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**Migrants and their Descendants:
Social Inclusion and
Participation in Society**

Slovenia, 2015

FRANET contractor: Institute of Criminology at the Faculty
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Executive summary

Legal and policy instruments for migrant integration

- In Slovenia, migration policy is composed of asylum policy, immigration policy, management of migration flows policy, and integration policy. At the normative level the latter is defined in the Resolution on the migration policy of the Republic of Slovenia (*Resolucija o migracijski politiki Republike Slovenije, ReMPRS*) and the Resolution on the immigration policy of the Republic of Slovenia (*Resolucija o imigracijski politiki Republike Slovenije, ReIPRS*) that implement basic European documents from the area.
- At the normative level the integration policy is attuned to fundamental liberties of migrants and several legal and policy instruments show that the legislature and policy makers are, at least at the declaratory level, aware of possible implications of integration policy to fundamental rights of migrants.
- The target group of the national integration strategy are individual migrants residing in the Republic of Slovenia at least one year after the registration of residence. However, applicants for international protection are still granted several rights upon lodging a complete application for international protection.
- Integration programmes provided in Slovenia fall in to one of five groups: Slovenian language learning programmes; programmes aimed at getting acquainted with Slovenian history, culture and constitutional system; the first free basic level Slovenian language exam; programmes for the promotion of intercultural dialogue targeting the general public; stimulating social inclusion of especially vulnerable groups of migrants, such as migrant women and children; and, finally, raising awareness programmes targeting employers. More than 10,000 individuals participated in these programmes from 2008, when the programmes started, or at least 8,505 till 2012.
- Integration programmes are, however, not triggered automatically: if a third-country national wants to participate in these programmes, they need to file for a confirmation of compliance with the conditions for participation in these programmes with the Administrative Units. Such confirmations are issued if the applicant meets the requirements and later on passed to the chosen programme provider.
- The responsibility for integration programmes falls within the remit of the Ministry of Interior (*Ministrstvo za notranje zadeve*), which provides several integration programmes targeting migrants, domestic population at large and special professional groups. The Ministry of Interior provides programmes with the financial contribution of the European Refugee Fund and the European fund for the integration of third-country nationals.
- The Initial Integration of Immigrants (*Začetna integracija priseljencev, ZIP*) is one of the biggest success stories of Slovenian integration policy. It is a unified programme of Slovenian language learning and contents on the knowledge of Slovenian society. The information about integration programme is easily

accessible and ZIP is conducted in 30 locations in the region.

- The participation in integration measures is not a condition for the issuing of permanent residence permit in Slovenia. The obligation only appears in process of acquisition of citizenship by naturalisation, in which the applicant for has to provide proof of basic knowledge of the Slovenian language.
- Mother tongue learning programmes for foreigners are included in primary and secondary schools. This is a financial obligation of the state; however schools have been organising courses not only of Slovenian language and culture, but also courses of migrants' mother tongues and origin culture with collaboration with migrants' countries of origin.
- Limited quantitative migrant-specific data in the fields of housing, healthcare and other fields of social life remains an obstacle for informed integration policy making. Data on national or ethnic origins is still not being collected in Slovenia as data on racial, national or ethnic origin, as well as data on religious beliefs, are considered sensitive and can only be collected in certain circumstances according to the Personal Data Protection Act (*Zakon o varstvu osebnih podatkov*, ZVOP-1).
- In general, monitoring and evaluation procedures are set for the monitoring of planned actions. However, indicators in policy areas of employment, education, social inclusion and active citizenship in the meaning of the European Commission pilot project with Eurostat and the Member States for monitoring results integration policies are not in place.
- The group of non-EU third-country nationals is not a homogeneous group and this is not sufficiently addressed in the integration programmes in Slovenia. Strong historical ties of Slovenia with the former Yugoslav republics reflect in the largest immigrant labour force for the Slovenian economy as they comprise approximately 10 percent of Slovenia's population.
- The most challenging areas of integration remain the domain of work and employment and housing. Difficult access to employment and increasing exploitation of workers makes migrants a highly vulnerable group. The low-income families subsequently collaborate more reluctantly with schools attended by their children and the vicious circle of social exclusion and poverty is likely to continue.
- Migration policy is becoming increasingly elaborated and mainstreamed in other public policies in Slovenia, especially in employment and education. Integration programmes are mostly led centrally. Transfer to the local level is advisable; however it is not without risk of segregation.

Promoting equal treatment

- The most salient issue with discrimination in the migrant context was uncovered by the financial crisis that was a cause for the crumbling of the Slovenian construction industry. The construction industry employed the biggest number of migrant workers, especially from ex-Yugoslav republics, who worked in dire conditions and were often not offered appropriate housing. After the crisis, with more or less every large construction company going bankrupt, the situation worsened as they were not offered sufficient legal and other protection. Some of the problems have so far been remedied, for example, a previous provision on a

temporary residence permit becoming invalid at the moment of the termination of the employment has been removed.

- Many problems with reporting and researching discrimination against migrants in Slovenia stem from an inadequate status of the Slovenian equality body – *Zagovornik*. *Zagovornik* is *de facto* a single civil servant within the Ministry of Labour, Family, Social Affairs, and Equal Opportunities. It lacks institutional and financial independence, as well as additional personnel. It only has informal investigating powers with no sanctioning mechanism, which has all resulted in substantial impediments to its work. These were the main reasons for the infringement procedure initiated by the European Commission on 11 July 2014 due to Slovenia's failure to meet its obligations pursuant to EU Directives 2000/43, 2004/113 and 2006/54. "Specifically, the Commission found that none of the state bodies in Slovenia is authorised to conduct independent studies on discrimination on the grounds of race and ethnicity that are unrelated to the Italian, Hungarian and Roma minorities."
- A systemic and the most significant issue of discrimination against migrants in Slovenia is old news and concerns the population of the so-called 'erased'. In 1992, the newly established Republic of Slovenia erased from the registry of permanent residents 25,671 citizens of the former Yugoslavia who had had permanent residence in Slovenia before its independence, because they had not obtained the citizenship of the newly established state. Already in 1999, the Constitutional Court found this measure unconstitutional, whereas in March 2014, European Court of Human Rights (ECtHR) held in the case *Kurić and others v. Slovenia* that Slovenia is responsible among other violations also for the breach of Article 14 (Prohibition of discrimination) of the European Convention on Human rights (ECHR). While there have been various attempts to remedy the situation, none of them has addressed the issue appropriately. An issue that should have been handled promptly and thoroughly is still a large stain on an otherwise positively developing migration policy.

Participation of migrants and their descendants in society

- One of the main challenges for research, and much more so for policy making is the fact, that data in Slovenia is still not being collected disaggregated by national or ethnic origin. This makes it impossible to monitor or improve on numerous aspects (e.g. voting turnout; ethnicity or migrant background of political candidates; rate of participation in trade-unions, participation of migrant entrepreneurs or expert professionals in professional and scientific associations, in media and cultural organisations, rate of employment in the public sector, etc.) as it is not clear what the state of the art is and what are the trends.
- Another important issue in the field of participation is the lack of monitoring or promotion of political participation. Again, no data is being collected on voting turnout, no campaigns encouraging them, especially, to exercise this right. The same applies for citizens of migrant background. With a few notable exceptions, there is no information available on candidates of migrant background, for the most part even from political parties themselves.
- There are no quotas or other positive action for recruitment of migrants or their descendants in the public sector.
- There is no single public authority that coordinates the promotion and improvement of active participation of migrants in society, in its forms and elements. Responsibilities are dispersed between many state authorities. Even

more, due to unsystematic and inadequate financing cooperation between development organizations on the one hand and migrant or Diaspora organizations on the other hand is inhibited as they often see each other as competition.

- NGOs and NGDOs play a very active part, in all that has been developed in the last years. The same is valid for migrant organisations, societies and institutes. Cooperation between them is especially vibrant under the umbrella of SLOGA, platform for NGDOs.
- Much is being done in the field of education for migrant pupils. Now visible, large projects are funded by the EU, but began as good practice examples at individual schools. Although there has not yet been a notable evaluation of results at national level, programmes have a basis in national guidelines, schools and teachers receive expert support and activities seem to follow a two-way approach when promoting intercultural diversity and respect for other cultures, instead of focusing just on 'integration'.
- A semi-consultative body – the Council for the Inclusion of Aliens (Svet za vključevanje tujcev) - has yet again been established, with election being held on 30 March 2015.

Social cohesion and community relations

- One of the important lacunae in Slovenian migration policies is the lack of addressing social cohesion. While it is broadly part of the concept of integration, it is not referred to with specific focus on migrants.
- There are, nevertheless, numerous programmes, offered to third country nationals as well as the general population, that fall within the scope of social cohesion. Programs of mutual introduction and understanding with Slovenian citizens (*Programi medsebojnega poznavanja in razumevanja s slovenskimi državljani*) are typically offered by civil society organizations successful at public calls jointly organized by the Ministry of Internal Affairs (*Ministrstvo za notranje zadeve*) and the Ministry of Culture (*Ministrstvo za kulturo*). Most of them are co-financed by EIF and ERF or the European Social Funds.
- The most activities have so far been aimed at creating social cohesion in the school environment, with several programmes devoted to school children, their parents and local communities as well as teachers and the general population.
- Research on belonging and identification of migrants in Slovenia is scarce. What exists, points towards a mixed picture of inclusion and acceptance at the one hand and stereotypes and cultural barriers at the other hand. There are also rather important differences between different groups of migrants: migrants from ex-Yugoslav republics (who have moved decades ago or who have moved recently), migrants from other parts of the world (no research has so far been conducted with regard to them), first generation or 1.5 and second generation migrants, etc.
- A barrier for cohesion may be found in recent policy changes with regard to some religious practices that are important for the migrant community, which is in an important proportion of the Muslim faith. A lack of provisions on religious slaughter of animals or the prohibition of circumcision for non-medical purposes could be interpreted as hostile towards the migrant population.
- With regard to mixed marriages, there are no formal impediments, but in

practice some of the required documentation may be difficult to obtain and connected to substantial costs for the spouses.

1. Legal and policy instruments for migrant integration

1.1. Description of existing instruments and target groups

This section should present the overall state of play concerning national and, where applicable, regional legal and policy instruments focusing on how they address fundamental rights, core EU values and principles, as well as international legal standards and related EU law and policies, such as the Common Basic Principles and the Common Agenda on integration of migrants. Please complete the **template in Annex 2**.¹ Please make sure the brief information you provide in the table includes the following aspects:

Does the national strategy on migrant integration contain a definition of integration? If so, please include it in the original language and full English translation.

1. The Resolution on the migration policy of the Republic of Slovenia (*Resolucija o migracijski politiki Republike Slovenije*, ReMPRS)² defines integration in the following way:

"Migracijsko politiko tvorijo: azilna politika, imigracijska politika, politika upravljanja migracijskih tokov in integracijska politika oziroma politika do priseljencev. Integracijska politika oziroma v ožjem smislu priseljenška politika [je politika] do prisotnih in bodočih priseljencev, ki se nanaša na ukrepe države in družbe, ki zagotavljajo ugodne pogoje za kakovost življenja priseljenih, vključno z aktivnim preprečevanjem diskriminacije, ksenofobije in rasizma, spodbujajo integracijo in omogočajo, da priseljenci postanejo odgovorni udeleženci družbenega razvoja Slovenije."

Translation:

"The Migration policy is composed of asylum policy, immigration policy, management of migration flows policy, and integration policy or policy towards immigrants. Integration policy is [a policy] directed towards present and future immigrants. It refers to the actions of the State and society aimed at providing favourable conditions for the immigrants' quality of life, including an active prevention of discrimination, xenophobia and racism, and measures that promote integration and enable immigrants to become responsible participants in the social development of Slovenia."

2. The Resolution on the immigration policy of the

¹ You can use and update the information as in the Table 1.7 of the FRA Annual Report 2012 (pp. 62-63). You should add more detail, for example, instead of identifying 'education' under the category 'focus area' be more specific, e.g. review of curriculum in secondary education to address integration issues, etc, provided this level of detail is specifically mentioned in the relevant policy instruments.

² The Resolution on the migration policy of the Republic of Slovenia (*Resolucija o migracijski politiki Republike Slovenije*, ReMPRS), 28 November 2012. Available at: www.pisrs.si/Pis.web/pregledPredpisa?id=RESO20. All hyperlinks were accessed on 30 March 2015.

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| | | <p>Republic of Slovenia (<i>Resolucija o imigracijski politiki Republike Slovenije, ReIPRS</i>)³ defines immigration policy as a three-fold policy composed of immigration policy in the narrow sense, asylum policy and integration policy. The latter is defined in the following ways:</p> <p>a) <i>"Integracijska politika oziroma v ožjem smislu priseljska politika do prisotnih in bodočih priseljencev [je politika], ki se nanaša na ukrepe države in družbe, ki zagotavljajo ugodne pogoje za kakovost življenja priseljenih, spodbujajo integracijo in omogočajo, da priseljenci postanejo odgovorni udeleženci družbenega razvoja Slovenije."</i></p> <p>Translation: "Integration policy or immigration policy in the narrow sense is a policy towards present and future immigrants, which refers to actions of the State and society aimed at providing favourable conditions for the immigrants' quality of life, promoting integration and enabling immigrants to become responsible participants of the social development of Slovenia."</p> <p>b) <i>"Upoštevanje družbeno večkulturnost, s spoštovanjem bogastva različnosti, mirnega sožitja, družbene stabilnosti in kohezivnosti bo Republika Slovenija vodila integracijsko politiko, katere cilji so zasnovani na temeljnih načelih in vrednotah enakopravnosti, svobode in vzajemnega sodelovanja. Pri tem je:</i></p> <ul style="list-style-type: none"> - enakopravnost razumljena kot zagotavljanje enakih socialnih, ekonomskih in civilnih pravic; - svoboda razumljena kot pravica do izražanja kulturne identitete ob zagotovitvi spoštovanja integritete in dostojanstva vsakega posameznika in gojitve lastne kulture v skladu z zakoni in temeljnimi vrednotami Republike Slovenije; - vzajemno sodelovanje razumljeno kot pravica do udeleževanja in odgovornosti vseh v neprekinjenem procesu ustvarjanja skupne družbe. <p><i>Da bi omogočali čim večjo družbeno koherentnost, bo integracijska politika vsebovala določene pravne okvire in družbene ukrepe, ki bodo spodbujali integracijo priseljencev v slovensko družbo, preprečevali diskriminacijo in družbeno obrobno in omogočali, da priseljenci izražajo in gojijo lastno kulturo in vrednote na podlagi spoštovanja osebne integritete in dostojanstva v skladu z zakoni Republike Slovenije."</i></p> <p>Translation: "Taking into account societal multiculturalism, the respect of the riches of diversity, peaceful coexistence, social stability and cohesion, the Republic of Slovenia shall direct an integration policy based on the fundamental principles and values of equality, freedom and mutual cooperation. The notion of:</p> <ul style="list-style-type: none"> - equality is understood here in terms of providing equal social, economic and civil rights; - freedom is understood as the right of expression of |
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³ The Resolution on the immigration policy of the Republic of Slovenia (*Resolucija o imigracijski politiki Republike Slovenije, ReIPRS*), 14 May 1999. Available at: www.pisrs.si/Pis.web/pregledPredpisa?id=RESO4.

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| | | <p>cultural identity while ensuring respect for the integrity and dignity of each individual, and the cultivation of one's own culture according to the laws and fundamental values of the Republic of Slovenia;</p> <p>- mutual cooperation is understood as the right to participation and responsibility of all in an on-going process of building a common society.</p> <p>In order to allow the greatest possible social coherence, the integration policy will contain specific legal frameworks and social measures to promote the integration of immigrants into Slovenian society and to prevent discrimination and social marginalization and enable immigrants to express and cultivate their own culture and values based on the respect for personal integrity and dignity according to the laws of the Republic of Slovenia."</p> |
| | <p>Are there specific references in the national strategy or relevant legal or policy instruments to fundamental rights in relation to migrants?</p> | <p>There are direct references to fundamental rights in relation to migrants in several legal and policy instruments. For instance:</p> <ol style="list-style-type: none"> 1. The Resolution on the migration policy of the Republic of Slovenia (<i>Resolucija o migracijski politiki Republike Slovenije</i>, ReMPRS) states in its introduction that migration is one of the manifestations of the fundamental right of free movement of persons guaranteed in Article 32 of the Constitution of the Republic of Slovenia (<i>Ustava Republike Slovenije</i>)⁴. It furthermore refers to the UN Universal Declaration of Human Rights which provides the right to leave any country, including their own, and to return to their country (Article 13). While establishing principles of Migration Policy (point 3), the Resolution states this should respect the principle of respect of the rule of law and human rights and also fulfil obligations from international treaties. This encompasses the respect of fundamental liberties of all people and with minor exceptions also the respect of civil rights of all individuals residing legally in a state, from protection of personal freedom and the principle of <i>non refoulement</i>, the equality principle, freedom and mutual collaboration. 2. The Resolution on the immigration policy of the Republic of Slovenia (<i>Resolucija o imigracijski politiki Republike Slovenije</i>, ReIPRS) embeds immigration policy within the framework of respect of the rule of law, fundamental liberties, democracy, social justice and cultural pluralism. The respect of the rule of law in designing integration policy should have priority over the emotional attachment to one's nation on the one hand and over mere utilitarian goals, for instance economic growth and development, on the other hand. 3. The Strategy for integration of migrant children, |

⁴ The Constitution guarantees the Freedom of movement in the following way: "Everyone has the right to freedom of movement, to choose his place of residence, to leave the country and to return at any time." (Art. 32, para.1). However: "Entry into the country by aliens, and the duration of their stay in the country, may be limited on the basis of law." (Art. 32, para. 3). Constitution of the Republic of Slovenia (*Ustava Republike Slovenije*), 23 December 1991. Available in English at: www.us-rs.si/media/constitution.pdf.

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| | | <p>pupils and students in educational system of the Republic of Slovenia (<i>Strategija vključevanja otrok, učencev in dijakov migrantov v sistem vzgoje in izobraževanja v RS</i>)⁵ sets guidelines for successful language integration. It directly implements the principle that basic knowledge of the host society's language, history, and institutions is indispensable to integration (Point 4 of the Common Agenda for Integration, 2005).</p> |
| | <p>Which are the target groups of the national integration strategy? Please provide any definitions relevant or the determination of the persons that are entitled to or beneficiaries of the relevant action plans and policy measures (e.g. 'integration agreements': who signs them and what do they contain).</p> <p>Please specify any residence requirements (e.g. which migrant and/or residence status counts or not for "legally residing third country nationals" that eventually would be covered by these policies) for persons to be considered members of the targeted groups.</p> | <p>The Resolution on the migration policy of the Republic of Slovenia (<i>Resolucija o migracijski politiki Republike Slovenije</i>, ReMPRS) and the Resolution on the immigration policy of the Republic of Slovenia (<i>Resolucija o imigracijski politiki Republike Slovenije</i>, ReIPRS) target migrants defined as individuals residing in the Republic of Slovenia at least one year after the registration of residence.</p> <p>The Decree on the ways and scope of providing programs of support for integration of third country nationals (<i>Uredba o načinih in obsegu zagotavljanja programov pomoči pri vključevanju tujcev, ki niso državljani Evropske unije</i>)⁶ entitles third country nationals (non-EU citizens) to Slovenian language learning programmes, programmes aimed at getting acquainted with Slovenian history, culture and constitutional system as well as the first free-of-charge basic level Slovenian language exam (Article 4 and 8):</p> <p>1. Free Slovenian language courses that also include contents on the knowledge of the Slovenian society</p> <p>If a third country national wants to participate in a free Slovenian language learning programme, that also includes the contents on the knowledge of the Slovenian society, he needs to file an application for a confirmation of compliance with the conditions for participating in these programmes with the Administrative Unit (<i>Upravna enota</i>) where he registered his permanent or temporary residence. If he meets the conditions, the Administrative Unit will issue a confirmation of compliance with the conditions for the participation in these programmes. He shall then offer such confirmation to the chosen programme provider.</p> <p>A third-country citizen is entitled to this combined learning programme if he:</p> <ul style="list-style-type: none"> - resides in the Republic of Slovenia on the basis of a permanent residence permit or is a family member of such an individual who has a temporary residence permit under family reunification provisions; - has a temporary residence permit if the duration of the current permit and previous temporary residence permits combined is at least 24 uninterrupted months, or his family members who have a temporary residence permit issued under family reunification provisions. (The |

⁵ Ministry of Education, Science and Sport (*Ministrstvo za izobraževanje, znanost in šport*), Bureau of the Minister, 2007.

⁶ The Decree on the ways and scope of providing programs of support for integration of third country nationals (*Uredba o načinih in obsegu zagotavljanja programov pomoči pri vključevanju tujcev, ki niso državljani Evropske unije*), 13 September 2012. Available at: www.pisrs.si/Pis.web/pregledPredpisa?id=URED5966.

