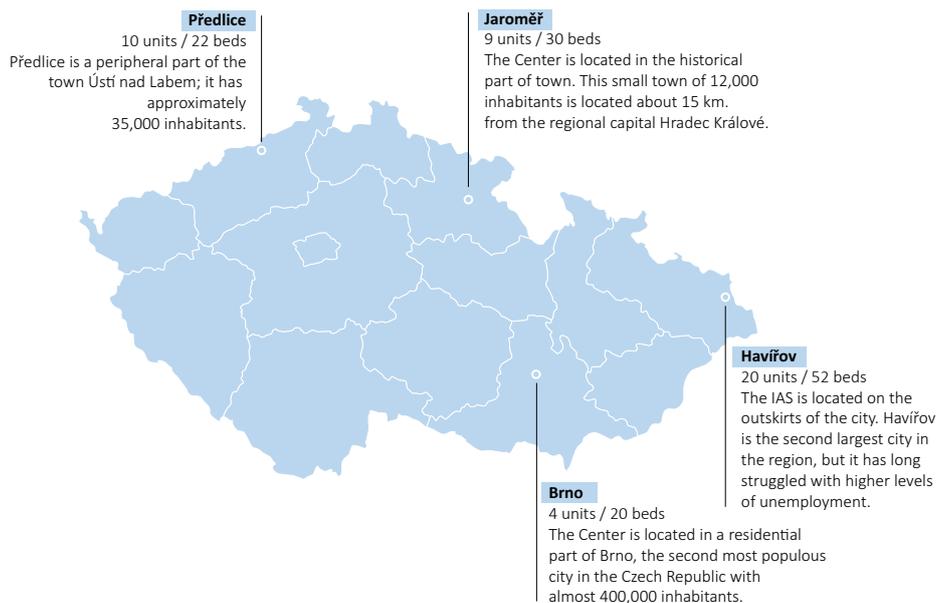
Unlike residential facilities for asylum seekers, IAC clients live in separate housing units providing them with the necessary privacy. Social workers in the centers provide clients with integration assistance on the basis of tailor-made individual integration plans (since 2016), including assistance in the provision of follow-up housing. Other actors working at IACs are NGOs, which also offer beneficiaries support in various areas of integration. In addition to the IACs, there are five other counseling contact points in the Czech Republic where SIP social integration workers assist those BIPs who choose not to reside in the IACs. At the same time, it is common for SIP staff to regularly visit BIPs at the place of their residence.

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<sup>8</sup> Concept of Social Housing in Czech Republic 2015-2025 is available (in Czech) at: <https://www.mpsv.cz/koncepce-socialniho-bydleni-cr-2015-2025>.

<sup>9</sup> In accordance with the wording of the Act on Asylum, it is possible for BIPs outside the SIP to stay in IACs as well. In practice, however, the General Provider of Integration Services may interpret the currently valid Resolution of the Government in a way that prevents BIPs outside the SIP from residing in them, resulting in a dispute.

<sup>10</sup> ARF Annual Report for 2019, p. 11., Available (in Czech) at: [http://www.suz.cz/wp-content/uploads/2020/06/2019\\_suz\\_vyrocní\\_zpráva\\_web.pdf](http://www.suz.cz/wp-content/uploads/2020/06/2019_suz_vyrocní_zpráva_web.pdf).



At the turn of 2015 and 2016, the system of targeted housing support beyond the availability of temporary accommodation at the IACs, as well as the overall approach to the integration of BIPs within the SIP, underwent a significant transformation, as the so-called old SIP was replaced by a new SIP. Housing support, on which the older version of SIP was primarily focused (together with language learning), has in this respect changed dramatically.

From 1994 to 2015 (or 2018 – see below), the SIP focused on longer-term assistance with the provision and financing of housing for BIPs (beneficiaries of subsidiary protection were included in the system in 2014) also outside residential asylum facilities. This support system existed in several variants. Under the conditions of the oldest one (Variant I), the state provided municipalities with subsidies for the development of municipal infrastructure on the condition that BIPs were, in turn, provided with municipal housing with a lease contract for a period of 5 years. After that time passed, municipalities were to extend the lease agreements if the tenants duly complied with their provisions. The advantage over market housing was that it facilitated the BIPs' path to a stable tenancy. However, despite the incentives, it became over time increasingly difficult to find adequate housing units due to the advancing privatization of municipal housing stock.