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| | | <p>24-month validity of the permit also includes the time of residence on the basis of an application to renew or issue another temporary residence permit);</p> <ul style="list-style-type: none"> - is a family member of a Slovenian national or a citizen of an European Economic Area and resides in Slovenia under the residence permit for a family member; - resides in Slovenia under a temporary residence permit valid for at least one year (the one-year period also includes the time from the lodging of the application for the permit). <p>2. Free first Slovenian language exam</p> <p>Citizens of third countries who attended a 180 or 120-hour course and were present at the course at least 80 percent of all the hours are entitled to the free first Slovenian language exam at the basic level.</p> <p>A third-country national can file an application for a confirmation of compliance with the conditions for the free first Slovenian language exam at the basic level with the Administrative Unit where he registered permanent or temporary residence. If he meets the aforementioned conditions, the Administrative Unit will issue a confirmation of compliance with the conditions for the free first Slovenian language exam at the basic level. He then has to offer the confirmation to one of the accredited institutions listed at the web page of the Centre for Slovene as a second/foreign language (<i>Center za slovenščino kot drugi/tuji jezik</i>).⁷</p> <p>Projects and programmes of integration of persons with international protection</p> <p>In addition to the aforementioned programmes, the Ministry of the Interior (<i>Ministrstvo za notranje zadeve</i>) with the help of the European Refugee Fund and Integration Fund provides for other projects and programmes that are primarily intended to help persons with international protection integrate into Slovenian society. Persons with international protection (asylum seekers) are refugees (with permanent residence permits) and persons enjoying subsidiary protection (from 3 to 5 years validity of residence permit). These projects and programmes are as follows: 1) promotion of intercultural dialogue, 2) assistance in the field of integration, 3) courses of Slovene language.⁸</p> |
| | <p>In reference to the CBP 1⁹ '<i>Integration is a dynamic, two-way process of mutual accommodation by all immigrants and residents of Member States</i>': please specify if and how the majority population is explicitly targeted; distinguish, if possible,</p> | <p>The Resolution on the immigration policy of the Republic of Slovenia (<i>Resolucija o imigracijski politiki Republike Slovenije</i>) explicitly states that it is founded on the understanding of integration as a process targeting individual immigrants as well as society at large. It fosters mutual collaboration, promotion of intercultural dialogue and also raising awareness about the plight of refugees in the general public. The majority population is directly targeted with programmes of raising public awareness about the importance of the integration of</p> |

⁷ Available at: www.centerslo.net/index.asp?LANG=eng.

⁸ More information available at: www.infotujci.si/index.php?setLang=EN&t=&id=.

⁹ Common Basic Principles for Migrant Integration Policy in the EU (2004), available at www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/jha/82745.pdf

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| <p>between policies or measures targeting the general population and specific target groups, such as public authorities, e.g. teachers, police, judiciary, etc.; outline the objectives of such policies and measures, and their duration.</p> | <p>persons with international protection in the Slovenian society, with an emphasis on the promotion of intercultural dialogue (<i>Osveščanje širše javnosti o pomenu vključevanja oseb z mednarodno zaščito v slovensko družbo s poudarkom na vzpodbujanju medkulturnega dialoga</i>).¹⁰ In 2010, the Ministry of Interior (<i>Ministrstvo za notranje zadeve</i>) selected two contractors for the implementation of the programme for the promotion of intercultural dialogue: one for town Celje and the other for towns Ljubljana, Maribor, Kranj, Koper, Velenje, Nova Gorica, Novo mesto, Sežana, Izola and Jesenice. In subsequent years, several contractors implemented the Raising awareness programme, which lasted, at least in several towns, until June 2014. A programme for Training staff in the area of intercultural competence and communication (<i>Usposabljanje uslužbencev s področja medkulturnih kompetenc in komunikacije</i>) was executed in 2010. Additionally, the Code of Conduct for employees of the Ministry of the Interior and of all other persons working in the field of international protection towards applicants for international protection and persons granted international protection (<i>Kodeks ravnanja uslužbencev Ministrstva za notranje zadeve in vseh ostalih oseb, ki delujejo na področju mednarodne zaščite, do prosilcev za mednarodno zaščito in oseb s priznano mednarodno zaščito</i>)¹¹ was adopted on 3 March 2014, which specifies the appropriate approach of employees towards applicants and refugees, confidentiality obligations and conflict of interest. For instance, the code advises moderate dress code, prohibits establishing of emotional or other ties with applicants that could lead to a conflict of interest. In case employees find themselves in such situation, they must immediately report the situation to the head officer. In 2011, a Pilot project Awareness-raising and informing employers of the importance of integration of third-country nationals (<i>Pilotni projekt Osveščanje in informiranje delodajalcev o pomenu vključevanja državljanov tretjih držav</i>) was carried out. The potential employers were informed about the possibilities and added value of the integration programmes for their third country national employees. Employers were acquainted with the available options for their own collaboration in integration programmes designed for third country nationals. Duration: from late 2011 till 30 November 2012. A similar programme Education to improve employment opportunities for people with international protection (<i>Izobraževanja za izboljšanje zaposlitvenih možnosti oseb z mednarodno zaščito</i>) was executed later in 2012.</p> |
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¹⁰ More available at: www.begunec.si/english/.

¹¹ Adopted by the Minister of the Interior (*Minister za notranje zadeve*).

1.2. Drivers & barriers in developing, implementing and assessing legal and policy instruments

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| <p>On the basis of material collected, including past research, studies, assessments, evaluation and contacts with the authorities, public officials and key actors for social inclusion and participation of migrants, outline the main drivers and barriers for social inclusion and integration policies in general. Please mention also any important differences at regional level. A more detailed outline of specific drivers and barriers for specific policy areas will be required in the following sections.</p> | <p>According to the Common Basic Principles for immigrant integration policy, agreed in 2004, the integration should start as soon as possible.</p> <p>In the domain of <i>work/employment</i> the main barrier for social inclusion and participation of migrants is difficult access to employment and increasing exploitation of workers. In recent years the issue dominated by reports, including news media, was the unfavourable situation of third country nationals in the Slovenian labour market. The majority of migrants have taken up jobs in less paid and more demanding sectors, especially in the construction industry, where they faced violations of labour legislation.¹²</p> <p>In the domain of <i>housing</i>, reports have stressed the issue of difficult access to non-profit accommodation for individuals under international protection.¹³</p> <p>One of the central shortcomings of the integration regime for third-country nationals is a relatively low degree of actions targeting migrants from the territories of the former Yugoslavia.¹⁴ Strong historical ties of Slovenia with the states in the territories of the former Yugoslavia reflect in the largest immigrant labour force for the Slovenian economy. In the period of economic growth, an overall majority of migrants arrived to Slovenia for the purpose of work taking up demanding, low-skilled and low-paid jobs, especially in the construction industry and to some extent in manufacturing, which were, in general, avoided by the native population. Migrants from these countries should be awarded a position similar to that of the Hungary and Italian minority as they comprise approximately 10 percent of Slovenia's population.¹⁵ The Association of cultural societies of nations of former Yugoslavia in</p> |
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¹² For instance reported in Council of Europe, European Commission against Racism and Intolerance (ECRI) (2014), *ECRI Report on Slovenia (fourth monitoring cycle)*, Strasbourg, Council of Europe, 16 September 2014; Bučar Ručman, A. (2014) *Migracije in kriminalitetna – Pogled čez meje stereotipov in predsodkov (Migrations and criminality – A look beyond stereotypes and prejudice)*, Ljubljana: Založba ZRC SAZU; Pajnik M., Herič, S. (2010) *Migranti na trgu dela v Sloveniji (Migrants on the Slovenian labour market)*, in: *Dve domovini: razprave o izseljenstvu*, 9 (2010) 151–169, Ljubljana: ZRC SAZU.

¹³ Medica, K., Lukić G., Kralj A. (2010) *Delovne in življenjske razmere delavcev migrantov v Sloveniji (Working and housing conditions of migrant workers in Slovenia)*, Ljubljana: Ministrstvo za delo, družino in socialne zadeve (Ministry for labour, family and social affairs).

¹⁴ Data provided by the representative of the Association of cultural societies of nations of former Yugoslavia in Slovenia (*Zveza zvez kulturnih društev narodov nekdanje Jugoslavije v Sloveniji*), Ilija Dimitrievski, upon request (written response of 25 March 2015). Support for the statement can also be found in Council of Europe, European Commission against Racism and Intolerance (ECRI) (2014), *ECRI Report on Slovenia (fourth monitoring cycle)*, Strasbourg, Council of Europe, 16 September 2014, page 33.

¹⁵ Council of Europe, European Commission against Racism and Intolerance (ECRI) (2014), *ECRI Report on Slovenia (fourth monitoring cycle)*, Strasbourg, Council of Europe, 16 September 2014, para. 134. The two indigenous minorities have ample legal protection on all levels – political, cultural, and societal.

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| | <p>Slovenia (<i>Zveza zvez kulturnih društev konstitutivnih narodov in narodnosti nekdanje SFRJ v Sloveniji</i>) thus claims that they do not represent migrants but should in reality be called a minority.¹⁶</p> <p>An important breakthrough for members of the Ex-Yugoslav minority group, was in February 2011 when the National Assembly adopted the Declaration of the Republic of Slovenia on the situation for members of the minority groups from nations of former Yugoslavia in the Republic of Slovenia (<i>Deklaracija Republike Slovenije o položaju narodnih skupnosti pripadnikov narodov nekdanje SFRJ v Republiki Sloveniji</i>).¹⁷ The Declaration set the legal ground for establishing the Council to the Government of the Republic of Slovenia for issues regarding members of minority groups from nations of former Yugoslavia in the Republic of Slovenia (<i>Svet Vlade Republike Slovenije za vprašanja narodnih skupnosti pripadnikov narodov nekdanje SFRJ v Republiki Sloveniji</i>). However, after being established on 12 May 2011, the Council was subsequently abolished on 24 May 2012 and later again reinstated on 22 August 2013. As an advisory body to the Government its members' mandate expires with each new Government and this makes the body very unstable, more so when the political situation is as unstable as it has been in the last years. The Council acknowledges several barriers for the migrants integration, e.g.: limited access to public media and little media attention; limited options of education of their children in mother-tongue throughout regular schooling; the absence of systemic support for the preservation of cultural identity at the state level, and low financial support.¹⁸</p> <p>Several reports suggest obligations related to integration should be transferred to the local level. Currently, the majority of programmes are led by the Ministry of Interior (<i>Ministrstvo za notranje zadeve</i>) and only a minority by migrant diaspora organisations, e.g. Macedonian NGO "Makedonsko Kulturno Društvo Makedonija", Russian "Zavod Vesela dRuščina" which provides free courses of Slovenian language, similar to courses of Arabic language offered by the association DIWAN.</p> <p>However, the transfer of responsibilities to the local level</p> |
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¹⁶ Data provided by the representative of the Association of cultural societies of nations of former Yugoslavia in Slovenia (*Zveza zvez kulturnih društev narodov nekdanje Jugoslavije v Sloveniji*), Ilija Dimitrievski, upon request (written response of 25 March 2015).

¹⁷ Slovenia, Declaration of the Republic of Slovenia on the situation for members of the minority groups from nations of former Yugoslavia in the Republic of Slovenia (*Deklaracija Republike Slovenije o položaju narodnih skupnosti pripadnikov narodov nekdanje SFRJ v Republiki Sloveniji*), 4 February 2011. Available at: www.pisrs.si/Pis.web/pregledPredpisa?id=DEKL32.

¹⁸ Data provided by the representative of the Association of cultural societies of nations of former Yugoslavia in Slovenia (*Zveza zvez kulturnih društev narodov nekdanje Jugoslavije v Sloveniji*), Ilija Dimitrievski, upon request (written response of 25 March 2015).

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| | | <p>can backfire as well. The Human Rights Ombudsman (<i>Varuh človekovih pravic</i>)¹⁹ as well as the Advocate of the Principle of Equality (<i>Zagovornik načela enakosti</i>)²⁰ reported discriminating practices against migrants by different municipal authorities in providing allowances to parents of new-born babies. Some municipal authorities condition the financial allowance with the nationality of the baby and/or the parents.</p> |
| 1.2.1. Drivers | | |
| | <p>The key drivers for successful integration policies, therefore factors that are considered to contribute positively in the design, development, implementation, assessment and accomplishment of policy goals and in strengthening social inclusion and participation of migrants and their descendants. For example, are these policies mainstreamed in other public policies, for example in employment, education, housing, etc. and how is this achieved?</p> | <p>Migration policy is becoming increasingly elaborated and mainstreamed in other public policies in Slovenia, for example in: 1) employment and 2) education.</p> <p>Ad1) The new Aliens Act (<i>Zakon o tujcih</i>, ZTuj-2)²¹ offers protection of third country nationals victims of illegal employment. Another mainstreaming of migrant policy can be discerned from the Employment and Work of Aliens Act (<i>Zakon o zaposlovanju in delu tujcev</i>, ZZDT-1).²² In 2011, the Act abolished the relatively strong dependence of migrant workers on current employers, as prior to 2011, the migrant worker's license to work and stay in Slovenia was directly terminated upon termination of his employment contract.</p> <p>Ad2) Several documents in the area of education adopted in the reported period include provisions for a better integration of migrant adults and children into the Slovenian education system, e.g. Guidelines for the integration of children of migrants in kindergartens and schools (<i>Smernice za vključevanje otrok priseljencev v vrtce in šole</i>, 2012),²³ the Strategy for integration of immigrants into education of adults (<i>Strategija vključevanja priseljencev v izobraževanje odraslih</i>, 2013)²⁴ and the Resolution on the National Programme for Language Policy 2014-2018 (<i>Resolucija o Nacionalnem programu za jezikovno politiko 2014–2018</i>, 2013).²⁵ The latter, for instance, stipulates that the use of one's mother language and the preservation of one's culture is a financial obligation of the state and, additionally, advocates an introduction of intensive introductory courses of Slovenian language for children</p> |

¹⁹ Human Rights Ombudsman (*Varuh človekovih pravic*), Annual report for 2013, June 2014. Available at: www.varuh-rs.si/fileadmin/user_upload/pdf/lp/Devetnajsto_redno_letno_porocilo_Varuha_CP_RS_za_letno_2013.pdf, p. 53.

²⁰ Information provided by the Advocate of the Principle of Equality (*Zagovornik načela enakosti*) upon request (written response of 16 February 2015).

²¹ Aliens Act (*Zakon o tujcih*), 15 June 2011. Available at: www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO5761.

²² Employment and Work of Aliens Act (*Zakon o zaposlovanju in delu tujcev*, ZZDT-1), 29 March 2011. Available at: www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO6002.

²³ Guidelines for the integration of children of migrants in kindergartens and schools (*Smernice za vključevanje otrok priseljencev v vrtce in šole*). Issued by The National Education Institute of the Republic of Slovenia (*Zavod Republike Slovenije za šolstvo*), the second revised edition, May 2012. Available at: www.zrss.si/?rub=4493.

²⁴ Strategy for integration of immigrants into education of adults (*Strategija vključevanja priseljencev v izobraževanje odraslih*), 18 April 2013, Adopted by the Ministry of Education, Science and Sport (*Ministrstvo za izobraževanje, znanost in sport*), available at: http://arhiv.acs.si/dokumenti/Strategija_vkljucevanja_priseljencev_v_IO.pdf.

²⁵ Resolution on the National Programme for Language Policy 2014-2018 (*Resolucija o Nacionalnem programu za jezikovno politiko 2014–2018*, 2013), 15 July 2013, available at: www.pisrs.si/Pis.web/pregledPredpisa?id=RESO91.

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| | | <p>attending school. Similarly, amendments to the Elementary School Act (<i>Zakon o osnovni šoli, ZOsn</i>)²⁶ from 2011 brought improvements for children residing in Slovenia, whose mother tongue is not Slovenian. When they enrol in a primary school, the school shall organise courses of Slovenian language and culture, and with collaboration with their countries of origin courses of their mother tongue and culture.</p> <p>The courses of Slovenian language and integration courses for third-country nationals were also made more available to migrants as they not only run in urban areas but throughout the region. This made the Initial Integration of Immigrants (<i>Začetna integracija priseljencev, ZIP</i>), the central educational action for migrants, accessible to a greater number of third-country nationals. The information about integration programmes was also easily accessible. It could be found on various sites and places, for instance, the Ministry of Interior (<i>Ministrstvo za notranje zadeve</i>) build a special website/portal dedicated to foreign residents in Slovenia "www.infotujci.si"; while the "www.mnz.gov.si/en" website of the Ministry of Interior contains data on integration programmes, and an Online Portal of the State Administration (http://e-uprava.gov.si) offers several permit application templates for applicants.</p> <p>There are also examples of positive discrimination at the local level, where municipalities request tenders for projects from ethnical groups only.²⁷</p> |
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| 1.2.2. Barriers | | |
| | <p>Barriers, limitations, constraints or resistance faced in designing, developing and implementing such policies and measures, therefore factors that may hinder their effectiveness and influence</p> | <p>1. The absence of indicators for monitoring the overall efficiency and effectiveness of the integration policy: there are only indicators for individual integration actions in place. Indicators as defined in the European Commission pilot project with Eurostat²⁸ in order to measure long-term changes of the migrant integration in Slovenia are not in place.²⁹</p> |

²⁶ Elementary School Act (*Zakon o osnovni šoli, ZOsn*), 14 February 1996, available at: www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO448.

²⁷ Data provided by the representative of the Association of cultural societies of nations of former Yugoslavia in Slovenia (*Zveza zvez kulturnih društev narodov nekdanje Jugoslavije v Sloveniji*), Ilija Dimitrievski, upon request (written response of 25 March 2015).

²⁸ According to indicators available at: <http://ec.europa.eu/migrant-integration/index.cfm?action=furl.go&go=/the-eu-and-integration/eu-actions-to-make-integration-work>.

²⁹ Ministry of the interior has been producing analysis of the effectiveness of integration measures as provided for in the implementing rules governing integration of non-EU nationals. Apart from these, no specific indicators have been developed and formally adopted in Slovenia. Information was provided by the Ministry of the Interior (*Ministrstvo za notranje zadeve*) upon request in 2012. Additionally, analysis of the Annual Programmes for 2011, 2012 and 2013 show that the action with the purpose of developing indicators was not envisioned. See Annual Programme 2013, European fund for the integration of third-country nationals, Member state: Republic of Slovenia, Page 16, available at: www.mnz.gov.si/fileadmin/mnz.gov.si/pageuploads/UFZJN/PEES/Evropski_sklad_za_integracijo/2013/COMM_NATIVE_C_2013_1943_ANNEX_EN_VI_P1_721712_1_1.pdf; Annual Programme 2012, European fund for the integration of third-country nationals, Member state: Republic of Slovenia, available at: www.mnz.gov.si/fileadmin/mnz.gov.si/pageuploads/UFZJN/PEES/Evropski_sklad_za_integracijo/2012/EIF_Sklep_Komisij_e_o_odobritvi_LP_2012_20.4.2012.pdf; and Annual Programme 2011, European fund for the integration of third-country nationals, Member state: Republic of Slovenia, Page 12, available at:

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| <p>negatively their outcomes. For example, budgetary limitations, or problems of coordination of governance levels, priority of interventions, lack of training or lack of mainstreaming of relevant policies, lack of action by competent actors or limited data about the interested population, could be factors that may function as obstacles or affect negatively the implementation of selected migrant integration measures.</p> | <p>2. A considerable number of asylum application procedures are stopped, mainly because the applicants leave the asylum home in an unauthorised manner.³⁰ This phenomenon might suggest that Slovenia is predominantly a transit country, but might also pose questions about the quality of its asylum procedures. Unfortunately, because of a lack of in-depth research studies, no conclusive evidence as regards this issue is available.</p> <p>3. Little collaboration between the government and NGOs working in the field of migrations.³¹ For instance, there was a fierce criticism on the part of several NGOs directed towards the Act amending the International protection act (<i>Zakon o spremembah in dopolnitvah Zakona o mednarodni zaščiti</i>, ZMZ-C) in 2011, as these amendments abolished the right of asylum seekers to legal assistance at first instance procedures and introduced, in the case of unaccompanied minors, when in doubt of their age, medical screenings to determine their age group. In spite of criticism, the National Assembly of the Republic of Slovenia (<i>Državni zbor Republike Slovenije</i>) adopted planned amendments, which entered into force on 21 November 2011.³²</p> <p>However, other reports claim the opposite. For instance, the ECRI Report³³ states that in the field of promoting the rights of asylum seekers, the authorities informed ECRI that the Ministry of Interior organises monthly meetings with relevant NGOs and consultation takes place on primary and secondary legislation relating to international protection.</p> <p>4. The economic downturn led to lowering standards in the field of asylum.³⁴ For instance, the Government of the Republic of Slovenia (<i>Vlada RS</i>) adopted the Rules amending the Rules on the rights of international protection seekers (<i>Pravilnik o spremembah Pravilnika o pravicah prosilcev za mednarodno zaščito</i>) in 2012 which lowered financial assistance to asylum seekers</p> |
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www.mnz.gov.si/fileadmin/mnz.gov.si/pageuploads/UFZJN/PEES/Evropski_sklad_za_integracijo/2011/COMM_PDF_C_20_11_8159_F_EN_ANNEXE.pdf.

³⁰Slovenia, Ministry of the Interior (*Ministrstvo za zunanje zadeve*) Poročilo Direktorata za migracije in integracijo za leto 2011, Ljubljana, Ministrstvo za notranje zadeve, p. 36, available at:

www.mnz.gov.si/fileadmin/mnz.gov.si/pageuploads/DML/Statisticno_porocilo_-_SLO_zadnja_verzija_-_popravljena.pdf.

³¹ The protest of NGOs is recorded in several reports, e.g. by the central Slovenian Press Agency (STA) in the press release “Social Work Experts Decry Govt Asylum Act Changes”, available at: <https://english.sta.si/979389/social-work-experts-decry-govt-asylum-act-changes>. In spite of criticism, the National Assembly of the Republic of Slovenia (*Državni zbor Republike Slovenije*) adopted planned amendments to the International protection act which entered into force on 21 November 2011. The Act amending the International protection act (*Zakon o spremembah in dopolnitvah Zakona o mednarodni zaščiti*, ZMZ-C), 25 October 2012, (Official Gazette no. 83/2012, 6 November 2011), available at: www.uradni-list.si/1/objava.jsp?urlid=201283&stevilka=3290.

³² The Act amending the International protection act (*Zakon o spremembah in dopolnitvah Zakona o mednarodni zaščiti*, ZMZ-C), 25 October 2012, 6 November 2011, available at: www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO6392.

³³ Council of Europe, European Commission against Racism and Intolerance (ECRI) (2014), *ECRI Report on Slovenia (fourth monitoring cycle)*, Strasbourg, Council of Europe, 16 September 2014, para. 150.

³⁴ Council of Europe, European Commission against Racism and Intolerance (ECRI) (2014), *ECRI Report on Slovenia (fourth monitoring cycle)*, Strasbourg, Council of Europe, 16 September 2014, para.157 and para. 158, p. 37.

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| | | <p>accommodated outside the Asylum home to 50 percent of the previous sum.³⁵</p> <p>5. Definitional challenges: The basic provisions on the protection of the Italian and the Hungarian minorities and the Roma minority are set out in the Constitution. These minorities enjoy a high level of protection. For instance, a special Office for National Minorities (<i>Urad za narodnosti</i>) is established as an independent professional service within the Government with the main duty to global supervision of the realisation of the provisions of the law on the protection of national minorities, monitoring the practical effects, drawing attention to problem areas, etc. On the other hand, Ex-Yugoslav minority groups, which comprise approximately 10 percent of Slovenia's population, only recently received a symbolic acknowledgment of their status with the adoption of the Declaration of the Republic of Slovenia on the situation for members of the minority groups from nations of former Yugoslavia in the Republic of Slovenia (<i>Deklaracija Republike Slovenije o položaju narodnih skupnosti pripadnikov narodov nekdanje SFRJ v Republiki Sloveniji</i>).³⁶ These groups are not supported with an independent professional service that would offer a global supervision of their rights. The Council to the Government of the Republic of Slovenia for issues regarding members of the minority groups from nations of former Yugoslavia in the Republic of Slovenia (<i>Sveta Vlade Republike Slovenije za vprašanja narodnih skupnosti pripadnikov narodov nekdanje SFRJ v Republiki Sloveniji</i>), envisaged in the Declaration, is only an advisory body without an independent professional service and the body itself is very unstable as it is tied to the fate of any current government (as mentioned above). Consequently, funding for their activities is also substantially lower.³⁷</p> <p>6. The group of non-EU third-country nationals is not a homogeneous group and this is not sufficiently addressed in the integration actions:³⁸ 1) immigrants from the territories of former Yugoslavia are traditional immigrants, who have been migrating for economic and political reasons for decades. They have developed extensive social networks. In great extent, immigrants are mostly men migrating for working and family reunification purposes. They are predominantly low-</p> |
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³⁵ Rules amending the Rules on the rights of international protection seekers (*Pravilnik o spremembah Pravilnika o pravicah prosilcev za mednarodno zaščito*), 8 May 2012, available at: www.pisrs.si/Pis.web/pregledPredpisa?id=PRAV11139.

³⁶ Declaration of the Republic of Slovenia on the situation for members of the minority groups from nations of former Yugoslavia in the Republic of Slovenia (*Deklaracija Republike Slovenije o položaju narodnih skupnosti pripadnikov narodov nekdanje SFRJ v Republiki Sloveniji*), 4 February 2011.

³⁷ Data provided by the representative of the Association of cultural societies of nations of former Yugoslavia in Slovenia (*Zveza zvez kulturnih društev narodov nekdanje Jugoslavije v Sloveniji*), Ilija Dimitrievski, upon request (written response of 25 March 2015).

³⁸ Medvešek, M., Bešter, R. (2010) (eds). Državljeni tretjih držav ali tretjerazredni državljani? Integracija državljanov tretjih držav v Sloveniji (Third country nationals or third class nationals? Integration of third country nationals in Slovenia), Ljubljana: Inštitut za narodnostna vprašanja (Etničnost = Ethnicity; 9). Available at: www.inv.si/DocDir/Publikacije-PDF/Ethnicity/koncni%20tekst%20DTD.pdf, p. 86-87.

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| | | <p>educated employees occupying low paid jobs. 2) Immigrants from other non-European countries, especially citizens from Asia, migrate more for family reunification purpose and especially for the purposes of study, education, advanced professional training and practical training. Moreover, the gender balance in this group of migrants is different from the former group as more women migrate for family reunification purposes.</p> <p>7. Limited quantitative migrant-specific data in the fields of housing, healthcare and other fields of social life: Data on national or ethnic origins is still not being collected in Slovenia. The processing of personal data is governed by the Personal Data Protection Act (<i>Zakon o varstvu osebnih podatkov, ZVOP-1</i>),³⁹ according to which data on racial, national or ethnic origin, as well as data on religious beliefs, are considered sensitive and can only be collected in certain circumstances. The authorities have stated that monitoring the situation of ethnic minority groups in different spheres of life could be discriminatory and might run contrary to certain constitutional provisions. However, the <i>ECRI Report on Slovenia (2014)</i>⁴⁰ invokes a recent decision of the European Committee of Social Rights,⁴¹ in which it recalled that State authorities have a responsibility for collecting data on particular groups which are, or could be discriminated against. It states that the gathering of such data is indispensable to the formulation of a rational policy, as States need factual information to deal with the problem.⁴² In another decision⁴³ the Committee considered that when the collection and storage of personal data is prohibited, but it is also generally acknowledged that a particular group is or could be discriminated against, the authorities have the responsibility for finding alternative means of assessing the extent of the problem and making progress towards resolving it that are not subject to such constitutional restrictions.</p> |
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1.2.3. Language learning and integration tests

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| | Please provide information about: | |
| | Main language learning support programmes and courses. Provide details about organisation of such programmes and actors | The Initial Integration of Immigrants (<i>Začetna integracija priseljencev, ZIP</i>) (see Annex 2) is a unified programme of Slovenian language learning and contents on the knowledge of Slovenian society. It started in 2013 |

³⁹ Personal Data Protection Act (*Zakon o varstvu osebnih podatkov, ZVOP-1*), 15 July 2004, available at: www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO3906.

⁴⁰ Council of Europe, European Commission against Racism and Intolerance (ECRI) (2014), *ECRI Report on Slovenia (fourth monitoring cycle)*, Strasbourg, Council of Europe, 16 September 2014.

⁴¹ European Committee of Social Rights, *European Roma Rights Centre v. Portugal*, Complaint No. 61/2010, decision on the merits of 30 June 2011.

⁴² Council of Europe, European Commission against Racism and Intolerance (ECRI) (2014), *ECRI Report on Slovenia (fourth monitoring cycle)*, Strasbourg, Council of Europe, 16 September 2014, pp. 40-41.

⁴³ European Committee of Social Rights, *European Roma Rights Centre v. Greece*, Complaint No. 15/2003, decision on the merits of 8 December 2004.

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| <p>implementing them, funding support, location, duration, frequency, numbers of beneficiaries, entitlements and limitations for accessing courses.</p> | <p>when the Decree on ways and scope of providing programs of support for integration of third country nationals (<i>Uredba o načinih in obsegu zagotavljanja programov pomoči pri vključevanju tujcev, ki niso državljani Evropske unije</i>)⁴⁴ came into force and merged two separate programmes that were running from September 2009: 1) language learning course and 2) a course on Slovenian history, culture and constitutional order.</p> <p>The programme has been running throughout the reporting period.</p> <p>There are several providers of the programme in all major Slovenian towns. From November 2012 language-learning programmes have been running in 30 locations across Slovenia.</p> <p>By means of a public procurement procedure, the Ministry of the Interior (<i>Ministrstvo za notranje zadeve</i>) selected the following performers of the Initial Integration of Immigrants (ZIP) programme:</p> <ul style="list-style-type: none"> - in Ljubljana, Domžale, Grosuplje, Vrhnika and Kamnik: Cene Štupar - CILJ, Phone: 01/234 44 14; - in Maribor, Ptuj and Slovenska Bistrica: Andrigoški zavod Maribor, Phone: 02/234 11 22; - in Celje, Zagorje, Trbovlje and Slovenske Konjice: UPI - Ljudska univerza Žalec, Phone: 03/713 35 50; - in Kranj, Jesenice and Škofja Loka: Ljudska univerza Kranj, Phone: 04/280 48 00; - in Koper, Izola, Piran and Sežana: Ljudska univerza Koper, Phone: 05/ 612 80 00; -in Slovenj Gradec, Ravne na Koroškem, Velenje and Žalec: UPI - Ljudska univerza Žalec, Phone: 03/713 35 50; -in Nova Gorica, Ajdovščina, Postojna, Idrija and Tolmin: Ljudska univerza Ajdovščina, Phone: 05/366 47 50; - in Novo mesto: RIC Novo mesto, Phone: 07/393 45 50; -in Krško: Ljudska univerza Krško, Phone: 07/48 81 160.⁴⁵ |
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⁴⁴ Decree on ways and scope of providing programs of support for integration of third country nationals (*Uredba o načinih in obsegu zagotavljanja programov pomoči pri vključevanju tujcev, ki niso državljani Evropske unije*), 13 September 2012. Available at: www.pisrs.si/Pis.web/pregledPredpisa?id=URED5966.

⁴⁵ The list shows that there are several (and which) organisations that are implementing the language programmes. Furthermore, the list contains the towns where the language programmes are executed; and how the government tries to bring the language courses closer to migrants, e.g. living in smaller towns. The updated list of providers is available at: www.infotujci.si/s/2/slovenian-language-courses.

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| | | <p>In 2013⁴⁶ the number of issued certificates for joint ZIP programme was 2,030; the number of issued certificates for the Slovenian language course at the basic level was 817 (in total 2,847). The number of participants in the ZIP programme was 2,022 and the number of participants in the Slovenian language course at the basic level programme was 589 (in total 2,567).</p> <p>In 2012⁴⁷ the Administrative Units, authorised for issuing confirmation of compliance with the conditions for participation in these programmes, issued 1,548 certificates confirming eligibility for participation in the Slovenian language-learning course. From 2008, when the programmes started till the end of 2012 there were 6,096 certificates confirming eligibility for participation in the programme of the Slovenian language learning course issued; 2,790 certificates for the Free first Slovenian language exam at the basic level and 63 for the course on Slovenian history, culture and constitutional order. From the launch of integration programmes in 2008 till the end of 2012, 8,505 individuals attended the programmes.</p> <p>In 2011⁴⁸ Administrative Units issued the following number of certificates confirming eligibility for participation in integration programmes: 2,846 (Slovenian language learning programme), 21 (Slovenian history, culture and constitutional order programme) and 850 (Free first Slovenian language exam) (in total 3,717). This was a 64 percent increase comparing to 2010 when 2,266 certificates were issued.</p> <p>In 2010⁴⁹ the numbers of third country nationals attending programmes were: Slovenian language exam 1,061; Slovenian language learning 1,186; Slovenian history, culture and constitutional order programme 19 (2,266 participants in total).</p> <p>The procedure: If a third-country national wants to participate in a free Slovenian language learning programme, which includes the contents on the knowledge of the Slovenian society, he needs to file an application for a confirmation of compliance with the conditions for participation in these programmes with the Administrative Unit where he registered permanent or</p> |
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⁴⁶ Report from the working areas of migration, international protection and integration for 2013 (*Poročilo z delovnega področja migracij, mednarodne zaščite in vključevanja za leto 2013*), available at: www.mnz.gov.si/fileadmin/mnz.gov.si/pageuploads/DUNZMN_2013/Statisticno_porocilo_-_SLO.pdf.

⁴⁷ Report of the Internal Administrative Affairs, Migration and Naturalisation Directorate for 2012 (*Poročilo o delu direktorata za upravne notranje zadeve, migracije in naturalizacijo za leto 2012*), available at: www.mnz.gov.si/nc/si/novinarsko_sredisce/novica/article/12027/7868/.

⁴⁸ Report of the Directorate for migrations and integration for 2011 (*Poročilo direktorata za migracije in integracijo za leto 2011*), available at: www.mnz.gov.si/fileadmin/mnz.gov.si/pageuploads/DMI/Statisticno_porocilo_-_SLO_zadnja_verzija_-_popravljen.pdf.

⁴⁹ Report of the Directorate for migrations and integration for 2012 (*Poročilo direktorata za migracije in integracijo za leto 2010*), available at: www.mnz.gov.si/fileadmin/mnz.gov.si/pageuploads/DMI/Statisticno_porocilo_-_SLO_-_Lektorirano_01.pdf.

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| | | <p>temporary residence. If one meets the conditions, the Administrative Unit issues a confirmation of compliance with the conditions for the participation in these programmes and the applicant offers the confirmation to the chosen programme provider.</p> <p>Third-country nationals are entitled to free-of-charge participation in the Slovenian language learning programme and the programme for getting acquainted with Slovenian history, culture and constitutional system under certain conditions (details in Annex 2).</p> <p>Citizens of third countries who attended a 180 or 120-hour course and were present in the course at least 80 percent of all the hours are entitled to the free first Slovenian language exam at the basic level. Similarly, if a third-country national wants to attend the free first Slovenian language exam, he has to file an application for a confirmation of compliance with the conditions for the free first Slovenian language exam at the basic level with the administrative unit where he registered permanent or temporary residence. If he meets the aforementioned conditions, the administrative unit issues a confirmation of compliance with the conditions for the free-of-charge first Slovenian language exam at the basic level. One then offers the confirmation to one of the accredited institutions.⁵⁰</p> <p>The language learning support programmes and courses are evaluated with questionnaires passed to participants.</p> <p>Limitations for attending the courses (Art. 106, Aliens Act):⁵¹</p> <ul style="list-style-type: none"> - third-country nationals who have finished schooling at any level in Slovenia; are included in the regular education program in the Republic of Slovenia, which takes place in Slovenian language; or have already obtained a certificate of successful completion of the examination of knowledge of Slovenian language at least at the basic level, are not eligible to participate in the program of Slovenian language learning; - third-country nationals who have finished schooling at any level in Slovenia are not eligible for the course on Slovenian history, culture and constitutional order. |
| | <p>Knowledge level of the language achieved through such programmes (please use the <u>Common European Framework Reference levels - CEFR</u>)</p> | <p>The Initial Integration of Immigrants programme (<i>Začetna integracija priseljencev</i>, ZIP) runs as a module for beginners (60 hours) and advanced module (120 hours).</p> <p>The <i>initial</i> module for beginners is designed for</p> |

⁵⁰ The list of accredited institutions is available at the web page of the Centre for Slovene as a second/foreign language (*Center za Slovenščino kot drugi/tuji jezik*), at: www.centerslo.net.

⁵¹ Aliens Act (*Zakon o tujcih*, ZTuj-2), The Official Gazette of the Republic of Slovenia, no. 45/14, 15 June 2011. Available at: www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO5761.

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| | | <p>participants who do not yet know the Slovene language, regardless of their first language. If participants in the program do not understand Slovene and their first language is substantially different from the Slovene, e.g. they do not speak (south) Slavic language, the program is expected to include a mediator for a particular language. The implementation of the program is possible on two levels: A0- A1.1 (for beginners whose first language is not (south) Slavic) and A1.1-A2 (for beginners whose first language is one of the (south) Slavic languages, and for participants who are more advanced).</p> <p>The <i>follow-up advanced module</i> includes participants who have successfully completed the initial module of the Initial Integration of Immigrants course and those who already speak at the level provided by the initial module: according to the Common European Framework reference levels (2011) beginners with no previous knowledge of Slovene and without knowledge of any of (south) Slavic languages will achieve A1.1; for speakers of any of the (south) Slavic languages and those who are more advanced A1+ to A2.</p> |
| | <p>Language tests required for migrants to access residence or other legal status affecting equal treatment and access to rights. Please provide information about their content and character, level of knowledge required, numbers of participants, and rates of success/failure</p> | <p>Each applicant for Slovenian citizenship has to provide proof of basic knowledge of the Slovenian language. The obligatory examination of the command of Slovenian language is taken by the person applying for the acquisition of citizenship before the competent Committee, which shall be appointed by the Government of the Republic of Slovenia and which shall specify the criteria for the written and oral examination of the Slovenian language. However, proof of basic knowledge of the Slovenian language is considered fulfilled if: 1) the person finished primary school in the Republic of Slovenia; 2) the person finished secondary school in the Republic of Slovenia; 3) the person obtained higher education or university degree in Slovenia, i.e. completed higher education or university studies after 25.6.1991; 4) the person is over 60 years of age and has been living in Slovenia for 15 years; 5) if a person who is illiterate can communicate orally in the Slovenian language, which he/she shall prove by a certificate.⁵²</p> <p>The State has appointed the Centre for Slovene as a Second Language at the University of Ljubljana (<i>Center za slovenščino kot drugi/tuji jezik</i>)⁵³ as an expert committee responsible for examining language skills of the applicants.</p> <p>The first sitting of the exam is free of charge for applicants that provide a certificate from the</p> |

⁵² Art. 10, Citizenship of the Republic of Slovenia Act (*Zakon o državljanstvu, ZDRS*), , 9 March 2007. Available at: www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO13.

⁵³ Available at: www.centerslo.net.

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| | | <p>Administrative Unit of their residence that they fall into one of the following categories:⁵⁴ have permanent residence in Slovenia; have temporary residence in Slovenia for the length of at least one year; are family members of a foreign national and have temporary residence in Slovenia for the reason of uniting families; or are family members of a Slovenian national or a national of the EEA and reside in Slovenia on the family members' residence permit (see Annex 2).</p> <p>Citizens of third countries who attended a 180 or 120-hour course and were present in the course at least 80% of all the hours are entitled to the free-of-charge first Slovenian language exam at the basic level.⁵⁵</p> <p>The International Protection Act (<i>Zakon o mednarodni zaščiti</i>, ZMZ)⁵⁶ does not stipulate (Art. 97) any obligation for taking a language test from applicants for international protection, while a person with international protection (art. 100) is obliged to notify the authority responsible for integration of all changes that affect the exercise of his rights and fulfilling of obligations, particularly on, inter alia, taking the Slovene language exam and on successfulness in education at all stages of schooling. Apart from a duty to inform authorities, there is no obligation related to language learning.</p> <p>No rates of success/failure could be found.</p> |
| | <p>Integration tests for access to residence or other status affecting equal treatment and access to rights. Please provide information about their content and character, range of knowledge required, numbers of participants, and rates of success/failure.</p> | <p>The participation in integration measures is not a condition for the issuing of permanent residence permit in Slovenia.</p> <p>No integration test is necessary under Slovenian legislation for obtaining Slovenian citizenship.</p> |
| | <p>Mother tongue learning programmes for children of migrants</p> | <p>The national documents forming the legal grounds for the integration of immigrant schoolchildren are the Strategy for the integration of migrant children, pupils and students in the educational system in the Republic of Slovenia (<i>Strategija vključevanja otrok, učencev in dijakov migrantov v sistem vzgoje in izobraževanja v Republiki Sloveniji</i>);⁵⁷ the Guidelines for the integration</p> |

⁵⁴ Information about the Basic level Slovenian language exam available at: www.infotujci.si/v/26/basic-level-slovenian-language-exam.

⁵⁵ Art. 8, Decree on ways and scope of providing programs of support for integration of third country nationals (*Uredba o načinih in obsegu zagotavljanja programov pomoči pri vključevanju tujcev, ki niso državljani Evropske unije*).

⁵⁶ International Protection Act (*Zakon o mednarodni zaščiti*, ZMZ), 21 November 2007. Available at: www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO4911.

⁵⁷ Strategy for the integration of migrant children, pupils and students in the educational system in the Republic of Slovenia (*Strategija vključevanja otrok, učencev in dijakov migrantov v sistem vzgoje in izobraževanja v Republiki Sloveniji*), May 2007, available at:

www.google.si/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CCAQFjAA&url=http%3A%2F%2Fwww.mizs.gov.si%2Ffileadmin%2Fmizs.gov.si%2Fpageuploads%2Fpodrocje%2Frazvoj_solstva%2Fprojekti%2FStrategija_vkljucevanje_migrantov.doc&ei=SnQYVaTJHInfaN7TgYgN&usq=AFQjCNHVMb_d5kI0JL5D4yuw6f1I4IagaQ&sig2=iIRigijdBDOteLOG8mKvOA&bvm=bv.89381419,d.d2s.

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| | | <p>of immigrant children in kindergartens and schools (<i>Smernice za vključevanje otrok priseljencev v vrtce in šole</i>, 2012),⁵⁸ and the Resolution on the National Programme for Language Policy 2014-2018 (<i>Resolucija o Nacionalnem programu za jezikovno politiko 2014-2018</i>, 2013).⁵⁹</p> <p>The Resolution stipulates that the use of one's mother language and preservation of one's culture is a financial obligation of the state and, additionally, advocates an introduction of intensive introductory courses of Slovenian language for children attending school. The Organization and Financing of Education Act (<i>Zakon o organizaciji in financiranju vzgoje in izobraževanja</i>)⁶⁰ operationalises the Resolution and stipulates the obligation of the state to secure funding for Slovenian language learning for foreigners included in primary and secondary schooling (Article 81, Paragraph 7, Bullet point 25).</p> <p>The conditions for co-financing the mother tongue language courses and native culture for migrant children and descendants of migrants enrolled in regular primary and secondary schooling, the method of determining the amount of funds for this purpose and activities in support of the quality and extent of the implementation of this instruction are determined by the Minister of Education by a decree.⁶¹</p> <p>The Elementary School Act (<i>Zakon o osnovni šoli</i>, ZOsn)⁶² stipulates that when children who reside in the Republic of Slovenia and whose mother tongue is not Slovenian language, enrol in a primary school, a school shall organise courses of Slovenian language and culture, and with collaboration with their countries of origin courses of their mother tongue and origin culture (Article 8, Paragraph 2).</p> <p>The curricula for Macedonian, Croatian and Serbian language course, which are formulated as a one-year course, are optional courses listed in the curriculum for the primary schools.⁶³</p> <p>Information on the number of pupils enrolled in</p> |
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⁵⁸ Guidelines for the integration of immigrant children in kindergartens and schools (*Smernice za vključevanje otrok priseljencev v vrtce in šole*, 2012), May 2012, available at: www.zrss.si/?rub=4493.