The next variant (Variant IIa) started in 2004 and was gradually phased out between 2016-2018. It allowed BIPs to use their own initiative in finding suitable housing and then enter into agreements with its owners (natural,

legal persons or municipalities). BIPs could subsequently apply for a financial contribution to cover part or all of the rent, which would have been transferred from the Ministry of the Interior through the regional authority and the municipality to the landlord. From 2014, the duration of this support lasted a maximum of 36 months (between 2008 and 2013 it was up to 96 months). Under this variant, municipalities were entitled to a subsidy for the development of infrastructure as well. However, the implementation of Variant IIa was hindered by its organizational and administrative cumbersome nature. When the apartment in question was not municipal, in addition to the need to conclude a standard lease agreement, there was the requirement to conclude a tripartite agreement between the owner of the apartment, tenant and municipality. This discouraged both the owners and the municipalities from involvement. Furthermore, a many-month delay from the point of first contact between the person interested in the apartment and its owner, through the conclusion of contracts, application for financial contribution to, finally, its delivery was commonplace. This created financial pressure on both the landlords and the BIPs. At the same time, when the tenant needed to move for work or the apartment ceased to be suitable due to family expansion, it was difficult to ensure continuity of support in new housing. The fact that the BIPs (and, subsequently, the municipalities) had to apply repeatedly for the support presented an additional administrative burden. The resulting (in)availability of suitable flats led to situations where the contracted apartments were often located in places where there were few job opportunities, medical facilities, educational institutions, etc., which of course complicated the integration process.

The last of the variants (Variant IIb) was launched in 2006 and as it was left in the new SIP, its validity is still ongoing. It entails the payment of BIPs' stays in social service facilities, specifically, the stays of disabled BIPs and those who have reached their retirement age. This financial support is provided without any time limit. Like the previous two, this variant is also tied to state subsidies to the municipalities where the facilities are located.

After 2015, the SIP moved from a model almost exclusively focused on language learning and housing provision/financing towards individualized, thematically broader assistance intended to enable and empower BIPs to start their new lives in the Czech Republic. After completing the SIP, BIPs should be self-sufficient enough to be able to retain housing themselves

or suffice with mainstream support measures. To fulfill this purpose, the new SIP comes with so-called individual integration plans, which record the initial situation of the beneficiaries and set regularly revised goals for them across relevant areas of integration such as employment, education, social support, health and housing. The duration of these plans and associated support is 12 months. To achieve the set goals, the SIP helps BIPs both financially and through the individual assistance of social integration workers employed by ARF or NGOs, which themselves can implement the SIP as subcontractors. The types of offered housing assistance are anchored in the currently valid Resolutions of Government from 2016 and 2017:<sup>11</sup>

- ▶ securing housing in the form of a lease or sublease agreement, or an accommodation agreement if the accommodation is connected with employment for a period of at least one year;
- ▶ if necessary, payment of initial costs: commission of the real estate agency up to the amount of rent for one month of the rented apartment, a one-time and non-refundable financial contribution to secure housing;
- ▶ payment of the first and possibly second rent (including payment for utilities);
- ▶ a one-time provision of the necessary basic furniture and equipment for the apartment (e.g., washing machine, refrigerator);
- ▶ ensuring the moving of the beneficiary to the apartment, including payment of moving costs.

The long-term impacts of the SIP transformation on the lives of BIPs have not yet been understood, as the SIP administrators do not have the resources to carry out a detailed evaluation of its activities, especially with regard to the situation of BIPs in the years following their involvement with SIP. Nevertheless, the gradually declining effectiveness of Variant I has shown that although long-term support for housing in municipal flats is desirable, it is

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<sup>11</sup> The current version of the SIP was approved through Resolution of the Government No. 954 on 20.11.2015. On 16. 1. 2017, it was updated through Resolution of the Government No. 36.

not in the power of the SIP to ensure this, as it encounters deeper structural problems of the housing market in the Czech Republic. On the other hand, implementation of Variant IIa pointed to the limits of state money managers regarding their flexibility in distributing resources to persons in need. The question therefore remains whether it would be possible and desirable in the future to partially renew the mechanism of longer-term rent support in an administratively simplified form. This debate is also conditioned by the future of affordable and social housing support in the Czech Republic (see below).

Nevertheless, in terms of housing, the current form of the SIP answers to the question of finding a support system that is both feasible and more effective. Sources from the Ministry of the Interior declare that almost everyone who completes the SIP has at that moment some form of housing secured. However, the relatively short-term, albeit intense, nature of current integration support still risks overestimating the ability of some BIPs to maintain suitable housing in the long term. In this respect, the diversity of SIP clients is crucial. As the emphasis on self-sufficiency may be adequate for people from culturally and linguistically closer areas, it might no longer be sufficient for others and especially for those who are more vulnerable. Discussion would therefore be welcome on whether the duration of the SIP for the said groups of BIPs should not be longer than 12 months.

### Other forms of housing support

In terms of access to the mainstream state social support, BIPs are in a similar position as Czech citizens. The main benefit is the housing allowance, which is paid out by the Labor Office to persons (including BIPs) for whom 30% (35% in Prague) of their income is not sufficient to cover the standardized housing costs (see footnote for a calculation example).<sup>12</sup> It is important to note this type of support cannot be used by beneficiaries (or anyone else) to pay for the costs of stay at IACs, dormitories, social service facilities or subleased apartments.

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<sup>12</sup> Standardized housing costs are defined as the average housing costs for a given city size, type of housing and number of household members. To give a rough example of the allowance calculation based on average housing costs and ¾ of average income: in 2020, a family of 4 (married parents + 2 children under 6), where only the mother works for a monthly wage of EUR 900 net in a situation where the family lives in a city of 80,000 inhabitants and spends EUR 500 per month on rent and utilities, would be entitled for about EUR 250 per month in housing benefits. For more details about the housing allowance see: <https://ec.europa.eu/social/main.jsp?catId=1106&intPageId=4470&langId=en&>.

If the housing allowance is not sufficient to secure its recipients a minimum standard of living, the benefits under the Assistance in material need scheme come as the next level of support. In case BIPs do not have enough money left to cover basic living needs after paying for their accommodation, they can apply for a benefit called the living allowance, which equalizes the individual's/family's income to a level calculated by the Labor Office as adequate to their situation.<sup>13</sup> Finally, should the living allowance still fail to secure a recipient's minimum living standard, he or she can apply for the so-called housing supplement benefit. It is designed to provide additional finances to its recipients to specifically cover housing costs, in this case, also allowing the coverage of beneficiaries' stay at IACs (or other social service facilities, dormitories, apartment sublease, etc.). The combination of BIPs' initial employment in less qualified/lower paying jobs and the high prices of rental housing make it essential for many BIPs to have access to stable financial support – as listed above – at least in the first years of their stay in the country (see section Current situation).

Nevertheless, if beneficiaries finance their accommodation at an IAC with the housing supplement, they find themselves in a risky position. The municipality in which the given IAC is located has the right to declare part or all of its territory a so-called "bezdotkatková zóna," which makes it impossible for anybody to draw this type of benefit on the given territory. In March 2019, the IAC in Předlice was affected by such a declaration, and in effect, the population of the center decreased by more than half. Notwithstanding the controversy and the anti-social character of this legal institution as such, it is necessary to exempt IACs and/or BIPs from the scope of its force.

The availability of municipal (affordable/social) housing presents a complex issue in its own right. In Czechia, this policy area is yet to be covered by comprehensive legislation, though it is set as one of the goals of the current Concept of Social Housing in Czech Republic for the years 2015-2025. It is, therefore, the municipalities that set the rules for the provision of apartments from their housing stock, which have thinned considerably in recent decades due to advancing privatization. The current practice often presents a barrier to foreigners, as the conditions for the provision of apartments frequently require several years of previous residence in the municipality or

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13 The living allowance benefit is determined individually, depending on a number of factors. In 2020, the final monthly amount ranged from EUR 95 (equaling the subsistence minimum) to EUR 145 (equaling the living minimum). For more details about Assistance in material need see: <https://ec.europa.eu/social/main.jsp?catId=1106&langId=en&intPageId=4481>.

stipulate that the applicants must be citizens of the Czech Republic or EU.<sup>14</sup> This is so despite the fact the citizenship condition is at odds with the findings of the Ombudsman's research report which describes it as discriminatory.<sup>15</sup> The challenge is, therefore, threefold: to find a way to expand the housing stock of cities and municipalities; to remove discriminatory conditions of accessing municipal housing; to elaborate and bring into force a law on social housing which would consider the vulnerable position of BIPs.

Special housing support is dedicated to asylum seekers and BIPs who are also unaccompanied minors. Unaccompanied asylum seekers under the age of eighteen are usually accommodated at the Facility for Children of Foreign Nationals in Prague. They can stay in this facility, which is funded by the Ministry of Education, even after being granted international protection and if they continue to be enrolled in the state school system, until they reach the age of 26.<sup>16</sup> At the age of 18, young adults can also move to a so-called halfway house, a social service facility offering accommodation and counselling for up to 12 months. For its clients, the monthly cost of stay at a halfway house is approximately EUR 110. In Czechia, there is one such facility specializing in foreigners, though migrants (and BIPs) can stay at others as well. While a problem with the language barrier might arise, at this stage of integration, BIPs are usually sufficiently able to communicate or can seek out an NGO providing help with interpretation services.

### Current situation

As previously stated, a proper evaluation of the above-described changes and the functionality of the current integration policies is hindered by the relative unavailability of quantitative and qualitative data which would accurately map the housing situation of BIPs outside the SIP. Detailed data on the location and type of housing; the character and duration of lease

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14 Integrace cizinců v Česku z pohledu nevládních organizací, Consortium of Migrants Assisting Organizations, 2018, pp. 49-50, available at: [https://www.migracnikonsorcium.cz/wp-content/uploads/2019/01/Integrace-z-pohledu-NNO\\_produk%C4%8D-2\\_EU.pdf](https://www.migracnikonsorcium.cz/wp-content/uploads/2019/01/Integrace-z-pohledu-NNO_produk%C4%8D-2_EU.pdf).