⁵⁹ Resolution on the National Programme for Language Policy 2014-2018 (*Resolucija o Nacionalnem programu za jezikovno politiko 2014-2018*, 15 July 2013, available at: pisrs.si/Pis.web/pregledPredpisa?id=RESO91.

⁶⁰ Organization and Financing of Education Act (*Zakon o organizaciji in financiranju vzgoje in izobraževanja*), 6 February 1996, available at: www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO445.

⁶¹ A Decision on co-financing of supplementary teaching of native languages and cultures of immigrant children in the school year 2014/2015 was obtained upon request from the Ministry of Education, Science and Sport (*Ministrstvo za izobraževanje, znanost in šport*) on 19 February 2015.

⁶² The Elementary School Act (*Zakon o osnovni šoli*, ZOsn), 14 February 1996, available at: www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO448.

⁶³ The list of optional courses in Slovenian in primary schools is available at: www.mizs.gov.si/si/delovna_podrocja/direktorat_za_pedsolsko_vzgojo_in_osnovno_solstvo/osnovno_solstvo/program/izbiri_predmeti_v_osnovni_soli.

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| | | <p>supplementary courses for native languages and cultures of immigrant children: 140 (in school year 2010/11), 244 (in 2011/12), 370 (2012/13), 305 (2013/14).</p> |
| | <p>Please provide insights about key issues, debates, challenges or problems related to the implementation of the above measures and policies. The findings should be substantiated through existing assessments, research or studies and case law (use template in Annex 9).</p> | <p>Language courses of Slovenian as a second language are well developed integrations measures, i.e. in terms of: availability of information (e.g. on a webpage "Information for foreigners" at http://www.infotujci.si/); execution throughout the region including smaller towns; testing of acquired knowledge.</p> <p>The National Education Institute of the Republic of Slovenia (<i>Zavod Republike Slovenije za šolstvo</i>)⁶⁴ notes that poor integration of migrant children and descendants of migrants is very often related to a low level of Slovenian language skills of their parents. Such parents rarely visit schools and are reluctant to collaborate with professional services in schools. Other obstacles for a more effective integration result from different cultural backgrounds and cultural values, different perception of gender roles and social and educational position of families.</p> <p>Out of seven criteria for migrant integration (labour market mobility, family reunion, education, political participation, long-term residence, access to nationality, anti-discrimination), the poorest assessment is given to education (24%): all migrant pupils may not advance as well through the education system without equal access to non-compulsory and pre-school education except under reciprocity principles. They are supported in learning their own language and Slovenian, while teachers have some training on their needs. Positive developments in school might not extend beyond the classroom without monitoring or systematic policies to encourage parental involvement.⁶⁵</p> <p>In a case study of a well-functioning programme of integration in one urban primary school, the author reported how despite great efforts and painstaking work at school, it was possible to detect a dismissive attitude towards the "immigrant" school in the local community. Some parents did not wish to enrol their children in such a school, while the neighbouring school advised immigrant parents to enrol their children in that particular school, since it has more immigrant children and more experience in working with them.⁶⁶ Specialisation of only some schools can thus have negative effects in terms of a segregation of schools.</p> |

⁶⁴ Data provided by the Ministry of Education, Science and Sport (*Ministrstvo za izobraževanje, znanost in šport*, MIZŠ) upon request (written response of 6 March 2015).

⁶⁵ Vižintin, M. A. (2013). The integration of immigrant children in Slovenia: good practices from primary schools. *Innovative Issues and Approaches in Social Sciences*, vol.6, no.2, p. 53-68.

⁶⁶ Vižintin M. A. (2013). The integration of immigrant children in Slovenia: good practices from primary schools. *Innovative Issues and Approaches in Social Sciences*, vol.6, no.2, p. 53-68.

1.2.4. Monitoring and assessment – Use of indicators

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| | <p>In this section please outline monitoring and evaluation procedures applied by public authorities at national and regional level, as applicable, for migrant integration. In particular, please present any indicators used for the monitoring, assessment and review of integration policies in the areas of political and social participation, social cohesion, and intolerance, inclusive and welcoming society. Please make sure to report here the link of such indicators with fundamental rights and the way their use reflects to the review of such policies.</p> | <p>In general, monitoring and evaluation procedures are set for the monitoring of planned actions. Every Annual Programme of the European fund for the integration of third-country nationals⁶⁷ and of the European Refugee Fund in the reported period contains actions to be supported by the programme under the chosen priority. Actions are defined with a: 1) purpose and scope of the action, 2) expected grant recipients, 3) explanation of eligibility and <i>inter alia</i> also 4) expected quantified results and indicators to be used. The latter are defined as a) Result (output), b) Direct/short-term effects (outcomes) and c) Indirect/long-term effects (impact). To offer one example:</p> <p>Among several actions to be supported by The Annual Programme for 2012 of the European Refugee Fund is Action 2 "Assisting persons with international protection in their integration into Slovenian society". The expected quantified results and indicators to be used are defined in the following way:</p> <ul style="list-style-type: none"> a) Result (output): number of persons with international protection in private residences; number of literate persons; number of persons enrolled in Slovenian language courses (various levels); number of persons enrolled in Slovenian language; number of Slovenian language exams taken etc.; b) Direct/short-term effects (outcomes): (bigger) share of persons who live in private residences (compared to previous years); persons are able to follow Slovenian language courses and other integration programmes; different levels of Slovenian language proficiency achieved (tests, conversations functional language); successful test of Slovenian language skills passed at different levels etc.; c) c) Indirect/long-term impact: greater degree of integration into the host state society; greater degree of independence of persons with international protection; (partially) removed language and cultural barriers with integration into the host state society etc. <p>However, indicators in policy areas of employment, education, social inclusion and active citizenship in the meaning of the European Commission pilot project with Eurostat and the Member States for monitoring results integration policies⁶⁸ are not in place.⁶⁹ While the</p> |
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⁶⁷ Annual programmes are available at:

www.mnz.gov.si/si/o_ministrstvu/crpanje_evropskih_sredstev/solidarnost_in_upravljanje_migracijskih_tokov_2007_2013/evropski_sklad_za_vkljucevanje/.

⁶⁸ According to indicators available at: <http://ec.europa.eu/migrant-integration/index.cfm?action=furl.go&go=/the-eu-and-integration/eu-actions-to-make-integration-work>.

⁶⁹ The reported information in the Table 1.7 of the FRA Annual Report 2012, that no specific indicators have been developed and formally adopted in Slovenia (p. 8), has not changed.

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| | | <p>multiannual programme 2007-2013 of the European fund for the integration of third-country nationals (<i>Večletni program 2007-2013 Sklad za vključevanje državljanov tretjih držav</i>)⁷⁰ envisaged the development of indicators and methodologies for estimations of progress, adaptation of policies and measures (Priority task 2, point 3.2), this was not executed, as reported in the Final report for 2010 of the European fund for the integration of third-country nationals (<i>Končno poročilo o izvajanju letnega programa za 2010</i>) (state of affair on 15 October 2012, p. 22).⁷¹ A final report for 2011 does not mention the development of indicators and methodologies either; final reports for subsequent years are not available.</p> |
| <p>Provide full wording and translation in English of each indicator used per area and dimension covered as well as its full definition, legal basis, rationale, and link with fundamental rights or EU law (use table in the Annex 4).</p> | | |
| | <p>Please provide data and evidence about the adoption of related Zaragoza indicators, especially in the dimensions of active citizenship and welcoming society. Please consult the publication Using EU Indicators of Immigrant Integration (ESN, MPG) and report more detailed and updated specific descriptions and mapping of indicators used in the Member States.</p> | <p>There is neither data nor evidence about the adoption of Zaragoza indicators in Slovenia. A written request was sent to Ministry of Interior on 20 March 2015 and we are waiting for reply.</p> |
| <p>1.2.5 Funding integration policies (EIF, ERF, EMIF)</p> | | |
| | <p>Please provide information about the distribution of funds for integration of migrants, as well as their social inclusion and participation. In particular, provide specific breakdown of funding per general area of integration policies – with particular focus on active citizenship, participation, welcoming society, social</p> | <p>The data is reported in Annex 5. Information was provided by the Ministry of the Interior (<i>Ministrstvo za notranje zadeve</i>) upon request (written response of 17 February 2015).</p> <p>The figures provided in Annex 5 show that the main focus of the EU Funding provided through EIF was on education with a proportion exceeding 50 percent. No funding was provided for participation, active citizenship and healthcare. The vast majority of funds from EIF have been spent for Slovenian language courses, as this is one of the essential preconditions for integration. There are other costs not included in the table, such as technical support used for management of the system.⁷²</p> |

⁷⁰ The multiannual programme 2007-2013 of the European fund for the integration of third-country nationals (*Večletni program 2007-2013 Sklad za vključevanje državljanov tretjih držav*) , available at: www.mnz.gov.si/fileadmin/mnz.gov.si/pageuploads/UFZJN/PEES/Evropski_sklad_za_integracijo/05_Sklad_za_vkljucevanje_e_-_Vecletni_program.pdf.

⁷¹ The final report for 2010 of the European fund for the integration of third-country nationals (*Končno poročilo o izvajanju letnega programa za 2010*), available at: www.mnz.gov.si/fileadmin/mnz.gov.si/pageuploads/UFZJN/PEES/Evropski_sklad_za_integracijo/SI_Koncno EIF2010.pdf.

⁷² Data provided by the Head of the Project Unit for Internal Security and Migration Funds at the Ministry of the Interior of the Republic of Slovenia, Erik Kern, upon request, written response of 7 May 2015.

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| | <p>cohesion - in the last year and for the period 2010-2014 if available. (Use the table in the Annex 5).</p> | <p>Figures provided for ERF show that the majority of funds were spent for accommodation and care programmes in the Asylum Home and for programs for identifying specific needs and providing special treatment for vulnerable groups. The latter are included in the Social cohesion section. The section Participation shows figures of funds spent for information campaigns, for interpretation, translation and legal assistance to migrants. The section Welcoming society includes programmes for intercultural dialogue that are executed by the NGOs and other non-profit organisations. The Employment section indicates programmes for improvement of employment opportunities of migrants. The Education section shows figures of funds spent for Slovenian language courses and help offered to pupils in the course of schooling.⁷³</p> |
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2.Promoting equal treatment and non-discrimination

2.1.The implementation of anti-discrimination legislation and equal treatment

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| | <p>Briefly provide information on the following:</p> | |
| | <p>Outreach and awareness raising campaigns, training schemes, etc. undertaken by national or regional public authorities (including national equality bodies) targeting migrants and their descendants on the national anti-discrimination legal framework.</p> | <p>No anti-discrimination programmes targeting specifically the migrant population have been launched in Slovenia so far. However, some anti-discrimination actions also addressed the issue of migration and ethnicity (e.g. 'PROTECT – Progressing towards equality – An intersectional approach to discrimination')⁷⁴. These programmes have been run mostly by NGOs and supported by EU and national funds.</p> |
| | <p>Evidence through polls, surveys, academic research, etc. on the awareness of migrants and/or their descendants concerning the right to equal treatment. Please indicate differences between ethnic/ migrant groups, living in different geographic areas, gender and age, as well as trends in time.</p> | <p>No such research has been carried out in Slovenia so far.</p> |
| | <p>Evidence of complaints lodged</p> | <p>The national equality body, the Advocate of the Principle</p> |

⁷³ Data provided by the Head of the Project Unit for Internal Security and Migration Funds at the Ministry of the Interior of the Republic of Slovenia, Erik Kern, upon request, written response of 7 May 2015.

⁷⁴ More information about the campaign available at: www.multipladiskriminacija.si.

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| | <p>by migrants and/or their descendants - % of total complaints to equality bodies, % of admissible complaints, statistics about outcomes of investigation, % of cases establishing discrimination. Please indicate differences between ethnic/ migrant groups, geographic areas, gender and age, as well as trends in time.</p> | <p>of Equality (Advocate) (<i>Zagovornik načela enakosti, Zagovornik</i>) dealt with only seven complaints of discrimination on the grounds of ethnicity or nationality in the period 2010-2012.⁷⁵ They represent 6 % of all the cases <i>Zagovornik</i> has addressed in this period. The reports for 2013 and 2014 have not been published yet. However, <i>Zagovornik</i> confirmed that the proportion of complaints on the grounds of ethnicity and race remained below 10 % in 2013 and 2014, which, in his opinion, is due to underreporting. <i>Zagovornik</i> could not provide us with the exact statistic data on the percentage of complaints lodged by migrants, since he does not specifically record the ethnicity of the complainants and the complainants usually do not reveal this information.⁷⁶</p> <p>More discrimination complaints have been lodged with the Human Rights Ombudsman (Ombudsman) (<i>Varuh človekovih pravic, Varuh</i>). From 2010 to 2014, 38 % of all discrimination complaints to <i>Varuh</i> concerned nationality and ethnicity. The percentage of the cases lodged specifically by migrants cannot be established, since <i>Varuh</i> does not record this particular statistic category. Nevertheless, they estimate that these figures are fairly low, since a large portion of nationality and ethnicity discrimination cases concern the Roma population.⁷⁷ For example, in 2014, none of the 20 discrimination complaints within the category of nationality and ethnicity had been lodged by a third country national.⁷⁸</p> |
| | <p>Tools, measures and positive initiatives aiming at facilitating reporting incidents of discrimination – e.g. translation facilities to report and submit complaints in multiple languages – and tackling under-reporting and low rights-awareness.</p> | <p>No initiatives focusing specifically on facilitating reporting of discrimination cases in migrant population have been launched so far. The information on the protection against discrimination is published on the website of <i>Zagovornik</i> and has been distributed in brochures in 10 languages, including the languages of the largest migrant groups in Slovenia. Some programmes include awareness-raising contents on migrants' rights as part of broader migrants support schemes (e.g. EU- and state-funded 'Integration package for unemployed migrants, refugees, and asylum seekers' (<i>Integracijski paket za brezposelne migrante, begunce in prosilce za azil</i>),⁷⁹ whereas some state agencies (e.g. the Employment Service of Slovenia (<i>Zavod Republike Slovenije za zaposlovanje</i>)) and several NGOs provide information on</p> |

⁷⁵ Ministrstvo za delo, družno in enake možnosti, Služba za enake možnosti in evropsko koordinacijo (2012), *Letno poročilo Zagovornika načela enakosti za leto 2011*. Available at: www.zagovornik.gov.si/si/informacije/letna-porocila/lp-2011.

⁷⁶ Information provided by *Zagovornik* upon request (written response of 16 February 2015).

⁷⁷ Varuh človekovih pravic (2011), *Letno poročilo Varuha človekovih pravic Republike Slovenije za leto 2010*. Ljubljana, June 2011; Varuh človekovih pravic (2012), *Letno poročilo Varuha človekovih pravic Republike Slovenije za leto 2011*. Ljubljana, May 2012; Varuh človekovih pravic (2013), *Letno poročilo Varuha človekovih pravic Republike Slovenije za leto 2012*. Ljubljana, June 2013; Varuh človekovih pravic (2014), *Letno poročilo Varuha človekovih pravic Republike Slovenije za leto 2013*. Ljubljana, June 2014. The information for 2014 was provided by *Varuh* upon request (written response of 12 February 2015).

⁷⁸ The information was provided by *Varuh* upon request (written response of 12 February 2015).

⁷⁹ More information about the programme available at: www.sindikatzsss.si/index.php?option=com_content&view=article&id=537:projekt-qintegracijski-paket-za-brezposelne-migrante-begunce-in-prosilce-za-azil.

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| | | migrants' rights in different languages through info-points, websites, brochures etc. |
| | In particular, provide information about any legal protection on grounds of nationality, which is not covered by the EU anti-discrimination Directives, ⁸⁰ but is a prohibited ground in several Member States. Please explain how unequal treatment on the basis of nationality is treated and provide exemplary cases, if any. Please provide information on the relevant practice and case law (use template in Annex 9) | The Employment Relationship Act (<i>Zakon o delovnih razmerjih</i>) ⁸¹ in Article 6, Paragraph 1 explicitly prohibits discrimination in employment on the grounds of nationality. ⁸² This Act further enlists nationality among unfounded reasons for the termination of an employment contract (Article 90). A reversed burden of proof for establishing discrimination in employment is enforced. Therefore when (potential) employees give reasonable evidence that they have been discriminated on the grounds of nationality, their (potential) employer has to prove the opposite. If discrimination is established, the employer is accountable to the employee for a compensation of damages. In addition, a job seeker claiming not to have been chosen for the position due to discrimination on grounds of nationality can seek judicial review of the application procedure in the Labour and Social Court (<i>Delovno in socialno sodišče</i>). An administrative fine by the Labour Inspection (<i>Delovna inšpekcija</i>) can be imposed on the employer for the discrimination, ranging from EUR 3,000 to EUR 20,000. |
| | Please provide information about the application of the legislation concerning discrimination against migrants – on any ground – in accessing law enforcement and judiciary services. In particular please clarify whether and when the latter are considered and treated, or not, as services available to the public, therefore falling within the scope of the directives and the jurisdiction of Equality Bodies. ⁸³ | In Slovenia, migrants enjoy full access to law enforcement and judiciary services. Regarding the jurisdiction of the national equality body (<i>Zagovornik</i>) no restrictions are imposed in the legislation – namely the Implementation of the Principle of Equal Treatment Act (<i>Zakon o uresničevanju načela enakega obravnavanja</i>) ⁸⁴ – to law enforcement and judiciary services, therefore these fall within the jurisdiction of <i>Zagovornik</i> . Migrants are eligible for free legal aid in judicial proceedings under the same conditions as Slovenian nationals are. Article 10 of the Free Legal Aid Act (<i>Zakon o brezplačni pravni pomoči</i>) ⁸⁵ explicitly stipulates that aliens holding a permit for permanent or temporary residence in Slovenia, as well as stateless persons legally residing in Slovenia are eligible for free legal aid are. |
| | Please provide statistical data about numbers of discrimination cases/complaints submitted to competent bodies (Equality Bodies, Administrative Courts), as well as about their outcomes (use the tables in the Annex 8) | |

⁸⁰ As of Art. 3.2 of the Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin.

⁸¹ The Employment Relationship Act (*Zakon o delovnih razmerjih*), 13 March 2013, available at: www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO5944.

⁸² The unofficial translation of the Employment Relationship Act provided by the Ministry of Work, family, social affairs and equal opportunities (*Ministrstvo za delo, družino, socialne zadeve in enake možnosti*) uses the word 'nationality' for the Slovenian word *narodnost*. The meaning of the latter is closer to 'national origin'. However, we deem that 'nationality' is also covered in the ban on discrimination on 'other personal circumstances' in Art. 6.

⁸³ Please note that these are considered non-economic services by the EU Commission (Services of general interest, including social services of general interest: a new European commitment, COMM 725 (2007) of 20 November 2007, yet not always they are considered by Equality Bodies to fall in the areas of application of the anti-discrimination directives.

⁸⁴ Principle of Equal Treatment Act (*Zakon o uresničevanju načela enakega obravnavanja*), 6 May 2004, available at: www.pisrs.si/Pis.web/pregledPredpisa?sop=2004-01-2295.

⁸⁵ Free Legal Aid Act (*Zakon o brezplačni pravni pomoči*), 13 June 2001, available at: www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO1265.

2.2. Implementation of equal treatment of various permit holders

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| | <p>Please summarize <u>briefly</u> in this section any key issues affecting the implementation of equal treatment of permit holders, as defined by the following EU legislation; these could be, for example, practical issues and bottlenecks, administrative delays, coordination and cooperation of public authorities, etc.</p> <p>Please substantiate findings, as far as possible, through formal evaluations, as well as research or studies and case law (use template in Annex 9). Please bear in mind that no assessment of the legal transposition process is required. In regard to the five categories below, please provide <u>statistical data</u> issued in 2014 or valid on 31.12.14. (use annex 3)</p> |
| <p>2.2.1. <u>Long Term Residence (LTR) status holders</u> (Art.11 of the Directive 2003/109/EC)</p> | <p>Slovenia has begun issuing long term residence permits provided for by the Directive 2003/109/EC on 1 January 2015, but issued similar permits prior to that.⁸⁶</p> <ul style="list-style-type: none"> • permanent residence permits issued in 2014: 8,943⁸⁷ • permanent residence permits valid in 2014: 67,813 <p>There are no reported issues concerning this group of permit holders.</p> |
| <p>2.2.2. <u>Single-permit procedure</u> permit holders (Art.12 and 13 of the Directive 2011/98/EU)</p> | <p>Slovenia has begun issuing single permits provided for in the Directive 2011/98/EU on 1 January 2015.</p> <ul style="list-style-type: none"> • temporary residence permits for the purpose of work or employment issued in 2014: 4,250.⁸⁸ <p>By far the largest group of temporary residence permit holders for the purpose of work or employment in Slovenia are migrant workers from former Yugoslavia, particularly from Bosnia and Herzegovina. They are mostly employed in the construction industry, where they have been facing different discriminating conditions. Regular breaches of labour rights and legislation are observed, such as unpaid or delayed salaries, unpaid social security contributions and sick leave compensations, unsuitable work conditions, surpassing the amount of allowed overtime work etc. Many times such misdemeanours (<i>prekrški</i>) are not even reported. If they are, timely and effective sanctions and proper remedies are often not applied due to an overburdened inspection services.⁸⁹ According to the Employment Service of Slovenia (<i>Zavod Republike Slovenije za zaposlovanje</i>), 746 employers were sanctioned with a one- to three-year ban on employing migrant workers</p> |

⁸⁶ The information about all the types of issued and valid permits was provided by the Ministry of the Interior, Internal Administrative Affairs, Migration, and Naturalization Directorate (*Ministrstvo za notranje zadeve, Direktorat za upravne notranje zadeve, migracije in naturalizacijo*) upon request (written response of 4 February 2015) and collected from the statistic reports of the ministry, available at: www.mnz.gov.si/si/mnz_za_vas/tujci_v_sloveniji/statistika/.