15 Municipal housing through the prism of the right to equal treatment and the role of municipalities in addressing housing need – Ombudsman Research Report, 2020, Ombudsman – Public Defender of Rights, 2020, pp. 28-29.

16 The activity of these facilities is regulated by Act No. 359/1999 Coll. on social and legal protection of children, as amended; Act No. 109/2002 Coll., on the provision of institutional education or protective education at school facilities and on preventative educational care at school facilities and on amendments to certain acts, as amended, and Decree No. 438/2006 Coll., regulating Provisions of Institutional and Protective Education in Educational Facilities.

agreements; housing quality and the frequency of housing in substandard dwellings; satisfaction of BIPs with their housing situation; mobility; awareness among BIPs on issues related to housing; use of mainstream housing support and other variables would be in this respect welcome.<sup>17</sup>

For basic orientation, though, we present some of the available data. According to data from the Ministry of the Interior, as of January 1, 2020, there were a total of 2,058 persons granted asylum (1,104) or subsidiary protection (954) in the Czech Republic. In 2019 alone, 147 individuals were granted some form of protection and as of November 1, 2020, a further 105 persons. In terms of the spatial distribution of BIPs, data from the Alien Police (inaccurate) indicate that approximately 30% of the total number of BIPs live in Prague, while between 10-15% are estimated to reside in the South Moravian, Central Bohemian and Ústecký Regions. In other regions, the size of the BIP population is marginal.

In 2019, 109 people joined the SIP. Data from ARF show that in the same year, the occupancy rate of IAC housing units, of which there are a total of 43, fluctuated between 37% and 51%, while the average length of stay in 2018/2019 was less than nine months. More detailed statistics on the inhabitants of Centers show that, on average, SIP clients spent more time in IACs in Brno and Jaroměř (up to 12.8 months), while in Havířov and Předlice it was, on average, five months less.<sup>18</sup> In 2018/2019, more women than men lived in the IACs (54%: 46%) and approximately 40% of all residents were minors. Also, beneficiaries of subsidiary protection outnumbered asylees in a ratio of 3:2. Recent trends (since 2015) show the occupancy rate of IACs to be decreasing. This has been mainly due to the declining number of positive decisions on applications for international protection. For current needs, the capacity of IACs is, therefore, sufficient. In 2019, the actual cost of integration assistance in the area of housing provided to SIP clients amounted to approximately EUR 62,000 in total. This number includes payments for first or second rent, costs of basic household furniture and equipment, and other housing-related costs.

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17 For a comparison of the desired robustness of research, see the Analysis of the State Integration Program for Asylum Seekers (in Czech), Institute of Ethnology of the Czech Academy of Sciences, 2012, pp. 66–108. Online available at: <http://www.mvcr.cz/sluzba/ViewFile.aspx?docid=21733330>.

18 ARF Annual Report for 2019, p11., available (in Czech) at: [http://www.suz.cz/wp-content/uploads/2020/06/2019\\_suz\\_vyrocní\\_zpráva\\_web.pdf](http://www.suz.cz/wp-content/uploads/2020/06/2019_suz_vyrocní_zpráva_web.pdf).

Regarding the numbers pointing to the relative dependency of BIPs on mainstream housing support, in 2018, the Ministry of Labor and Social Affairs started monitoring the numbers of BIPs receiving social support (table below). Data confirms the expected higher ratio of BIP households receiving support to all BIPs than the respective ratio for Czech nationals. Additionally, it highlights the more challenging situation of beneficiaries of subsidiary protection, which can be attributed to the instability of their residence status (which is also reflected in employment) and their length of stay in the Czech Republic.

|                               |      | Housing allowance <sup>19</sup>   |                             |
|-------------------------------|------|-----------------------------------|-----------------------------|
|                               |      | Number of recipients (households) | Average amount / year (EUR) |
| Asylum                        | 2018 | 103                               | 2,140                       |
|                               | 2019 | 105                               | 2,240                       |
| Subsidiary protection         | 2018 | 209                               | 2,720                       |
|                               | 2019 | 180                               | 2,580                       |
|                               |      | Housing supplement                |                             |
| Asylum /Subsidiary protection | 2018 | 197                               | 1,320                       |
|                               | 2019 | 193                               | 1,130                       |

Currently, BIPs face a number of obstacles in the housing market, many of which are shared with other foreigners, migrants and a significant number of Czech citizens. The general unavailability of affordable housing combined with constantly rising prices of rental housing have created in recent years a chronic problem for many.<sup>20</sup> Regarding the price of rent alone, between 2016 and 2017, the average price of rental housing in the Czech Republic increased by 14%, and between 2018 and 2019, by 16%.<sup>21</sup> In both

19 The number of recipients reflects the number of unique beneficiaries/households. Thus, if a given person/household has applied for allowance/supplement several times in a given year, it is counted only once.