⁸⁷ While residence permits under the EU legislation in question have not yet been issued in 2014 in Slovenia, data on residence permits most similar in purpose and period of validity have been provided.

⁸⁸ While residence permits under the EU legislation in question have not yet been issued in 2014 in Slovenia, data on residence permits most similar in purpose and period of validity have been provided.

⁸⁹ Amnesty International Slovenia (2013), *Migrantski delavci*, available at: www.amnesty.si/migrantski-delavci.

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| | until 31 December 2014 due to misdemeanours against foreign workers established by the Labour Inspection. ⁹⁰ |
| 2.2.3. <u>Blue card</u> holders (Art.14 and 12 of the Directive 2009/50/EC) | <ul style="list-style-type: none"> • issued: 10 • valid: data not available <p>There are no reported issues concerning Blue card holders.</p> |
| 2.2.4. <u>Family reunification permit holders</u> (specifically in terms of access to labour market - Art. 14 of Directive 2003/86/EC) | <ul style="list-style-type: none"> • issued: 4,606 • valid: data not available <p>Those family reunification permit holders who temporary reside in Slovenia and are not employed, are not included into the mandatory health insurance scheme under the Health Care and Health Insurance Act (<i>Zakon o zdravstvenem varstvu in zdravstvenem zavarovanju</i>) and thus lack basic health insurance.⁹¹ They are, however, entitled to emergency health care, covered by the state budget.⁹²</p> |
| 2.2.5. Beneficiaries of international protection long term residence status holders ⁹³ | <p>Slovenia has begun issuing international protection long term residence permits provided for in the Directive 2011/51/EU on 1 January 2015.</p> <ul style="list-style-type: none"> • 44 international protection permits have been issued in 2014⁹⁴ <p>In 2013, <i>Varuh</i> reported a discrimination case of an international protection permit holder, who was denied the right of social support allowance stipulated in Article 51, Paragraph 2 of the Aliens Act (<i>Zakon o tujcih</i>).⁹⁵ In the opinion of <i>Varuh</i>, the petitioner's application for the allowance was unlawfully rejected, which demonstrates that this right of the particular group of migrants⁹⁶ is not effective in practice.⁹⁷</p> |

2.3. Key developments and trends

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| Please include in this section key developments in the area of equal treatment and anti-discrimination that concern only migrants and/or their descendants. Key developments may be new legislation or policies, | A systemic and the most salient issue of discrimination against migrants in Slovenia concerns the population of the 'erased'. In 1992, the newly established Republic of Slovenia erased from the registry of permanent residents 25,671 citizens of the former Yugoslavia who had had permanent residence in Slovenia before its independence, because they had not obtained the citizenship of the newly established state in the given |
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⁹⁰ Zavod Republike Slovenije za zaposlovanje (2014), *Prepoved zaposlovanja tujcev, Evidenca po Zakonu o zaposlovanju in delu tujcev*, available at: www.ess.gov.si/tujci/delo_v_sloveniji/prepoved_zaposlovanja_tujcev.

⁹¹ Health Care and Health Insurance Act (*Zakon o zdravstvenem varstvu in zdravstvenem zavarovanju*), 21 February 1992, available at: www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO213.

⁹² Kogovšek Šalamon, N. (2014), *Report on measures to combat discrimination, Directives 2000/43/EC and 2000/78/EC, Country report 2013, Slovenia*, Utrecht, Brussels, European network of legal experts in the non-discrimination field, available at: www.non-discrimination.net/law/national-legislation/country-reports-measures-combat-discrimination.

⁹³ As per recitals 6 and 7 of Directive 2011/51/EU of the European Parliament and of the Council of 11 May 2011 amending Council Directive 2003/109/EC to extend its scope to beneficiaries of international protection Text with EEA relevance.

⁹⁴ While residence permits under the EU legislation in question have not yet been issued in 2014 in Slovenia, data on residence permits most similar in purpose and period of validity have been provided.

⁹⁵ Aliens Act (*Zakon o tujcih*), 27 June 2011, available at: www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO5761.

⁹⁶ The petitioner in question was not a long term residence status holder, but was granted a special two-year international protection permit under Art. 51 of the Aliens Act.

⁹⁷ *Varuh človekovih pravic* (2014), *Letno poročilo Varuha človekovih pravic Republike Slovenije za leto 2013*. Ljubljana, June 2014.

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| <p>abolition, update, improvement or reform of existing ones, as well as important case law, court, equality body or administrative cases, that have had or may have an impact on the implementation of the anti-discrimination legislation and equal treatment policies that related to the rights of migrants and/or their descendants (for presentation of case law, use template in Annex 9). Such developments may also affect the actual situation on the ground, including public debates and perceptions among the native population and migrants.</p> | <p>time frame. As early as 1999, the Constitutional Court of the Republic of Slovenia (<i>Ustavno sodišče Republike Slovenije</i>) found this measure unconstitutional, whereas in March 2014, the European Court of Human Rights (ECtHR) held in the case <i>Kurić and others v. Slovenia</i> that Slovenia is responsible among other violations also for the breach of Article 14 (Prohibition of discrimination) of the European Convention on Human rights (ECHR)⁹⁸ (see Annex 9 for more details of the case). After several inadequate attempts of the state to repair the situation, a new legislation was adopted in 2010 allowing a wider population of the 'erased' to acquire permanent residence.⁹⁹ Kogovšek Šalamon¹⁰⁰ estimates that around 11,000 of the 'erased' resolved their legal status in Slovenia by the end of 2013, some 1,300 have passed away, while the status of around 13,000 people remained unresolved. Some of them live in Slovenia with no legal status and are deprived of many rights, whereas the majority migrated, or were deported, mostly to other countries of the former Yugoslavia. In June 2014, the Act on restitution of damage for persons who were erased from the Register of Permanent Population (<i>Zakon o povračilu škode osebam, ki so bile izbrisane iz registra stalnega prebivalstva</i>)¹⁰¹ came into force. It provides for the restitution of damages for unlawfully erased persons as well as for some other forms of just satisfaction, such as inclusion into health and social security schemes, access to national scholarship and housing programmes, etc. However, under the Act in question only those 'erased' are eligible to restitution, who have already acquired legal status in Slovenia or who have submitted the application for citizenship or residence permit before the prescribed deadline.¹⁰²</p> <p>Many problems with reporting and estimating discrimination against migrants in Slovenia stem from an inadequate status of the Slovenian equality body – <i>Zagovornik</i>.¹⁰³ <i>Zagovornik</i> is <i>de facto</i> a single civil servant within the Ministry of Labour, Family, Social Affairs, and Equal Opportunities. The institution lacks institutional and financial independence, as well as additional personnel. It only has informal investigating</p> |
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⁹⁸ ECtHR, *Kurić and others v. Slovenia*, No. 26828/06, 26 June 2014.

⁹⁹ Mirovni inštitut (2014), *The Erased, Information and documents*, available at: <http://www.mirovni-institut.si/izbrisani/en/legislation/>.

¹⁰⁰ Kogovšek Šalamon, N. (2014), Report on measures to combat discrimination, Directives 2000/43/EC and 2000/78/EC, Country report 2013, Slovenia, Utrecht, Brussels, European network of legal experts in the non-discrimination field, available at: www.non-discrimination.net/law/national-legislation/country-reports-measures-combat-discrimination.

¹⁰¹ Act on restitution of damage for persons who were erased from the Register of Permanent Population (*Zakon o povračilu škode osebam, ki so bile izbrisane iz registra stalnega prebivalstva*), 3 December 2013, available at: www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO6723.

¹⁰² Mirovni inštitut (2014), *The Erased, Information and documents*, available at: <http://www.mirovni-institut.si/izbrisani/en/legislation/>.

¹⁰³ Information provided by *Zagovornik* upon request (phone interview of 13 February 2015). See also Council of Europe, European Commission against Racism and Intolerance (ECRI) (2014), *ECRI Report on Slovenia (fourth monitoring cycle)*, Strasbourg, Council of Europe, 16 September 2014, para. 31-38.

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| | | <p>powers with no sanctioning mechanism, which has all resulted in substantial impediments to its work.¹⁰⁴ These were the main reasons for the infringement procedure initiated by the European Commission on 11 July 2014 due to Slovenia's failure to meet its obligations pursuant to EU Directives 2000/43, 2004/113 and 2006/54. "Specifically, the Commission found that none of the state bodies in Slovenia is authorised to conduct independent studies on discrimination on the grounds of race and ethnicity that are unrelated to the Italian, Hungarian and Roma minorities."¹⁰⁵</p> <p>The only survey exploring discrimination against migrants in Slovenia in the relevant time frame has been carried out in 2013 in the capital, Ljubljana, by <i>Zagovornik</i>, Ekvilib Institute (<i>Ekvilib inštitut</i>) and their partners. It focused on the real estate market. The situational testing revealed discrimination in business practices of real estate agencies in letting out apartments. In 32.5 % of the cases migrants would have been discriminated in their attempts to rent an apartment, i.e. agencies would – under the same conditions – let out apartments to ethnic Slovenians, but not to migrants.¹⁰⁶ The results of the survey received much media attention.</p> <p>Both <i>Varuh</i>¹⁰⁷ as well as <i>Zagovornik</i>¹⁰⁸ reported recent discriminating practices against migrants by different municipal authorities in providing allowances to parents of new-born babies. Some of the municipal authorities condition the financial allowance with the Slovenian nationality of the baby and/or the parents.</p> |
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¹⁰⁴ Ministrstvo za delo, družno in enake možnosti, Služba za enake možnosti in evropsko koordinacijo (2012), *Letno poročilo Zagovornika načela enakosti za leto 2011*. Available at: www.zagovornik.gov.si/si/informacije/letna-porocila/lp-2011.

¹⁰⁵ Kogovšek Šalamon, N., European network of legal experts in the non-discrimination field (2014), 'Equality Body related infringement procedure initiated against Slovenia', News report, 22 August 2014, available at: http://www.non-discrimination.net/content/media/SI-41-Infringement_Procedure.pdf.

¹⁰⁶ Zagovornik načela enakosti (2013), 'Rasna diskriminacija na trgu najemnih stanovanj pogosta', Press release, 24 July 2013, available at: <http://www.zagovornik.gov.si/si/informacije/osvescanje/novice/novica/date/2013/07/24/rasna-diskriminacija-na-trgu-najemnih-stanovanj-pogosta>. Information also provided by *Zagovornik* upon request (written response of 16 February 2015).

¹⁰⁷ Varuh človekovih pravic (2014), *Letno poročilo Varuha človekovih pravic Republike Slovenije za leto 2013*. Ljubljana, June 2014.

¹⁰⁸ Information provided by *Zagovornik* upon request (written response of 16 February 2015).

3. Participation of migrants and their descendants in society

3.1. Political rights at national level

3.1.1. Citizenship acquisition

In this section please provide information about the specific requirements and criteria for citizenship acquisition, if any, that relate to the applicants active participation in society, genuine links or bond to the society or the country, schooling period or other 'socialization' requirements. -Path to citizenship for foreign born third country nationals (the so-called '1st generation')

Please provide information about the specific requirements and criteria for citizenship acquisition, if any, that relate to the applicants active participation in society, genuine links or bond to the society or the country, schooling period or other 'socialization' requirements. - Path to citizenship for country-born (so-called '2nd generation') and country-grown migrant children (so-called '1,5 generation')

For the 1st generation:

The acquisition of Slovenian citizenship is a lengthy and complex process. Adult applicants for 'regular naturalisation' wait 10 years in total and cannot leave Slovenia beyond 60 days/year (except for justifiable reasons, e.g. medical treatment, schooling), which is one of the longest residence requirements in Europe.¹⁰⁹ Additionally, they must renounce their previous citizenship.¹¹⁰

The decision is made by the Administrative Unit (*Upravna enota*) of the applicant's place of residence and revised by the Ministry of the Interior (*Ministrstvo za notranje zadeve, MNZ*), which must give consent.¹¹¹ These two bodies have **full discretion** in determining whether the application is in the national interest. Still they have to ensure that due account is taken of whether there exists a strong bond between the applicant and the Republic of Slovenia.¹¹²

The Citizenship of the Republic of Slovenia Act (*Zakon o državljanstvu Republike Slovenije*),¹¹³ is the main legal document regulating citizenship acquisition.

Article 10 states:

¹⁰⁹ *Migrant Integration Policy Index III*, Brussels, British Council, Migration Policy Group, p. 181, available at: www.mipex.eu/sites/default/files/downloads/migrant_integration_policy_index_mipexiii_2011.pdf

¹¹⁰ Kovič Dine, M., EUDO Citizenship Observatory (2013) Naturalisation Procedures for Immigrants - Slovenia. Badia Fiesolana: European University Institute Florence, Robert Schuman Centre for Advanced Studies, and EUDO Citizenship Observatory, p. 13, available at: https://cadmus.eui.eu/bitstream/handle/1814/29797/NPR_2013_33-Slovenia.pdf?sequence=1

¹¹¹ Article 27b of the Citizenship of the Republic of Slovenia Act (*Zakon o državljanstvu Republike Slovenije*), 25 June 1991, available at: www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO13

English translation available at: eudo-citizenship.eu/admin/?p=file&appl=currentCitizenshipLaws&f=SLV%20Act%20on%20the%20Citizenship%20of%20the%20Republic%20of%20Slovenia_as%20amended%207%20December%202006%20%28English%29.pdf

¹¹² Kovič Dine, M., EUDO Citizenship Observatory (2013) Naturalisation Procedures for Immigrants - Slovenia. Badia Fiesolana: European University Institute Florence, Robert Schuman Centre for Advanced Studies, and EUDO Citizenship Observatory, p. 8-9, available at: https://cadmus.eui.eu/bitstream/handle/1814/29797/NPR_2013_33-Slovenia.pdf?sequence=1.

¹¹³ Citizenship of the Republic of Slovenia Act (*Zakon o državljanstvu Republike Slovenije*), 25 June 1991, available at: www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO13.

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| | <p>'The person shall be considered actually living in the Republic of Slovenia if he/she is physically present in its territory and this is the centre of his/her interests, which is assessed based on his/her occupational, economic, social and other ties that show that there are close and permanent links between the person and the Republic of Slovenia.'</p> <p>It also lists other relevant conditions: 'guaranteed funds' that enable material and social security also for the persons who the applicant has to support; that the applicant has not been sentenced to an unconditional prison sentence longer than three months, or to a conditional prison sentence with a trial period longer than one year; that naturalisation poses no threat to the public order, security or defence of the State; that the applicant has settled all tax obligations.</p> <p>There is no citizenship/integration exam. Applicant must have a 'command of the Slovenian language for the purposes of everyday communication, which they shall prove with a certificate verifying that they successfully passed a basic level exam in Slovenian'.¹¹⁴</p> <p>Article 10 paragraph 4 of warrants some exceptions: the exam is not obligatory for applicants who have completed primary or secondary education in Slovenia (or in Slovenian language on the territories of the neighbouring States, where Slovenian minorities reside), or higher (IV. or VII. level education, after 25 June 1991) in Slovenia, nor if they are at least 60 years old and have been living in Slovenia for the last 15 years.</p> <p>Two other exceptions are possible: Article 12, Paragraph 3 states that the length of residence requirement is shorter if the applicant is married to a Slovenian citizen for at least three years (and uninterrupted residence one year prior to submitting the application). Article 12, Paragraph 9 gives the same option if the applicant has completed at least a higher education programme in Slovenia (seven years, uninterrupted residence one year prior to submitting the application).</p> <p>Citizenship acquisition for 1,5 and 2nd generation migrants depends on parents citizenship acquisition (to a certain age genuine bond is not assessed). If their parents do not obtain citizenship, they are in almost the same position as applicants of the 1st generation.</p> <p>A natural person obtains Slovenian citizenship at birth <i>ex lege</i>: if he/she was born in Slovenia and at least</p> |
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¹¹⁴ Kovič Dine, M., EUDO Citizenship Observatory (2013) Naturalisation Procedures for Immigrants - Slovenia. Badia Fiesolana: European University Institute Florence, Robert Schuman Centre for Advanced Studies, and EUDO Citizenship Observatory, p. 3, available at: http://cadmus.eui.eu/bitstream/handle/1814/29797/NPR_2013_33-Slovenia.pdf?sequence=1.

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| | | <p>one parent is a Slovenian citizen. A child born in a foreign country, one of whose parents is a citizen at the time of the child's birth, shall be granted citizenship by origin if the child, before the age of 18 years, is registered as a citizen, or actually permanently settles in Slovenia with the parent who is a citizen of the Republic of Slovenia. As of 1994, children over fourteen years of age have to give their consent. Such applicants above the age of eighteen can acquire Slovenian citizenship based on a personal declaration for registration. The age limit for this procedure was extended from 23 to 36 years of age in 2002.</p> <p>A minor acquires Slovenian citizenship upon the request of one or both naturalised parents if the child has lived with that parent in Slovenia for at least one year prior to the application. If the child is born in Slovenia, Slovenian citizenship can be acquired before the age of one year. Citizenship may also be granted to a child having no parents or whose parents have lost their parental rights or functional capacity and who has lived in Slovenia since birth on the grounds of a petition by the guardian who is a Slovenian citizen and who lives with the child.¹¹⁵</p> |
| | <p>Debates, issues and challenges concerning the implementation of citizenship policies</p> | <p>Even though the procedure to acquire Slovenian citizenship is regulated by law, the authorities have significant discretionary powers in the procedure. Discrimination by administrative organs is prohibited by the Constitution of the Republic of Slovenia (<i>Ustava Republike Slovenije</i>).¹¹⁶ However, neither the General Administrative Procedures Act (<i>Zakon o splošnem upravnem postopku</i>)¹¹⁷ nor the Citizenship Act contain a measure referring explicitly to the prohibition of discrimination.</p> <p>The current legislation could be regarded discriminatory due to the high discretion of the decision-making authorities. Victims of such discrimination have most often been the most marginalised ethnic and social groups, such as the Roma people and former prisoners'.¹¹⁸</p> |
| | <p>Key developments and trends – case law (please use the</p> | <p>Though the rules on acquisition of Slovenian citizenship have changed several times since the</p> |

¹¹⁵ Medved, F., EUDO Citizenship Observatory (2013) *Country Report: Slovenia*. Badia Fiesolana: European University Institute Florence, Robert Schuman Centre for Advanced Studies, and EUDO Citizenship Observatory, pp. 11-13, available at: <http://eudo-citizenship.eu/admin/?p=file&appl=countryProfiles&f=2013-24-Slovenia.pdf>.

¹¹⁶ Constitution of the Republic of Slovenia (*Ustava Republike Slovenije*), 23 December 1991, available in English at: www.us-rs.si/media/constitution.pdf.

¹¹⁷ General Administrative Procedures Act (*Zakon o splošnem upravnem postopku*), 16 September 1999, available at: www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO1603.

¹¹⁸ Kovič Dine, M., EUDO Citizenship Observatory (2013) *Naturalisation Procedures for Immigrants - Slovenia*. Badia Fiesolana: European University Institute Florence, Robert Schuman Centre for Advanced Studies, and EUDO Citizenship Observatory, p. 11-13, available at: http://cadmus.eui.eu/bitstream/handle/1814/29797/NPR_2013_33-Slovenia.pdf?sequence=1.

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| | <p>template in the Annex 9 to provide information about the cases – here only a simple reference to the case name is required) or new provisions and reforms.</p> | <p>Slovenian independence in 1991, there are no plans for changes to the regulations in the near future.¹¹⁹</p> |
| | <p>Please indicate key and/or milestone dates – e.g. of major reforms - regarding citizenship acquisition for migrants and/or their descendants.</p> | <p>None in the reporting period (2010-2015).</p> <p>A crucial governmental action however occurred soon after the independence and concerns the population of the 'erased'. In 1992, the newly established Republic of Slovenia erased from the registry of permanent residents 25,671 citizens of the former Yugoslavia who had had permanent residence in Slovenia before its independence, because they had not obtained the citizenship of the newly established state in the given time frame. As early as 1999, the Constitutional Court of the Republic of Slovenia (<i>Ustavno sodišče Republike Slovenije</i>) found this measure unconstitutional, whereas in March 2014, the European Court of Human Rights (ECtHR) held in the case <i>Kurić and others v. Slovenia</i> that Slovenia is responsible among other violations also for the breach of Article 14 (Prohibition of discrimination) of the European Convention on Human rights (ECHR)¹²⁰ (see Annex 9 for more details of the case). After several inadequate attempts of the state to repair the situation, a new legislation was adopted in 2010 allowing a wider population of the 'erased' to acquire permanent residence.¹²¹ In June 2014, the Act on restitution of damage for persons who were erased from the Register of Permanent Population (<i>Zakon o povračilu škode osebam, ki so bile izbrisane iz registra stalnega prebivalstva</i>)¹²² came into force, which provides for the restitution of damages for unlawfully erased persons as well as for some other forms of just satisfaction. (see Section 2.3 for more details)</p> |
| | <p>Naturalisation rate - % of migrants that have been naturalized compared to migrant stock and to general population – listing the most numerous groups on the basis of their previous nationality, by gender and age-group if</p> | <p>Data on the naturalisation rate is not being compiled. Data regarding citizenship notes only the current citizenship of a person and not their former or original citizenship.¹²³</p> <p>From data (1 January 2014) on the country of first residence of a person (which frequently collides with country of first citizenship) and current citizenship it is possible to discern the following estimate:</p> |

¹¹⁹ Kovič Dine, M., EUDO Citizenship Observatory (2013) Naturalisation Procedures for Immigrants - Slovenia. Badia Fiesolana: European University Institute Florence, Robert Schuman Centre for Advanced Studies, and EUDO Citizenship Observatory, p. 11, available at: http://cadmus.eui.eu/bitstream/handle/1814/29797/NPR_2013_33-Slovenia.pdf?sequence=1.

¹²⁰ ECtHR, *Kurić and others v. Slovenia*, No. 26828/06, 26 June 2014.

¹²¹ Mirovni inštitut (2014), *The Erased, Information and documents*, available at: <http://www.mirovni-institut.si/izbrisani/en/legislation/>.

¹²² Act on restitution of damage for persons who were erased from the Register of Permanent Population (*Zakon o povračilu škode osebam, ki so bile izbrisane iz registra stalnega prebivalstva*), 3 December 2013, available at: www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO6723.

¹²³ Information provided by the Statistical Office of the Republic of Slovenia (*Statistični urad Republike Slovenije, SURS*) upon request (email and telephone conversation with Ms Barica Razpotnik on 29 April 2015).

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| | <p>available. Please provide the latest available data. The most recent data provided by <u>Eurostat</u> concern the year 2012.</p> | <p>Residents of Slovenia (general population): 2,061,085 persons. 235,310 persons were born abroad (their first residency was abroad), of that 214,226 were residents of third countries, including Croatia (10,4 % = migrant stock), 21,084 from EU-27. From the 214,226 who were residents of third countries, including Croatia, 129,334 persons now have Slovenian citizenship (60,37 % = estimated rate of naturalisation) and 84,892 do not.</p> <p>The most numerous countries of first residence are: Bosnia and Herzegovina (100,039), Croatia (47,703), Serbia (26,915), The former Yugoslav Republic of Macedonia (15,137) and Kosovo (11,132 persons).</p> <p>The number of persons with first residence in other third countries is 13,300. For more detailed information, by gender and age group, please see the special attachment we sent.¹²⁴</p> |
| <p>Numbers of naturalisations and citizenship acquisitions in the last 2 years (in 2013 and in 2014) by mode of acquisition, by gender and age-group if available, and for the 10 most numerous groups on the basis of their previous nationality <i>Please provide the latest available statistics - (please use the relevant table in the Annex 6)</i></p> | | |
| <p>3.1.2.National elections voting rights – turnout</p> | | |
| | <p>Third county nationals are allowed in exceptional cases to vote in national elections. In this section please provide the specific requirements and criteria for participation of citizens of migrant background (and third country nationals in the very few cases where this is foreseen) in national elections, as well as any available data on their voting turnout. Please specify any differences in different geographic areas or by type of national level voting circumstances (e.g. parliament, referendum, president of the republic etc.). In addition to official data and also if such data are not</p> | <p>Migrants can vote in national elections if they obtain Slovenian citizenship and are 18 years old (this applies to elections for the President of the Republic of Slovenia, Deputies of the National Assembly, Members of the European Parliament from Slovenia, and Referendums).¹²⁵</p> <p>There is however an exception to the citizenship requirement: TCNs ('aliens') who perform a relevant activity in one of the special interest areas, or who are employed in Slovenia have active voting rights in elections to the National Council (the second chamber of the Parliament; a representative body for social, economic, occupational and local interests, composed of 40 members: 4 representing employers, 4 representing employees, 4 representing farmers, crafts and small businesses and independent professions, 6 representing non-commercial activities, 22 representing local interests). The National Council is elected indirectly. Voting rights are held only by those who are fellow members of the interest groups</p> |

¹²⁴ All data provided by the Statistical Office of the Republic of Slovenia upon request (written response 4 May 2015).

¹²⁵ Relevant legal framework of the Republic of Slovenia: Article 43, paragraph 2 of the Constitution of the Republic of Slovenia (*Ustava Republike Slovenije*), 28 December 1991, available in English at: www.us-rs.si/media/constitution.pdf; Article 2 of the Election of the President of the Republic Act (*Zakon o volitvah predsednika republike*), 7 August 1992, available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO100>; Article 7 of the National Assembly Elections Act (*Zakon o volitvah v državni zbor*), 12 September 1992, available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO185>; Article 10 of the Election of Slovenian Members to the European Parliament Act (*Zakon o volitvah poslancev iz Republike Slovenije v evropski parlament*), 14 November 2002, available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO3401>; Article 35 of the Referendum and Popular Initiative Act (*Zakon o referendumu in o ljudski iniciativi*), 18 March 1994, available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO324>.

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| | <p>available, make reference to any relevant quantitative or qualitative academic research concerning the exercise of the right to vote and related drivers and barriers.</p> | <p>guaranteed representation. Elections are conducted by special electoral bodies. Regulating standing for election is left entirely at the discretion interest of organisations and local communities.¹²⁶</p> <p>According to the 'State Election Commission' (<i>Državna volilna komisija, DVK</i>) there have been no public initiatives that TCNs should also have passive voting rights in elections of the National Council, or that TCNs should be able to vote or be elected in other national level elections.</p> <p>No official or non-official data is being collected on the voting turnout of any of the mentioned categories (citizens of migrant background in any type of national elections or TCNs in elections to the National Council).¹²⁷</p> |
| | <p>Please indicate any programmemes or information campaigns aiming at informing citizens of migrant background about their political rights and encouraging the exercise of the right to vote.</p> | <p>No such campaigns or programmes exist, nor are being planned.¹²⁸</p> |

3.1.3.National level election – representation

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| | <p>The number of candidates with migrant background (where available, specify own or parent's country of birth) at the latest national level elections (specify date).</p> | <p>No such data (on national or ethnic origin of candidates) is being collected.¹²⁹</p> <p>According to the Slovene Philanthropy, Association for promotion of voluntary work (<i>Slovenska filantropija, Združenje za promocijo prostovoljstva</i>), a leading organisation in the field of migrant integration in Slovenia, there has been almost no political participation of Slovenia's 100,000 adult 'immigrants'.¹³⁰ Through the project 'Fostering political participation and policy involvement of immigrants in 9 Central and Eastern EU countries' it encouraged the candidature of Mr Ibrahim Nouhoum who (by their knowledge) became the first African Slovenian to run for Deputy of the National Assembly (elections of 13 June 2014).¹³¹</p> |
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¹²⁶ Information provided by the DVK upon request (written response of 13 February 2015; Additional information available at: www.dvk-rs.si/index.php/en/elections/national-council. Legal basis: Slovenia, National Council Act (*Zakon o državnem svetu*), 12 September 1992, available at: www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO229.

¹²⁷ Information provided by the DVK upon request (written response of 13 February 2015).

¹²⁸ Information provided by the DVK upon request (written response of 13 February 2015).

¹²⁹ Information provided by the DVK upon request (written response of 13 February 2015).

¹³⁰ The article referred to *priseljenci*, meaning all (adult) immigrants to Slovenia. It is not clear to which group of immigrants the estimated number referred to. Request for clarification was sent to the Slovene Philanthropy, Association for promotion of voluntary work (*Slovenska filantropija, Združenje za promocijo prostovoljstva*) on 28 April 2015, request pending.

¹³¹ Republic of Slovenia State Election Commission (2014), Republic of Slovenia Early Elections for Deputies to the National Assembly 2014, Result of a list, by constituency, 13 June 2014, available at:

http://volitve.gov.si/dz2014/en/rezultati/rez_liste4.html. See also www.filantropija.org/spodbujanje-politice-participacije-priseljencev/ for details on the action.

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| The number of elected representatives with migrant background at national level (e.g. parliament, senate). | No official data available, no media reports on this topic. ¹³² |
| Those appointed to public office (e.g. ministers, secretaries of state, etc.) by end of 2014. | No official data available, no media reports on this topic. ¹³³ |

3.2. Political rights at regional/local level

3.2.1. Regional/Local elections voting rights – turnout

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| Specify what regional/local voting rights are given to third country nationals and any different entitlements according to residence status, permit type or length of stay etc | In accordance with Article 5 of the Local Elections Act (<i>Zakon o lokalnih volitvah</i>), ¹³⁴ TCNs with a permanent residence permit and registration of permanent residence at an address in Slovenia have the right to vote in local elections (for members to the municipal council of the municipality where they have registered their permanent residence), but cannot stand as candidates. |
| Key and/or milestone dates regarding the voting and/or election rights for migrants and/or their descendants at regional/local level | TCNs were given the right to vote in local elections in accordance with the amendments to Article 5 of the Local Elections Act (<i>Zakon o lokalnih volitvah</i>), ¹³⁵ passed in 2002. |
| Please indicate any programmes or information campaigns aiming at informing citizens of migrant background about their political rights and encouraging the exercise of the right to vote. | No such campaigns or programmes exist. All voters receive a personalized 'voter notification letter' by post that provides information on the day, time and place of the up-coming elections. ¹³⁶ |
| In addition to official data and also if such data are not available, make reference to any relevant quantitative or qualitative academic research concerning the exercise of the | Data on voting turnout in local elections, broken down by citizenship, nationality or ethnicity is not being collected in Slovenia. According to the Ministry of Public Administration "this would be a breach of the guarantee of the secret ballot". ¹³⁷ The number of legally residing immigrants of voting |

¹³² Information provided by the DVK upon request (written response of 13 February 2015). Desk research for media articles found no media articles on this topic.

¹³³ Information provided by the DVK upon request (written response of 13 February 2015). Desk research for media articles found no media articles on this topic.

¹³⁴ Local Elections Act (*Zakon o lokalnih volitvah*), 31 December 1993, available at: www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO308.

¹³⁵ Act Amending the Local Elections Act (*Zakon o spremembah in dopolnitvah zakona o lokalnih volitvah (ZLV-D)*), Art. 1, 11 June 2002, available at: www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO3345.

¹³⁶ Information provided by the Ministry of Public Administration, Local Self-Government Service (*Ministrstvo za javno upravo, Služba za lokalno samoupravo*) upon request (written response of 25 February 2015).

¹³⁷ Information provided by the Ministry of Public Administration, Local Self-Government Service (*Ministrstvo za javno upravo, Služba za lokalno samoupravo*) upon request (written response 25 February 2015).

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| | right to vote and related drivers and barriers. | age from third countries with permanent residence is 52,575 or 3.06% of eligible voters. An overwhelming majority (49,486 or 94.12%) of the legally residing immigrants of voting age from third countries with permanent residence most, come from the former Yugoslav republics. ¹³⁸ |
| 3.2.2.Regional/local level election – representation | | |
| | The number of candidates that were third country nationals and/or with migrant background at the latest regional/local level elections (specify date) | No such data is available. According to the Ministry of Public Administration collecting data (by asking the candidate) about the candidate's origin, or registering candidates by their origin, would be unlawful. ¹³⁹ |
| | The number and % of elected representatives with migrant background at regional/local level (e.g. municipalities, regions, prefectures etc.) | No such official data is available. ¹⁴⁰ |
| | Those who were elected or appointed to a high public office (e.g. mayor, vice mayor etc.) by end of 2014. | Only individual cases may be identified as no official data exist: Media reports emphasise the election of Eastern Europe's first black mayor in 2010. Mr. Peter Bossman who, born in Ghana came to study medicine in Slovenia in 1980's and made a life here after marrying a fellow doctor of Croatian origin, became the mayor of the municipality of Piran. ¹⁴¹ Another example is the long time mayor of Ljubljana, Mr. Zoran Janković (born and partially raised in the southern part of Serbia). ¹⁴² |
| | Please identify related limitations and challenges or public debates, as well as relevant research, studies and | There have been no public initiatives that TCNs should have passive voting rights in local elections. ¹⁴³ The political participation of third country nationals and their electoral rights are not at all the subject of |

¹³⁸ Migrant Participation Project (2014) *Analysis of electoral participation of third country nationals in Slovenia*, p. 3, available at: www.migrant-participation.eu/soubory/7.pdf; see also Accetto, M., EUDO Citizenship Observatory (2013), *Access to Electoral Rights Slovenia*, Badia Fiesolana: European University Institute Florence, Robert Schuman Centre for Advanced Studies, and EUDO Citizenship Observatory, pp. 3, 5, 9, available at: http://cadmus.eui.eu/bitstream/handle/1814/29824/ER_2013_18-Slovenia-FRACIT.pdf?sequence=1; and Medved, F. (2002) 'Volilna pravica tujcev s stalnim prebivališčem kot prispevek integraciji in lokalni samoupravi' (Electoral rights of foreigners with permanent residence as a contribution to integration and local self-government), *Razprave in gradivo: Revija za narodnostna vprašanja*, No. 40, pp. 22-39.

¹³⁹ Information provided by the Ministry of Public Administration, Local Self-Government Service (*Ministrstvo za javno upravo, Služba za lokalno samoupravo*) upon request (written response of 25 February 2015).

¹⁴⁰ Information provided by the Ministry of Public Administration, Local Self-Government Service (*Ministrstvo za javno upravo, Služba za lokalno samoupravo*) upon request (written response of 25 February 2015).

¹⁴¹ An interesting fact is that only foreign media emphasise the national origin of mayor Bossman's wife (see www.bbc.com/news/world-europe-11616879), this is not mentioned in the Slovenian media (only some commentators of internet forums do so, but in a seemingly offensive fashion).

¹⁴² Huč, M., SLOGA – Slovenian Global Action (2012) presentation at "Bridging the Gap" International Conference on Migration & Development (23-24 January 2012), *Summary Report CoMiDe Conference*, May 2012, p. 18, available at: [www.mirovni-](http://www.mirovni-institut.si/data/tinymce/Projekti/comide_lana/Report_CoMiDe%20Conference_23%20and%2024%20Jan.%202012.pdf)

[institut.si/data/tinymce/Projekti/comide_lana/Report_CoMiDe%20Conference_23%20and%2024%20Jan.%202012.pdf](http://www.mirovni-institut.si/data/tinymce/Projekti/comide_lana/Report_CoMiDe%20Conference_23%20and%2024%20Jan.%202012.pdf). See also presentation of Ljubljana's mayor: The City of Ljubljana (2015), 'Zoran Janković, Mayor of the City of Ljubljana' available at: www.ljubljana.si/si/mol/zupan/.

¹⁴³ Information provided by the DVK upon request (written response of 13 February 2015).

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| assessments. | political discussion and also not a public discourse in the media. ¹⁴⁴ |
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3.3.Consultation

3.3.1.Consultative bodies at national/regional/local level

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| <p>Are there any migrants' consultative bodies in place at national / regional/ local level foreseen and/or operational in practice? Since when and on which legal basis (please provide reference). Please specify whether migrants' consultative/advisory/representative bodies are established by law or other type of normative regulation, policy or practice.</p> | <p>National legislation does not provide for any migrants' consultative bodies in the proper sense of the word, in spite of some initiatives in the area. According to the Ministry of the Interior (<i>Ministrstvo za notranje zadeve, MNZ</i>) the main problem preventing their realisation is the issue of guaranteeing proper representation.¹⁴⁵</p> <p>There are two relevant bodies:</p> <p>1) The Council for the Inclusion of Aliens (<i>Svet za vključevanje tujcev</i>) The Council surprisingly does not include a single representative of migrants. Members are appointed by the government from ministries, union of municipalities and NGOs, but not from (im)migrant associations. In its present form the Council is not representative, democratic or autonomous.¹⁴⁶ It reports and was established by the Government with resolution no. 01301-5/2012/3 of 23 August 2012. It was constituted for the first time under the name Council for the Integration of Aliens (<i>Svet za integracijo tujcev</i>) on 9 October 2008.</p> <p>2) Council to the Government of the Republic of Slovenia for issues regarding members of the minority groups from nations of former Yugoslavia in the Republic of Slovenia (<i>Svet Vlade Republike Slovenije za vprašanja narodnih skupnosti pripadnikov narodov nekdanje SFRJ v Republiki Sloveniji</i>) On 12 May 2011 the Council to the Government of the Republic of Slovenia for issues regarding members of the minority groups from nations of former Yugoslavia in the Republic of Slovenia (<i>Svet Vlade Republike Slovenije za vprašanja narodnih skupnosti pripadnikov narodov nekdanje SFRJ v Republiki Sloveniji</i>), (hereinafter: <i>Svet pripadnikov narodov nekdanje SFRJ</i>) was established on the basis of the Declaration of the Republic of Slovenia on the situation for members of the minority groups from nations of former Yugoslavia in the Republic of Slovenia (<i>Deklaracija Republike Slovenije o položaju narodnih skupnosti pripadnikov</i></p> |
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¹⁴⁴ Migrant Participation Project (2014) *Analysis of electoral participation of third country nationals in Slovenia*, p. 3, available at: www.migrant-participation.eu/soubory/7.pdf.

¹⁴⁵ Information provided by the Ministry of the Interior, Internal Administrative Affairs, Migration, and Naturalization Directorate (*Ministrstvo za notranje zadeve, Direktorat za upravne notranje zadeve, migracije in naturalizacijo*) upon request (written response of 12 March 2015).

¹⁴⁶ *Migrant Integration Policy Index III*, Brussels, British Council, Migration Policy Group, p. 180, available at: www.mipex.eu/sites/default/files/downloads/migrant_integration_policy_index_mipexiii_2011.pdf.

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| | | <p><i>narodov nekdanje SFRJ v Republiki Sloveniji</i>) which was adopted by the National Assembly, with a two third majority.¹⁴⁷</p> |
| <p>What is the mandate of the body – duration and procedures? In particular specify if and by which modalities these bodies are competent to participate in consultations only on migration or integration issues or if they participate also in consultations on other issues? How do these bodies work in practice?</p> | | <p><i>Svet za vključevanje tujcev:</i></p> <p><i>Svet za vključevanje tujcev</i> was constituted with the aim of integrating different areas of inclusion of foreigners, the exchange of relevant information and “the possibility of a common approach of inclusion of foreigners”, in order to avoid the duplication of tasks. It gives recommendations on national programs, participates in drafting legislation, monitors the implementation of integration measures, analyses the current situation.¹⁴⁸ There are no publicly available written documents, except for the year 2013, when the annual report was made public. The annual reports, provided for by the Ministry of the Interior, Internal Administrative Affairs, Migration, and Naturalization Directorate (<i>Ministrstvo za notranje zadeve, Direktorat za upravne notranje zadeve, migracije in naturalizacijo</i>)¹⁴⁹ state that at meetings members discussed developments and changes of legislation, projects in which members participated or events that occurred, and made brief recommendations on the areas that need to receive more attention (e.g. language learning in 2010, the establishment of a national focal point were all information on projects for migrants will be gathered (has not been established) and enhancing participation of the local community in 2011, no recommendations in 2012, recommendation for members of immigrants to be appointed to the <i>Svet</i> in 2013).</p> <p><i>Svet pripadnikov narodov nekdanje SFRJ</i> was set up as an advisory body to the Government, meaning its’ mandate expires with each current Government:</p> <ul style="list-style-type: none"> - Established 12 May 2011 – abolished 24 May 2012 (by the Government for budgetary reasons). - Reinstated 22 August 2013 – mandate expired due to early elections 13 July 2014. - Reinstated, new members appointed 26 February 2015, first session convened for 26 March 2015. <p>No documents regarding its work have been made</p> |

¹⁴⁷ ‘Declaration of the Republic of Slovenia on the situation for members of the minority groups from nations of former Yugoslavia in the Republic of Slovenia’ (*Deklaracija Republike Slovenije o položaju narodnih skupnosti pripadnikov narodov nekdanje SFRJ v Republiki Sloveniji*), 4 February 2011, available at: www.pisrs.si/Pis.web/pregledPredpisa?id=DEKL32.

¹⁴⁸ Government of the Republic of Slovenia, Predlog za seznanitev z Letnim poročilom Sveta za vključevanje tujcev za leto 2013 – gradivo za obravnavo, 14 February 2014, available at: [http://vrs-3.vlada.si/MANDAT13/vladnagrada.nsf/aa3872cadf1c8356c1256efb00603606/237d651ceae06d5fc1257c83003af1ee/\\$FILE/VG-SVET13_podpisano.pdf](http://vrs-3.vlada.si/MANDAT13/vladnagrada.nsf/aa3872cadf1c8356c1256efb00603606/237d651ceae06d5fc1257c83003af1ee/$FILE/VG-SVET13_podpisano.pdf). See also Migrant Integration Policy Index III, Brussels, British Council, Migration Policy Group, p. 180, available at: www.mipex.eu/sites/default/files/downloads/migrant_integration_policy_index_mipexiii_2011.pdf.

¹⁴⁹ Annual reports (for 2012, 2011, 2010) of *Svet za vključevanje tujcev*, which are not publicly available, provided by the Ministry of the Interior, Internal Administrative Affairs, Migration, and Naturalization Directorate (*Ministrstvo za notranje zadeve, Direktorat za upravne notranje zadeve, migracije in naturalizacijo*) upon request (written response 31 March 2015).