20 For reference see: Report on Housing in the Czech Republic, SAO, 2018, available online (in Czech) at: <https://www.nku.cz/cz/publikace-a-dokumenty/ostatni-publikace/zprava-o-bydleni-v-ceske-republice-id10103/>; Report on Housing Exclusion 2018, Platform for Social Housing and LUMOS, 2019, available online (in Czech) at: <https://socialnibydeni.org/wp-content/uploads/2019/04/Zpr%C3%A1va-o-vylou%C4%8Den%C3%AD-z-bydlen%C3%AD-za-rok-2018.pdf>.

21 For reference see a Deloitte analysis, 2018, available (in Czech) at: <https://zpravy.aktualne.cz/finance/najemne-v-cesku-prudce-zdrazuje-ukazuji-nova-cisla-nejvice-s/r~f113c98e422111e88b47ac1f6b220ee8/>; Report of the Videobydlení portal, 2019, available online (in Czech) at: <https://www.videobydleni.cz/blog/archiv/1479/pronajmy-v-roce-2019/>.

cases, the year-on-year average wage growth stood at 7%. In larger cities, the growth in rental prices is more pronounced, which makes the financial pressure harsher on migrants and BIPs who, in general, seek housing in large cities where job opportunities are wider, social networks more extensive and, at the same time, there is higher chance of getting adequate support for their children at local schools. Foreigners, migrants and BIPs need to overcome other specific barriers as well: linguistic and cultural; legal awareness related; prejudice and discrimination. Ultimately, these all to a degree limit the de facto access of BIPs to housing. Integration support for BIPs within the new SIP aims to minimize a number of these obstacles or help the beneficiaries to overcome them, though the extent of its success in the long-term should be the subject of a more extensive analysis.

### **3. Slovak Republic**

#### **National strategy documents and legislative framework**

So far, no statistics have been kept in the area of the housing of BIPs and foreigners in general. This complicates the evaluation of the current situation and the subsequent setting of policy goals for the support of affordable housing. Though being an inseparable part of the integration process, access to housing is not comprehensively regulated in any of the relevant strategic policy documents of the Slovak Republic, nor is there currently a sustainably functional, comprehensive system of adequate integration assistance. Objectives and strategies in the field of the integration of foreigners, including housing, are partially set in the Migration Policy of the Slovak Republic with outlook up to 2020,<sup>22</sup> in the Integration Policy of the Slovak Republic<sup>23</sup> and in the State Housing Policy Concept to 2020.<sup>24</sup> The legislative framework primarily includes the Act on Asylum<sup>25</sup> and the laws regulating

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22 Migration Policy of Slovak Republic with outlook up to 2020, available (in Slovak) at: [https://www.employment.gov.sk/files/slovensky/ministerstvo/integracia-cudzincov/dokumenty/migracna\\_politika.pdf](https://www.employment.gov.sk/files/slovensky/ministerstvo/integracia-cudzincov/dokumenty/migracna_politika.pdf).

23 Integration Policy of the Slovak Republic, available (in Slovak) at: <https://www.employment.gov.sk/files/slovensky/uvod/informacie-cudzinci/integracna-politika.pdf>.

24 State Housing Policy Concept to 2020, available (in Slovak) at: <https://www.mindop.sk/ministerstvo-1/vystavba-5/bytova-politika/dokumenty/koncepcie>.

25 Act No. 490/2002 Coll., on Asylum.

specific forms of state social support and housing support in general.<sup>26</sup>

The integration of BIPs falls within the competence of the Migration Office of the Ministry of Interior of the Slovak Republic, which oversees the integration of BIPs through NGO-run projects financed mainly from AMIF – the Asylum, Migration and Integration Fund. At the same time, the Migration Office coordinates work on the preparation of a state integration program for BIPs which has not yet been launched.

### Integration policy of the Slovak Republic

The policy document Integration Policy of the Slovak Republic, adopted in 2014, recognizes the need to introduce and implement targeted measures to compensate for the disadvantages faced by the most vulnerable groups in the integration process, including BIPs. Emphasizing regional and local governments, it recognizes their important role in helping with the integration of foreigners and creating social cohesion among diverse communities and the majority population. Additionally, it declares determination to comply with the international obligations of the Slovak Republic regarding protection of human dignity and the access to housing embedded therein. Finally, it calls for the development of the public rental housing sector.

The measures defined in the document are timeless, but there is, unfortunately, a lack of political will and interest in putting them to practice. The last official evaluation report from 2017 explicitly states that a number of responsible ministries fulfill their tasks only marginally or not at all.

Another strategic document, the Migration Policy of the Slovak Republic with outlook up to 2020, deals with the topic of housing hardly at all. As a document from 2011, it is outdated and does not reflect the current integration needs of foreigners. A new Migration Policy is currently being prepared with outlook up to 2025 and is now at the comment stage of procedure.