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| | publicly available, they were, however, provided upon request. ¹⁵⁰ The abolishment was reported in <i>Varuh's</i> annual report, ¹⁵¹ the appointment of new members published in the Government's press releases. ¹⁵² |
| | Based on existing evidence both bodies deal only with migrants' issues. |
| Frequency of convening of the body/-ies/ meetings with competent public authorities. What is foreseen and how is it implemented in practice? | Government officials are members in both bodies. The frequency of meetings is not foreseen for either body. <i>Svet za vključevanje tujcev</i> had three meetings in 2013 , ¹⁵³ one meeting in 2012 and four meetings in 2011. The body's annual report for 2010 does not state how many meetings were convened in 2010. ¹⁵⁴ No other information available. <i>Svet pripadnikov narodov nekdanje SFRJ</i> : Members from public authorities (one official each from the Ministry of Culture; Ministry of Education, Science and Sport; Ministry of the Interior; Ministry of Foreign Affairs; Office of the Government of the Republic of Slovenia for National Minorities and the Public Fund of the Republic of Slovenia for Cultural Activities (<i>Javni sklad Republike Slovenije za kulturne dejavnosti, JSKD</i>). Plus one member from each of the six minority groups represented. Meetings are convened by the President of the body (currently the State Secretary of the Ministry of Culture). 1 st mandate (12 May 2011 –24 May 2012) two meetings held. 2 nd mandate (22 August 2013 –13 July 2014) three meetings (17 October 2013, 28 January 2014, and 15 April 2014). |
| Role in relation to other public or private bodies. Is there a statutory role of coordination | <i>Svet za vključevanje tujcev</i> : no evidence. The Government was informed of its work of 2013 with a 1 page long annual report. ¹⁵⁵ |

¹⁵⁰ Data provided by the Ministry of Culture, Office for Cultural Diversity and Human Rights (*Ministrstvo za kulturo, Služba za kulturne raznolikosti in človekove pravice*) that carries out administrative and technical tasks for the Svet pripadnikov narodov nekdanje SFRJ (written response of 25 March 2015).

¹⁵¹ Varuh človekovih pravic (2013), *Letno poročilo Varuha človekovih pravic Republike Slovenije za leto 2012*, ('Annual Report of the Human Rights Ombudsman of the Republic of Slovenia'), Ljubljana, June 2013, p. 54, available at: www.varuh-rs.si/fileadmin/user_upload/pdf/lp/Letno_porocilo_Varuha_2012.pdf.

¹⁵² Government of the Republic of Slovenia (2013) *Government press release on the 20th regular session of the Government*, 22 August 2013; Government of the Republic of Slovenia, *Government press release on the 41th regular session of the Government*, 16 January 2014, available at: www.vlada.si/fileadmin/dokumenti/si/Sporocila_za_javnost/2014/sev114-41.pdf; Government of the Republic of Slovenia, *Government press release on the 24th regular session of the Government*, 26 February 2015, available at: www.vlada.si/fileadmin/dokumenti/si/Sporocila_za_javnost/2015/sev124-2015.pdf.

¹⁵³ Government of the Republic of Slovenia, *Predlog za seznanitev z Letnim poročilom Sveta za vključevanje tujcev za leto 2013 – gradivo za obravnavo*, 14 February 2014, available at: [http://vrs-3.vlada.si/MANDAT13/vladnagrada.nsf/aa3872cadf1c8356c1256efb00603606/237d651ceae06d5fc1257c83003af1ee/\\$FILE/VG-SVET13_podpisano.pdf](http://vrs-3.vlada.si/MANDAT13/vladnagrada.nsf/aa3872cadf1c8356c1256efb00603606/237d651ceae06d5fc1257c83003af1ee/$FILE/VG-SVET13_podpisano.pdf).

¹⁵⁴ This information comes from annual reports (for 2012, 2011, 2010) of *Svet za vključevanje tujcev*, which are not publicly available, provided by the Ministry of the Interior, Internal Administrative Affairs, Migration, and Naturalization Directorate (*Ministrstvo za notranje zadeve, Direktorat za upravne notranje zadeve, migracije in naturalizacijo*) upon request (written response 31 March 2015).

¹⁵⁵ Government of the Republic of Slovenia, *Predlog za seznanitev z Letnim poročilom Sveta za vključevanje tujcev za leto 2013 – gradivo za obravnavo*, 14 February 2014, available at: [http://vrs-](http://vrs-3.vlada.si/MANDAT13/vladnagrada.nsf/aa3872cadf1c8356c1256efb00603606/237d651ceae06d5fc1257c83003af1ee/$FILE/VG-SVET13_podpisano.pdf)

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| | <p>and cooperation with other public or private stakeholders foreseen? How is this implemented in practice?</p> | <p><i>Svet pripadnikov narodov nekdanje SFRJ</i>: in accordance with its Rules of Procedure (<i>Poslovnik o delu Sveta Vlade Republike Slovenije za vprašanja narodnih skupnosti pripadnikov narodov nekdanje SFRJ v Republiki Sloveniji</i>) it annually informs the Government and the National Assembly about its work.</p> |
| | <p>Participation in decision-making (consultative, observer status, voting right etc.). Are such bodies competent to participate in decision-making at national/regional/local level in regard to the design, implementation, assessment and/or review of integration-specific, migration or other policies of general interest? Are such bodies and/or their representatives participating in any way to allocation, distribution, monitoring, evaluation or management of funding social inclusion and integration policies, measures and programmes at national level?</p> | <p><i>Svet pripadnikov narodov nekdanje SFRJ</i> is an advisory body. It can address issues, monitor respect for human rights and the implementation of measures for the conservation, development and promotion of ethnic identity (e.g. religion, culture, access to the media, creating own productions in national language, the possibility of unhindered contacts with their nation of origin), adopt positions on proposals of the Government, give proposals to adopt further measures on many, practically any, matter that concerns members of these minorities. However, it has no binding powers, no direct participation in decision making and no influence on funding.¹⁵⁶ However on the second meeting in its 1st mandate representatives of the minority groups presented to other members (government officials) a report on fields of activities that suffer from lack of funding. As mentioned, in the current mandate, the president of <i>JSKD</i> is a member. No evidence if this has any informal effect.</p> <p>The representative of minority group members from the former Yugoslav Republic of Macedonia and vice president of The Union of Unions of cultural associations of former Yugoslavia's constitutive nations and nationalities in Slovenia (ExYumco) (<i>Zveza zvez kulturnih društev konstitutivnih narodov in narodnosti razpadle SFRJ v Sloveniji, Zveza zvez</i>) claims that the body is inoperative, has no professional support and thus no chance for the realization of goals set out in the aforementioned Declaration on the basis of which it was constituted.¹⁵⁷</p> |
| | <p>What are the modalities for representation and participation of migrants, e.g. elections, designation etc.? What is foreseen and how is it implemented in practice?</p> | <p>Members of both bodies are officially appointed by the Government.</p> <p><i>Svet za vključevanje tujcev</i>: The first elections for three representatives of 'persons with immigrant background' were held on 30 March 2015. The elections were managed by the NGO <i>Slovenska filantropija</i> within the project 'Fostering political participation and policy involvement of immigrants in 9 Central and Eastern EU countries', financed by the EU. The</p> |

[3.vlada.si/MANDAT13/vladnagradaiva.nsf/aa3872cadf1e8356c1256efb00603606/237d651ceae06d5fc1257e83003af1ee/\\$FILE/VG-SVET13_podpisano.pdf](http://3.vlada.si/MANDAT13/vladnagradaiva.nsf/aa3872cadf1e8356c1256efb00603606/237d651ceae06d5fc1257e83003af1ee/$FILE/VG-SVET13_podpisano.pdf).

¹⁵⁶ Data provided by the Ministry of Culture, Office for Cultural Diversity and Human Rights (*Ministrstvo za kulturo, Služba za kulturne raznolikosti in človekove pravice*) that carries out administrative and technical tasks for the *Svet pripadnikov narodov nekdanje SFRJ* (written response of 25 March 2015).

¹⁵⁷ Data provided by the representative of the Association of cultural societies of nations of former Yugoslavia in Slovenia (*Zveza zvez kulturnih društev narodov nekdanje Jugoslavije v Sloveniji*), Ilija Dimitrievski, upon request (written response of 25 March 2015).

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| | | <p>elections were also announced on the website for foreigners www.infotujci.si.¹⁵⁸</p> <p>Candidates were able to apply from 10 to 17 March 2015. Out of the 16 candidates that registered, three were elected by all present and then formally appointed by the Government. No evidence on the procedure of registration of voters.</p> <p><i>Svet pripadnikov narodov nekdanje SFRJ</i>: the representatives of 6 minority groups (Albanians, Bosnians, Montenegrins, Croats, Macedonians and Serbians) are chosen by the minorities themselves (from members of cultural and civil society organisations).¹⁵⁹ No evidence how this is done (procedure, elections) has been identified.¹⁶⁰</p> |
| | <p>On which criterion are migrant groups represented (migrant status, foreign-born, foreign nationality etc.)? What is foreseen and how is it implemented in practice?</p> | <p><i>Svet za vključevanje tujcev</i>: from the three representatives one will represent the area of former Yugoslavia (eight candidates), one the territory of the Member States of EU (two candidates) and one all other countries (six candidates).¹⁶¹</p> <p><i>Svet pripadnikov narodov nekdanje SFRJ</i>: we were not able to find any data.¹⁶²</p> |
| | <p>Is there any evidence through formal evaluations or academic research on awareness about such national level consultative bodies among migrants and their descendants, and among the general public?</p> | <p>No evidence.¹⁶³</p> |

3.4. Participation in trade-unions and professional association

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| | <p>In this section based on available data, research, surveys, studies, etc. please provide information about:</p> <p>Membership and participation of migrant workers in <u>workers' unions and craft associations</u>:</p> | |
| | <p>Are there any legal or practical limitations or barriers for the membership of migrant workers in trade unions and</p> | <p>No legal barriers.</p> <p>According to the Association of Free Trade Unions of Slovenia (<i>Zveza svobodnih sindikatov Slovenije, ZSSS</i>) there are many practical barriers for membership in</p> |

¹⁵⁸ Announcement available at: www.infotujci.si/obvestila.php?id=34.

¹⁵⁹ Government of the Republic of Slovenia, *Government press release on the 24th regular session of the Government*, 26 February 2015, available at: www.vlada.si/fileadmin/dokumenti/si/Sporocila_za_javnost/2015/sevl24-2015.pdf.

¹⁶⁰ Data provided by the Ministry of Culture, Office for Cultural Diversity and Human Rights (*Ministrstvo za kulturo, Služba za kulturne raznolikosti in človekove pravice*) that carries out administrative and technical tasks for the *Svet pripadnikov narodov nekdanje SFRJ* (written response 25 March 2015).

¹⁶¹ Information available at: www.filantropija.org/razpisujemo-postopek-izbora-v-svet-za-vkljucjevanje-tujcev/; www.filantropija.org/kandidati-za-svet-za-vkljucjevanje-tujcev/.

¹⁶² Data provided by the Ministry of Culture, Office for Cultural Diversity and Human Rights (*Ministrstvo za kulturo, Služba za kulturne raznolikosti in človekove pravice*) that carries out administrative and technical tasks for the *Svet pripadnikov narodov nekdanje SFRJ* (written response 25 March 2015).

¹⁶³ In addition to desk research and COBISS (Slovenian common library system) key word search, we posed this question to *Svet pripadnikov narodov nekdanje SFRJ*, which replied with names of several authors that did research on the topic of members of nations of the former Yugoslavia in Slovenia (written response on 25 March 2015), but following additional desk research we determined that they did not in fact conduct research on this topic.

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| | craft associations? | trade unions: lack of information, lack of free time, territorial distance (e.g. drivers in international transport), fear of retaliation from employer (loss of permit with which employers often threaten), ¹⁶⁴ feelings of helplessness. ¹⁶⁵ No evidence concerning craft organisations – according to The Chamber of Craft and Small Business of Slovenia (<i>Obrtno-podjetniška zbornica Slovenije, OZS</i>) there are no migrant workers among their members. ¹⁶⁶ |
| | Do workers' associations encourage and support membership and participation of migrant workers? E.g. through information and raising awareness initiatives in more languages, translation and language support services etc. | The ZSSS reports on having been very active for years, trying to improve the situation (or plight) that migrant workers often face in Slovenia. They encourage membership, but also established the Migrant counselling office (<i>Svetovalnica za migrante</i>), available for all migrant workers (and employers) at least until June 2015, with a free of charge telephone number, office hours in 12 cities in Slovenia. The office provides free services: information and advice on workers' rights; legal assistance in procedures for the exercise and protection of workers' rights; advocacy; reporting violations to supervisory bodies and law enforcement bodies; providing training for the most vulnerable target groups of migrants, refugees and asylum seekers to boost their career prospects. ¹⁶⁷ Counsellors speak different languages, provide personal assistance to migrants when contacting government authorities (e.g. Administrative Units, Health Insurance Offices), translate and help write documents (from April 2014 to October they gave information 2,510, counselling 979 and legal assistance 92 times). The ZSSS also publishes pamphlets in different languages, does field work (is present at resting places for truck drivers, from April 2014 to October 2014 it gave information 704 times in such instances). ¹⁶⁸ |
| | What is the rate of participation (figures and % of association members, figures and % of migrant professionals as members, or descriptive data if statistical data is not available) of migrant workers in the most representative | There are no such statistics, as "records of membership are not filed according to nationality, ethnic origin or any other affiliation." ¹⁶⁹ Such data is also not being compiled by the government. ¹⁷⁰ |

¹⁶⁴ Even though The Employment Relationship Act in Article 6, paragraph 1 explicitly prohibits discrimination in employment on the grounds of membership in a trade union (The Employment Relationship Act (*Zakon o delovnih razmerjih*), 13 March 2013, available at: www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO5944).

¹⁶⁵ Data provided by the ZSSS upon request (written response of 26 February 2015).

¹⁶⁶ Data provided upon request by the OZS (written response of 23 March 2015).

¹⁶⁷ The programme is part of the project "Promotion of employability, education and social integration of migrant workers and their families", launched by the Employment Service of Slovenia and co-financed by the EU (Information for foreigners, *Advisory services for migrants*, available at: <http://infotujci.si/s/18/advisory-services-for-migrants>).

¹⁶⁸ Data provided by the ZSSS upon request (written response of 26 February 2015).

¹⁶⁹ Data provided by the ZSSS upon request (written response of 26 February 2015).

¹⁷⁰ Data provided by the Ministry of Labour, Family, Social Affairs and Equal Opportunities, field of Labour market and employment (*Ministrstvo za delo, družino, socialne zadeve in enake možnosti, Direktorat za trg dela in zaposlovanje*) upon request (written response of 10 March 2015).

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| workers' unions and associations? Please specify the geographic and workforce range/type of associations (referring to national, regional, local and to the range of workers represented and degree of association). | |
| Are migrant workers elected as representatives of trade unions and workers' or craft associations? Please provide figures if available, and report the related legal or practical limitations or barriers, eventually faced by migrant workers. | There are no legal limitations. No data is available (as no such records are being compiled). ¹⁷¹ |
| Are there differences between associations for high and low skill workers, different industries and trades, and/or different geographic area of country of origin, citizenship or birth or gender? | There is no information available to support such conclusions, regarding such differences in terms of membership and participation. ¹⁷² . Regarding use of support services, the ZSSS reports that truck drivers in international transport are more prone to use the internet than other migrant workers, e.g. workers in construction or cleaning services. ZSSS also reports that migrant workers visit <i>Svetovalnica za migrante</i> office in Ljubljana more often than its' offices in other cities, which may show that migrant workers working in the Central Slovenia region are more informed about support services. ¹⁷³ |
| Membership and participation of migrant entrepreneurs and expert professionals to professional and scientific associations: | |
| Are there any legal or practical limitations or barriers for the membership of migrant workers in professional, employer and scientific associations (such as medical, engineer, bar associations)? | <p>Attorneys and notaries:</p> <ul style="list-style-type: none"> - On the condition of reciprocity. - The candidate must prove that he/she was allowed to practise law in the country where their status of lawyer or notary was obtained. - Active knowledge of Slovenian. - Test examination of knowledge of the legal system of the Republic of Slovenia.¹⁷⁴ <p>Judges and notaries must also pass the Slovenian State Bar Exam, judges must have Slovenian citizenship.¹⁷⁵</p> |

¹⁷¹ Data provided by the ZSSS upon request (written response of 26 February 2015).

¹⁷² Desk research found no studies on this topic. The question was posed to the OZS, which replied that there are 'no migrant workers among their members' (written response of 23 March 2015). As also mentioned above, the ZSSS keeps no records of membership according to nationality or ethnic origin (written response of 26 February 2015). Data on membership is not being compiled by the government, which also did not provide any studies on this topic (written response of 10 March 2015 from the Ministry of Labour, Family, Social Affairs and Equal Opportunities, field of Labour market and employment (*Ministrstvo za delo, družino, socialne zadeve in enake možnosti, Direktorat za trg dela in zaposlovanje*)).

¹⁷³ Data provided by the ZSSS upon request (written response of 26 February 2015).

¹⁷⁴ Attorneys Act (*Zakon o odvetništvu*), 9 April 1993, Articles 34.a, 34.f and 25, available at: <http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO265>; Slovenia, Decree on test examination for lawyers from other countries (*Uredba o preizkusnem izpitu za odvetnike iz drugih držav*), 10 December 2004, available at: <http://pisrs.si/Pis.web/pregledPredpisa?id=URED3486>.

¹⁷⁵ Notary Act (*Zakon o notariatu*), 10 March 1994, Article 8, available at: <http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO1329>; Judicial Service Act (*Zakon o sodniški službi*), 13 April 1994, Article 8, available at: <http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO334>.

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| | | <p>Doctors:</p> <ul style="list-style-type: none"> - Recognition of a diploma or specialist title obtained abroad. - Certificate on knowledge of Slovenian language. - Professional qualifications exam.¹⁷⁶ <p>The Slovenian Chamber of Engineers (<i>Inženirska zbornica Slovenije, IZS</i>) replied there are no special limitations for migrants. Migrants must have the same qualifications as Slovenian citizens (adequate level and type of education, professional qualifications exam, work experience).¹⁷⁷</p> |
| | <p>Do professional associations encourage and support membership and participation of migrant professionals? E.g. through information and raising awareness initiatives in more languages, translation and language support services etc.</p> | <p>No evidence of special activities could be found, except in the case of the Medical Chamber of Slovenia (<i>Zdravniška zbornica Slovenije, ZZS</i>) which has very detailed information published on its website (only in Slovenian) and three clerks just for assisting foreign nationals who wish to become doctors in Slovenia.¹⁷⁸</p> <p>The Slovenian Chamber of Engineers (<i>Inženirska zbornica Slovenije, IZS</i>) replied that they provide migrants with language support services and consultation on gathering the necessary supporting documents to become a member (proof of adequate level and type of education, professional qualifications exam, work experience).¹⁷⁹</p> |
| | <p>What is the rate of participation and membership (figures and % of association members, figures and % of migrant professionals as members, or descriptive data if statistical data is not available) of migrant professionals in the most representative professional, employers' and scientific unions and associations? Please specify the geographic and workforce range/type of associations (referring to national, regional, local and to the range of professional represented and degree of association)</p> | <p>Doctors:</p> <p>The ZZS has 9,917 members, 7.3 % are migrants (TCNs, including Croats).¹⁸⁰ As of 24 March 2015, 461 migrants work as doctors in Slovenia's medical facilities. The vast majority (447) work in public health care facilities, 14 migrant doctors are employed by private providers.¹⁸¹ The Nurses and Midwives Association of Slovenia (<i>Zbornica zdravstvene in babiške nege Slovenije – Zveza strokovnih društev medicinskih sester, bobic in zdravstvenih tehnikov Slovenije, Zbornica – Zveza</i>) does not register the citizenship of their members.¹⁸²</p> <p>Attorneys: there are no foreign attorneys from non-EU countries.¹⁸³</p> <p>Engineers: As of 4 May 2015, 17 persons or 0,258 % of members of IZS are migrants.¹⁸⁴</p> |

¹⁷⁶ Medical Chamber of Slovenia (*Zdravniška zbornica Slovenije, ZZS*), Licensing - Nationals from third countries and republics of former Yugoslavia (*Licenciranje - Državljeni tretjih držav in republik bivše SFR Jugoslavije*), available at: www.zdravniskazbornica.si/zs/295/zdravniki-in-zobozdravniki-specialisti.

¹⁷⁷ Information provided by the IZS upon request (written response of 4 May 2015).

¹⁷⁸ Information available at: www.zdravniskazbornica.si/zs/243/tuji-drzavljeni.

¹⁷⁹ Information provided by the IZS upon request (written response of 4 May 2015).

¹⁸⁰ Information provided by the ZZS (written response by email received on 29 April 2015).

¹⁸¹ According to the ZZS Register (as of 24 March 2015), information provided by the ZZS, sent by post (written response received on 30 March 2015).

¹⁸² Information provided by the *Zbornica – Zveza* upon request (written response of 19 March 2015).

¹⁸³ According to the 'Directory of foreign lawyers' (*Imenik tujih odvetnikov*), available at: www.odv-zb.si/imenik/tuji-odvetniki.

¹⁸⁴ Information provided by the IZS upon request (written response 4 May 2015).