### State Housing Policy Concept to 2020

This 2015 strategic policy document formulates the goals and priorities of the state in the area of housing, as well as defines the tools to achieve them and assigns roles to individual actors involved. It states that it is the

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<sup>26</sup> Act No. 448/2008 Coll., on Social Services; Act No. 417/2013 Coll., on Assistance in Material Need; Act No. 150/2013 Coll., on the State Housing Development Fund; Act No. 443/2010 Coll., on Subsidies for Housing Development and on Social Housing.

responsibility of citizens to procure their own housing, which equally applies to persons who have been granted subsidiary protection or asylum. Nevertheless, since housing is recognized as having an important role in maintaining social cohesion, state intervention in the housing market is most pronounced via social housing. Through the promotion of social housing, the state seeks to increase the availability of accommodation for those who have trouble or are unable to secure adequate housing on their own.

The document explicitly states that, in terms of state support, foreigners and migrants are among the disadvantaged groups in the housing market. They can apply for rental apartments intended for social housing provided by municipalities and cities and, additionally, they can obtain a preferential loan for the acquisition of an apartment under conditions defined by law. For narrowly specified disadvantaged groups, accommodation can be provided in designated social services facilities.

### Legislation and its implementation in practice

In Slovakia, the Asylum Act is the central law governing the integration of BIPs. It sets forth the goal of integrating BIPs into society, in particular, through their obtaining suitable accommodation and employment. The Act further states that after the granting of asylum, the Ministry of the Interior of the Slovak Republic (MISR) shall temporarily place the asylee in a residential integration center. Once this period is over and after completing a basic language course, the asylee shall be given a one-time offer of follow-up accommodation. For this purpose, the MISR would award the municipality which provides the asylee with accommodation a financial contribution for the housing costs or for the development of the municipality's infrastructure. This would be carried out under conditions determined by a comprehensive integration program approved by the government on the proposal of the MISR.

Although the relevant provisions of the Asylum Act regulate the responsibilities of the MISR in a relatively comprehensive manner, they are not implemented in practice. The integration center originally established in Zvolen does not operate and the contributions to municipalities are not provided. It should be emphasized that these measures were to apply exclusively to asylees, not to beneficiaries of subsidiary protection.

In addition, the law stipulates that the MISR provides the asylee with a one-time contribution in the amount of 150% of the living minimum for

one adult person in line with conditions of a specific regulation. At present, the living minimum is EUR 214.83. Beneficiaries of subsidiary protection cannot benefit from this support.

The MISR may, on the basis of a written request, accommodate an asylee as well as a beneficiary of subsidiary protection in a accommodation center (a facility for asylum seekers), where he or she is obliged to adequately reimburse expenses related to his or her stay. In the past, there were known cases when people stayed at the facility. At the time of writing this report, there were no BIPs accommodated.

In practice, recent BIPs, if they agree to it, are assigned to integration projects implemented by non-governmental organizations. These projects are set up on the basis of grant agreements between the given NGOs and the MISR, and are co-financed from AMIF (75%) and from the state budget chapter of the MISR (25%). Under these projects, BIPs are provided with comprehensive counseling and integration assistance (language course, legal, psychological, social and employment counseling) which also includes housing counseling and the provision of a contribution to cover accommodation expenses.

At present, the integration of BIPs is ensured by the Slovak Humanitarian Council through its Rifugio project in the timeframe of January 1, 2020-December 31, 2021. Its budget stands at EUR 935,999.99. The project envisages financial support for BIPs in the monthly amount of EUR 300 per person, or EUR 535 for two adults in the same household. This amount subsequently increases with the number of dependent children.

This financial assistance is intended to cover expenses for accommodation, meals and the necessities of life for a maximum period of six months. Certain groups of clients may be allowed to receive this support even after this period passes. If the beneficiary leaves the territory of the Slovak Republic during this time, the financial support is permanently cut off.<sup>27</sup>

In case a beneficiary does not participate in the program, he or she must secure accommodation at his or her own effort and expense. However, beneficiaries can benefit from mainstream state support mechanisms, either those generally intended to support housing or to assist individuals undergoing unfavorable life situations.

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<sup>27</sup> The full text of the grant agreement for the Rifugio project (Project No.: SK 2019 AMIF SC2.1/1) is available (in Slovak) at: <https://www.crz.gov.sk/index.php?ID=4370956&l=sk>.

## Social housing

BIPs are considered to be a disadvantaged group in the housing market and are allowed to apply for rental apartments intended for social housing which are provided by municipalities.<sup>28</sup> But it is the municipalities themselves that determine the rules and mechanisms for allocating social housing units. Unfortunately, in addition to the chronic problem of the lack of these apartments,<sup>29</sup> unfavorable eligibility conditions for newcomers are commonplace, as many years of prior residence in the municipality are often required. Even though one of the discussed solutions could be the intervention of non-profit organizations which, in the position of tenant, would enter into a relationship with the city and then make the rented apartments available (usually through a sublease) to foreigners, experts agree on the need for a systematic solution to housing support, which the non-profit sector is unable to deliver. Currently, there are five flats in Košice and two in Bratislava<sup>30</sup> which are rented by non-profit organizations and made available to BIPs.

## Other forms of housing support

BIPs can benefit from the system of state social support, provided that the conditions stipulated by law are met. Beneficiaries can draw a housing allowance, which amounts to EUR 55.80 per month (or EUR 89.20 when more persons are assessed jointly).<sup>31</sup> Besides existing material need, a condition for the provision of the housing allowance is the either ownership of the real estate in which the applicant lives, the existence of a tenancy or easement, or placement in one of the social services facilities. If a person resides in an apartment on the basis of a sublease agreement, he or she is not entitled to a housing allowance. This is the case even if the apartment is rented by a non-profit organization which then subleases it to BIPs. BIPs may also apply for the provision of a one-off benefit in material need from a municipality intended to partially cover extraordinary household expenses (e.g., for necessary household equipment).

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28 As specified in the Act No. 443/2010 Coll., on Subsidies for Housing Development and on Social Housing.

29 In the public rental sector, this is according to expert estimates less than 3% of the total housing stock (Integration Policy of the Slovak Republic, p. 15).

30 In this case, however, these are not social housing units in the sense of Act no. 443/2010 Coll.

31 Act No. 417/2013 Coll., on Assistance in Material Need.

BIPs are also allowed to stay in social services facilities under the same conditions as Slovak citizens.<sup>32</sup> Both asylees and beneficiaries of subsidiary protection can be the so-called recipients of residential social service. Just like Slovak citizens and under precisely set legal conditions, BIPs have access to preferential loans for the acquisition of an apartment.<sup>33</sup>

Unaccompanied minors (BIPs or other foreigners) are placed in a foster home in Medzilaborce. Their stay is governed by the Act on Social and Legal Protection of Children and on Social Guardianship.<sup>34</sup>

### Current situation

Unfortunately, the Slovak Republic does not publish data mapping the housing of BIPs in detail. Based on publicly available records of the Border and Alien Police of the Slovak Republic, as of June 30, 2020, there were 120 valid residence permits in the Slovak Republic issued on the basis of subsidiary protection and 287 on the basis of granted asylum.<sup>35</sup> BIPs are entitled to settle anywhere within the country after obtaining international protection. In 2019, a total of nine asylums and 19 subsidiary protections were granted to asylum seekers. In the period from January 1, 2020 to July 31, 2020, a further nine asylums were granted, and subsidiary protection was obtained by 11 individuals.<sup>36</sup>

Data from the civic association Marginal, which together with ADRA Slovakia implemented the integration of BIPs under the STEP 3 integration project in the period from December 1, 2016 to December 31, 2019, show that in December 2019, BIPs who were participating in the project were accommodated as follows:

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32 Act No. 448/2008 Coll., on Social Services.

33 Act No. 150/2013 Coll., on the State Housing Development Fund.

34 § 29 of Act no. 305/2005 Coll., on Social and Legal Protection of Children and on Social Guardianship.

35 Statistical overview of legal and illegal migration in the Slovak Republic, available online (in Slovak) at: [https://www.minv.sk/swift\\_data/source/policia/hranicna\\_a\\_cudzinecka\\_policia/rocenky/rok\\_2020/2020-I-polrok-UHCP-SK.pdf](https://www.minv.sk/swift_data/source/policia/hranicna_a_cudzinecka_policia/rocenky/rok_2020/2020-I-polrok-UHCP-SK.pdf).

36 Statistics of the Migration Office of the Ministry of the Interior of the Slovak Republic, available at: <http://www.minv.sk/?statistiky-20>.

| City       | Total number of clients in the city | Hostel | Private apartment | Dormitory | Social apartment | Apartment rented by an NGO | Other                                   |
|------------|-------------------------------------|--------|-------------------|-----------|------------------|----------------------------|---|
| Košice     | 55                                  | 5      | 28                | 2         | 0                | 18                         | 2 (residential social service facility) |
| Žilina     | 8                                   | 2      | 6                 | 0         | 0                | 0                          | 0                                       |
| Ružomberok | 1                                   | 0      | 0                 | 0         | 0                | 0                          | 1 (residential social service facility) |
| Zvolen     | 4                                   | 0      | 4                 | 0         | 0                | 0                          | %                                       |
| Lučenec    | 12                                  | 0      | 0                 | 0         | 12               | 0                          | 0                                       |
| Martin     | 1                                   | 0      | 1                 | 0         | 0                | 0                          | 0                                       |
| Bratislava | 84                                  | 14     | 53                | 2         | 0                | 0                          | 15 (unknow location)                    |
| Nitra      | 2                                   | 0      | 2                 | 0         | 0                | 0                          | 0                                       |
| Trnava     | 6                                   | 1      | 5                 | 0         | 0                | 0                          | 0                                       |
| Senec      | 5                                   | 0      | 5                 | 0         | 0                | 0                          | 0                                       |
| Piešťany   | 1                                   | 0      | 1                 | 0         | 0                | 0                          | 0                                       |
| Prievidza  | 1                                   | 0      | 1                 | 0         | 0                | 0                          | 0                                       |

Note: The above information was obtained from anonymized questionnaires filled by clients of the STEP 3 integration project as of December 2019.

The data show that in terms of location, most BIPs live in large cities such as Bratislava and Košice. Accommodation in private flats predominates. At present, the Slovak Humanitarian Council, which has been implementing an integration project since January 1, 2020, has five municipal flats in Košice at its disposal which it took over from the civic association Marginal (included in the table) and two flats in Bratislava (not included in the table).

## Challenges

Project KapaCITY, implemented between 2018 and 2020 by a consortium of organizations including Marginal,<sup>37</sup> listed the following challenges in the area of the housing of foreigners in its research reports:<sup>38</sup>

- ▶ the demand for municipal housing/social housing far exceeds the capacities of municipalities;
- ▶ when looking for housing, foreigners encounter contempt and reluctance on the part of landlords to rent apartments to them; in the case of working foreigners, it is often the employers who try to secure adequate accommodation for them as employees;

<sup>37</sup> Project KapaCITY – Supporting the integration of newcomers at a local level is co-financed by the European Union from the Fund for Asylum, Migration and Integration, Fund for Home Affairs.

<sup>38</sup> For project KapaCITY publications, see: <http://cvek.sk/publikacie/>.

- ▶ concerns of the local population unfavorable to foreigners;<sup>39</sup>
- ▶ lack of information on the number of foreigners and the associated need to map the population of foreigners – this knowledge is key to policy making;
- ▶ provision of information to foreigners by municipalities about the possibilities in access to housing.

These challenges also apply to the integration of BIPs. Furthermore, in relation to the implementation of integration measures, it is necessary to point out the lack of their systemicity, sustainability and comprehensiveness, which cannot be achieved simply by relying on European support mechanisms, as is currently the case. We also emphasize the absence of any systematic measures in relation to vulnerable groups of individuals. However, the individual approach to newcomers, as is characteristic of the recent integration projects, where integration plans are put together to help an individual according to his or her needs, can be seen as positive.

#### **4. Conclusions**

The low numbers of recent and long-residing BIPs set both the Czech Republic and the Slovak Republic at the same starting point. In terms of the similarities of the systems of housing support in both countries, it is possible to further emphasize the following: the anchoring of housing support for BIPs in the law; equal access of BIPs and nationals to state social support related to housing; and an individual approach to recent BIPs with regard to their integration needs, including in the area of housing (in the Czech Republic, however, the duration of this support is twice the length).

On the other hand, a number of fundamental differences should be pointed out. A notable difference is the systematic nature of targeted support in the Czech Republic, which is reflected in the existence of the SIP which is firmly bound to the organizational structure of the state and fully

<sup>39</sup> For example, in the autumn of 2018, the inhabitants of the Devínska Nová Ves district wrote a petition against the construction of an apartment complex, which was to accommodate foreign employees of a Volkswagen factory located nearby. People signing it expressed worries regarding traffic congestion, reduction of safety (especially for children) and overall deterioration of the quality of life in this part of the city. Research Report, Bratislava, p. 40, available online at (in Slovak): <http://cvek.sk/wp-content/uploads/2019/03/Integracia-cudzincov-v-Bratislave.pdf>.

financed from the state budget without any time limit. The integration project in Slovakia currently operates within a two-year framework and relies on EU funds. At the same time, the system deficit in support for the housing of BIPs in Slovakia is to a great degree conditioned by the implementation deficit of the current legislation. For example, although the Slovak Act on Asylum presupposes the existence of an integration center, it is not in operation. Moreover, the formally valid legal measure does not include persons with subsidiary protection among its target groups (unlike the current Refugee integration project). While the Slovak system has been following a path of project dependency which goes outside the ambitions enshrined in law, in the Czech Republic, the strategy of targeted support has been systematically and continuously evolving. In Czechia, access to mainstream housing support benefits is also more favorable for BIPs, as they are intended for a wider range of people and are not necessarily conditioned by material need. However, the evaluation of SIP changes in the Czech Republic and the overall situation in both countries is equally hindered by the absence of sufficient data and evaluation mechanisms, which would be a necessary prerequisite for determining the direction of future policy development.

Nonetheless, the challenges common to both countries go even further, with prejudice and discrimination being a long-term issue to be addressed. A significant obstacle, however, continues to be the low availability of suitable municipal and social housing, which has its structural dimension associated with the ongoing economic transformation but also reflects for BIPs and other foreigners often impenetrable municipal rules and insufficient legislative grounding of their access to it.