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| | Are migrants elected as representatives of professional, employers' and/or scientific associations? Please provide figures if available, and report the related legal or practical limitations or barriers, eventually faced. | The ZZS: 0. ¹⁸⁵ The IZS: 0. ¹⁸⁶ The <i>Zbornica-Zveza</i> : does not register citizenship of its members. ¹⁸⁷ None of these organisations have noticed any barriers, no studies were found on this topic. No other evidence available. |
| | Are there differences between associations for different professions, different skill levels and/or types of enterprise, different industries and trades, and/or different geographic area of country of origin, citizenship or birth or gender? | No evidence available to support such conclusions. No studies have been made on this topic and the information that we received from posing this question to all the above mentioned organisations did not provide any evidence to support such conclusions – they did not notice any such differences. |

3.5. Participation in social, cultural and public life

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| | In this section based on available data, research, studies, etc. provide information about the membership and participation of migrants and their descendants in media, cultural organisations and public life: | |
| | Are there any legal or practical limitations or barriers for the membership of migrants in professional associations related to the media, sports and culture? | <p>There are no distinctive limitations or barriers. The Football Association of Slovenia (<i>Nogometna zveza Slovenije, NZS</i>) replied that to become a member, a migrant must have signed a partnership contract in the Republic of Slovenia with a Slovenian sport club. To perform as a professional athlete a migrant must also obtain a work permit.¹⁸⁸</p> <p>According to Article 5, paragraph 2, point 16 of the 2011 Employment and Work of Aliens Act (<i>Zakon o zaposlovanju in delu tujcev</i>)¹⁸⁹ the work permit shall not be necessary in the period of the first three months, counting from the day of first entry into the Republic of Slovenia, for aliens who are professional athletes or private sport workers and have concluded a partnership contract in the Republic of Slovenia with a Slovenian sport club or sport organisation with its head office in the Republic of Slovenia, and are entered into the register of professional athletes or in the register of private sport workers. As mentioned later on, we did not receive any replies from the other sport organisations we contacted.</p> <p>To become a member of the Slovenian society of journalists (<i>Društvo novinarjev Slovenije</i>) one must</p> |

¹⁸⁵ Information provided by the ZSS (written response by email received on 29 April 2015).

¹⁸⁶ Information provided by the IZS upon request (written response 4 May 2015).

¹⁸⁷ Information provided by the *Zbornica – Zveza* upon request (written response of 19 March 2015).

¹⁸⁸ Information provided by NZS upon request (written response of 24 March 2015).

¹⁸⁹ Slovenia, Employment and Work of Aliens Act (*Zakon o zaposlovanju in delu tujcev*), 8 April 2011, available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?sop=2011-01-1152>. Unofficial English translation available at: http://www.mddsz.gov.si/fileadmin/mddsz.gov.si/pageuploads/dokumenti_pdf/word/zzd1_en.doc.

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| | | prove that they work as a journalist in Slovenia ('and are able to predominantly support themselves through their work as a journalist'). ¹⁹⁰ |
| | Do media, sports, culture professional associations encourage and support membership and participation of third country nationals as members? E.g. through information and raising awareness initiatives in more languages, translation and language support services etc. | The Football Association of Slovenia (<i>Nogometna zveza Slovenije, NZS</i>) provides support in obtaining work permits. Together with The Union of European Football Associations (UEFA) it executes programme 'UEFA respect'. ¹⁹¹ The Olympic Committee of Slovenia - Association of Sports Federations (<i>Olimpijski Komite Slovenije – Združenje športnih zvez, OKS</i>) prepared a list of recommendations for sport organisations and clubs on the social inclusion of migrants and ethnic minorities. ¹⁹² No evidence of other activities. |
| | What is the rate of participation in the most representative professional associations? (figures and % of association members, figures and % of migrant professionals as members, or descriptive data if statistical data is not available) | <i>NZS</i> : in all clubs currently registered a total of 244 professional football players, of that 31 TCN's and 34 with Croatian citizenship (= 13%, including Croats 27 % of all players). ¹⁹³ Yes, they allow full and equal participation. No other information found. |
| | Are migrants elected as representatives of professional associations related to the media, sports and culture? Please provide figures if available, and report the related legal or practical limitations or barriers, eventually faced. | <i>NZS</i> : none. Concerning other associations no information was available. |
| | Is there a visible or notable presence (or absence) of migrants and their descendants as media professionals? | There is a notable presence of media professionals from other nations of former Yugoslavia (many already from the second generation), ¹⁹⁴ and a notable absence of migrants from other countries (e.g. one journalist of Arabic origin is now presenting on the national news network, but this is rather the exception). ¹⁹⁵ |
| | Are migrants and/or their descendants present, visible | There is a lack of information in the mainstream media about national minorities and their contribution to |

¹⁹⁰ Društvo novinarjev Slovenije, *Pravilnik o sprejemanju* ('Rules on membership'), Article 2, available at: <http://novinar.com/drustvo/clanstvo/pravilnik-o-sprejemanju/>.

¹⁹¹ Information provided by *NZS* upon request (written response of 24 March 2015).

¹⁹² *OKS*, Socialno vključevanje migrantov in etičnih manjšin - Priporočila za športne organizacije in športne klube (not published), available at: [http://www.olympic.si/uploads/media/CPFL -
Priporocila_za_sportne_organizacije_in_sportne_klube.docx](http://www.olympic.si/uploads/media/CPFL_-_Priporocila_za_sportne_organizacije_in_sportne_klube.docx).

¹⁹³ Information provided by *NZS* upon request (written response of 24 March 2015).

¹⁹⁴ This is also the opinion of dr. Ilija Dimitrijevski, vice president of The Union of Unions of cultural associations of former Yugoslavia's constitutive nations and nationalities in Slovenia (ExYumco) (*Zveza zvez kulturnih društev konstitutivnih narodov in narodnosti razpadle SFRJ v Sloveniji, Zveza zvez*) upon request (written response of 25 March 2015). No academic or other research was identified.

¹⁹⁵ This is mainly our assessment. Desk research found no available studies on this topic. We also posed this question to all the migrant organisations and civil society organisations we contacted (please see 3.6. and evaluation sheet), however did not receive any replies, except the one above (footnote 188) and from civil society SLOGA (written response 4 May 2015) who also provided the same observation that most migrant journalists are from other nations of the former Yugoslavia.

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| | <p>and actively participating in public? (E.g. in public events, TV and electronic media, cultural events). Please substantiate on the basis of existing data or contacts with relevant authorities, actors and stakeholders, making sure to cover a wide spectrum and obtain as much as possible objective information.</p> | <p>Slovenian society, as well as on other groups living in Slovenia.¹⁹⁶</p> <p>Media professionals with ethnic background from former Yugoslavia are visible in the mainstream media, including the national public service broadcasting organisation, and involved in reporting of various subjects. On the other hand their communities are not provided with special programming and have no professional media run by their associations.¹⁹⁷</p> <p>The situation of migrants, particularly their working conditions, have been much publicised in the recent period, but the issue of development cooperation still remains largely on the margins of media interests.¹⁹⁸</p> <p>The situation has improved in the last two years, mostly due to projects and activities of NGOs that work with migrants (present not only their plight, but their life in Slovenia, mostly reporting on interesting life stories and interesting work they do). Projects of NGOs are also presented, but the biggest focus is on life stories. A recent analysis on media discourse with regard to migrants has sensed a general shift in attitudes in the mid-2000s, from the previously hostile attitude towards a more inclusive, compassionate discourse, at least in respect to migrant workers from ex-Yugoslavia.¹⁹⁹</p> |
| | <p>Are there legal or practical limitations for the media, culture or other type of public events by migrants and/or their descendants? (E.g. are there national language requirements for TV or radio stations, bureaucratic and representation requirements, etc.)</p> | <p>Articles 21 and 22 of the Public Use of the Slovene Language Act (<i>Zakon o javni rabi slovenščine</i>)²⁰⁰ stipulate that the language of the media is Slovenian; press conferences must be held in Slovenian (can be translated for foreign press); foreign language content must be translated into Slovenian; if media, registered in Slovenia, broadcasts messages in another language they shall not be more prominent than messages in Slovenian.</p> |
| | <p>Are there positive measures for promoting or restrictions/barriers to the operation of migrant and ethnic minority (owned, directed or audience specific) media?</p> | <p>The Public Fund for Cultural Activities of the Republic of Slovenia (<i>Javni sklad Republike Slovenije za kulturne dejavnosti, JSKD</i>) has a special section (and a Council with five members and one secretary) for funding cultural activities of different national minority groups and immigrants that live in Slovenia.²⁰¹ These funds can be a partial basis for media activities (e.g. films), however all must have a cultural basis.</p> |

¹⁹⁶ Advisory Committee on the Framework Convention for the Protection of National Minorities, Third Opinion on Slovenia adopted on 31 March 2011, ACFC/OP/III(2011)003, Strasbourg, 28 October 2011, para 18, available at: www.coe.int/t/dghl/monitoring/minorities/3_FCNMdocs/PDF_3rd_OP_Slovenia_en.pdf.

¹⁹⁷ Available at: www.red-network.eu/indicator-country-history?id=15&iid=120.

¹⁹⁸ Peace Institute, Institute for Contemporary Social and Political Studies (2012), CoMiDe – Initiative for Migration and Development, Report/ Slovenia, European Commission, p. 55, available at: www.mirovni-institut.si/data/tinymce/Projekti/comide_lana/pdf/Consistency%20of%20M&D%20in%20Slovenia.pdf.

¹⁹⁹ Fabijan, E. (2012) Tretjerazredni državljani: "nevidni" migrantski delavci iz nekdanje Jugoslavije skozi medijsko perspektivo (Third class "invisible" migrant workers from the ex-Yugoslavia through the lens of the media), Ljubljana, available at: http://dk.fdv.uni-lj.si/diplomska_dela_1/pdfs/mb11_fabijan-emanuela.pdf

²⁰⁰ Public Use of the Slovene Language Act (*Zakon o javni rabi slovenščine*), 5 August 2004, available at: www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO3924.

²⁰¹ Information available at:

www.jskd.si/organizacija/posvetovalna_telesa/organizacija_posvetovalna_telesa_spk_manjsine.htm.

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| | | No evidence of other measures was found. |
| | Are there practical measures encouraging and promoting the visibility, voice and public presence of migrants and/or their descendants in the media, culture or other type of public events? (E.g. are there programmemes and information provided by the media in other than the country official language, and migrants' languages, quotas for journalists and public programmemes reflecting the diversity in society etc.?) | <p>A new, first of its kind TV show, called NaGlas! (OutLoud!) was introduced in 2015 by the Information programme of the national news network Television Slovenia. It reports on the life of members of national minority groups from nations of former Yugoslavia who live in Slovenia. It is 15 minutes long and airs every other Tuesday at 14:20.²⁰²</p> <p>Val202, a national radio station offers weekly shows EvropaOsebn! (Europe – Up-close), where individuals of typically migrant descent or migrants themselves are presented.²⁰³</p> <p>Radio Student (<i>Radio Študent</i>) has broadcasted a radio show 'Podalpski selam', in Bosnian, since 2004.²⁰⁴</p> |

3.5.1. Diversity in the public sector

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| | In this section based on available data, research, studies, etc. please provide information about recruitment of migrants and their descendants in the public sector: | |
| | Please describe how legal provisions allow or prevent the recruitment of third country nationals in the public sector. Please indicate specific areas, requirements, quotas if any, upward mobility and promotion limitations if any, as well as if and how these provisions are applied in practice. | <p>Employment in law enforcement:</p> <ul style="list-style-type: none"> - Slovenian citizenship is a requirement;²⁰⁵ - persons with dual citizenship are prevented from being employed as members of the Police force.²⁰⁶ <p>The same applies for employment in the Military.²⁰⁷</p> <p>Judges must be citizens, but there is no prohibition of dual citizenship.²⁰⁸</p> <p>TCNs can become attorneys, notaries or be employed in the field education if general requirements are fulfilled.</p> <p>There is no evidence of quotas or other action to promote the recruitment of TCNs.</p> |
| | Please indicate if citizens of migrant descent can also be affected by limitation – e.g on the basis of their ethnic origin or migrant background or naturalisation - in public sector recruitment, for example in | <p>There are no such limitations for citizens of migrant descent, except in the case of dual citizens as mentioned above.</p> <p>The Employment Relationship Act (<i>Zakon o delovnih razmerjih</i>)²⁰⁹ in Article 6, Paragraph 1 explicitly prohibits discrimination in employment on the grounds</p> |

²⁰² RTVSLO MMC, Informativna oddaja NaGlas!, 3 February 2015, available at: www.rtvsllo.si/sporocila-za-javnost/informativna-oddaja-naglas/357415.

²⁰³ Available at: <http://val202.rtvsllo.si/evropa-osebno/>

²⁰⁴ Available at: <http://radiostudent.si/dru%C5%BEba/podalpski-selam>.

²⁰⁵ Police Organisation and Work Act (*Zakon o organiziranosti in delu v policiji*), 18 February 2013, Article 44, paragraph 1, point 4, available at: www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO6315.

²⁰⁶ As stipulated in Article 44, paragraph 1, point 6 of the Police Organisation and Work Act.

²⁰⁷ Defence Act (*Zakon o obrambi*), 30 December 1994, Article 88, paragraph 2, available at: www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO532.

²⁰⁸ Judicial Service Act (*Zakon o sodniški službi*), 13 April 1994, Article 8, available at: www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO334.

²⁰⁹ The Employment Relationship Act (*Zakon o delovnih razmerjih*), 13 March 2013, available at: www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO5944.

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| | education, law enforcement, judiciary, etc. | of nationality, race or ethnicity, national origin or social background. A monograph was published in 2009 on the effects of ethnic and migrant dynamics in the Slovenian military, finding that persons from migrant background (of nations from the former Yugoslavia) mostly hide their national origin. ²¹⁰ |
| | Please indicate proportion of recruitment (% on the total of posts for this category or service) for the interested categories of third country nationals, if any. | No evidence could be found. ²¹¹ |
| | Please indicate any affirmative action and positive action either for third country nationals or citizens with a migrant background, if any, e.g. quotas, reserved posts for people of migrant background etc. as well as promising practices in this area. Please provide information specifically for law enforcement, judiciary, and education. | There is no evidence of such actions. ²¹² It seems that is due also to the fact that data disaggregated by national or ethnic origins is still not being collected in Slovenia. ²¹³ Since Slovenia does not monitor the situation for migrants or minority groups in these fields, it consequently cannot develop ways to improve it. As stated in the <i>Fourth ECRI Report on Slovenia</i> , regarding 'representation of persons of immigrant background within the police ranks', the authorities have informed ECRI that, although they acknowledge that diversity in the police is desirable, all Slovenian citizens have access to employment in the Police if they meet the requirements and no special steps are taken to improve the representation of persons of immigrant background. Moreover, no statistics are kept on the ethnic origin of members of the Police. ²¹⁴ |

3.6. Political activity – active citizenship

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| | Membership and participation of migrants in migrant and/or diaspora organisations and associations: | |
| | Are there any legal or practical limitations or barriers for the | There are no specific legal limitations. |

²¹⁰ Žitnik Serafin, J. (2009), 'Enakopravna integracija priseljencev kot dejavnik stabilnosti in notranje varnosti strateškega prostora slovenske vojske' (An equal integration of migrants as an agent of stability and internal security of the strategic area of the Slovenian Army), in: Žitnik Serafin, J. (ed.), Demografska, etnična in migracijska dinamika v Sloveniji in njen vpliv na Slovensko vojsko, Ljubljana, Inštitut za slovensko izseljenstvo in migracije ZRC SAZU, p. 121, available at: <http://isim.zrc-sazu.si/eknjiga/Zitnik-ur.pdf>.

²¹¹ Conclusion based also on replies received upon request: from the Ministry of Defence (*Ministrstvo za obrambo*) (written response of 24 February 2015); from the General Police Directorate (*Generalna policijska uprava*) (written response of 4 March 2015); Ministry of Education, Science and Sport (*Ministrstvo za izobraževanje, znanost in šport, MIZŠ*) (written response of 6 March 2015).

²¹² Conclusion based also on replies received upon request: from the Ministry of Defence (*Ministrstvo za obrambo*) (written response of 24 February 2015); from the General Police Directorate (*Generalna policijska uprava*) (written response of 4 March 2015); Ministry of Education, Science and Sport (*Ministrstvo za izobraževanje, znanost in šport, MIZŠ*) (written response of 6 March 2015).

²¹³ Council of Europe, European Commission against Racism and Intolerance (ECRI) (2014), *ECRI Report on Slovenia (fourth monitoring cycle)*, Strasbourg, Council of Europe, 16 September 2014, para. 181-184.

²¹⁴ Council of Europe, European Commission against Racism and Intolerance (ECRI) (2014), *ECRI Report on Slovenia (fourth monitoring cycle)*, Strasbourg, Council of Europe, 16 September 2014, para 173-176.

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| | <p>self-organisation membership of migrants in migrant and or diaspora associations and organisations?</p> | <p>50,000 Muslims (organised in two distinct communities, the Islamic Community in Slovenia and the Slovenian Muslim Community) faced opposition, some heated public debates and needed years to receive the necessary permits to build Slovenia's first mosque.²¹⁵ The mosque has not been built yet, following financial issues, but on 6 May 2015 the construction of the building itself has begun.²¹⁶</p> |
| | <p>Are there notable cases of active migrant and/or diaspora associations and organisations? Please indicate the most known, active or representative ones on the basis of existing data about membership – please include size/numbers of members - and through contacts with competent actors and stakeholders. Please specify their character and eventual differences, including aspects concerning their religious, culture or geographic scope.</p> | <p>The Union of Unions of cultural associations of former Yugoslavia's constitutive nations and nationalities in Slovenia (ExYumco) (<i>Zveza zvez kulturnih društev konstitutivnih narodov in narodnosti razpadle SFRJ v Sloveniji, Zveza zvez</i>) was founded in 2003.²¹⁷ It incorporates 120 societies that preserve the cultural heritage of its members' origins. As noted by its vice president Zveza zvez is distinct in the fact that most members are citizens of Slovenia, represent about 10 % of the entire population, and have been living here for a long time. They are striving to achieve a constitutionally recognised 'minority status', which is guaranteed to the Hungarian, Italian and Roma community.²¹⁸</p> <p>In the past diaspora organizations associated mainly people from Western Balkans, but now there is a rise of African diaspora organizations.²¹⁹</p> <p>SLOGA is an umbrella organisation of Slovenian NGOs, that incorporates 19 organisations, most of them are migrant associations: International African Forum, The African Center of Slovenia, Institute for African studies, Association of Nigerians in Slovenia, The Slovenian-Taiwan Friendship Association, DIWAN - društvo za kulturo in umetnost ('DIWAN, society for culture and art') and Društvo za kulturo, razumevanje in dialog Rozana ('Society for culture, understanding and dialog Rozana') and others.²²⁰</p> <p>A notable organisation, in terms of activities, is Zavod Vesela dRuščina, an educational and support establishment for Russian speaking migrants from ex-Soviet nations.²²¹</p> |

²¹⁵ Council of Europe, European Commission against Racism and Intolerance (ECRI) (2014), *ECRI Report on Slovenia (fourth monitoring cycle)*, Strasbourg, Council of Europe, 16 September 2014, para. 138-141. See also Varuh človekovih pravic (2008), *Letno poročilo Varuha človekovih pravic Republike Slovenije za leto 2008* (The annual report of the Ombudsman of the Republic of Slovenia for the year 2008), pp. 24-25, and <http://news.bbc.co.uk/2/hi/europe/3590841.stm>.

²¹⁶ *Ljubljanska džamija bo začela dobivati svojo podobo* ('The Ljubljana mosque will begin to take its shape'), RTV SLO, 6 May 2015, available at: www.rtv slo.si/slovenija/ljubljanska-dzamija-bo-zacela-dobivati-svojo-podobo/364404.

²¹⁷ Available at: www.comide.net/org/zveza-zvez/.

²¹⁸ Response of dr. Ilija Dimitrievski, vice president of *Zveza zvez* upon request (written response of 25 March 2015).

²¹⁹ Huč, M., SLOGA – Slovenian Global Action (2012), presentation at "Bridging the Gap" International Conference on Migration & Development (23-24 January 2012), Summary Report CoMiDe Conference, May 2012, p. 18, available at: www.mirovni-institut.si/data/tinymce/Projekti/comide_lana/Report_CoMiDe%20Conference_23%20and%2024%20Jan.%202012.pdf.

²²⁰ The entire list available at: www.sloga-platform.org/sloga/index.php?option=com_content&view=article&id=142&Itemid=63&lang=sl.

²²¹ More information available at: www.ruskasola.si/index.php/si/.

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| <p>Please provide any data on the participation of migrants and their descendants in the most representative migrant and/or diaspora organisations and associations? (figures and % of migrants and/or persons with the specific ethnic or other background as members, or descriptive data if statistical data is not available).</p> | <p>No such numerical data available.²²²</p> <p>The only replies received were from <i>Zavod Vesela dRuščina</i>, not a migrant society, but educational and support establishment, who reports to have 400 regular participants in activities and social events, of these 100 are children who attend classes of Russian, the rest are parents, also adoptive parents. 70 % of children have parents of mixed marriages, where one of the parents is Slovenian and the other from the ex-soviet region.²²³ And from <i>Kulturno društvo Međimurje Velenje</i> ('Cultural Society Međimurje Velenje') that has 232 members, of which 225 (97 %) are migrants.²²⁴ The latter society is one of the 120 cultural societies incorporated in The Union of Unions of cultural associations of former Yugoslavia's constitutive nations and nationalities in Slovenia (ExYumco) (<i>Zveza zvez kulturnih društev konstitutivnih narodov in narodnosti razpadle SFRJ v Sloveniji, Zveza zvez</i>), as mentioned above.</p> |
| <p>Are such associations and organisations encouraged and/or supported financially or in other means (e.g. offices) by the national, regional or local authorities? Is there in place a mechanism linking such associations at national level? (e.g. network of migrant associations).</p> | <p>The Public Fund for Cultural Activities of the Republic of Slovenia (<i>Javni sklad Republike Slovenije za kulturne dejavnosti, JSKD</i>) has a special section (and council with five members and one secretary) for funding cultural activities of different national minority groups and immigrants that live in Slovenia.²²⁵</p> <p>Local authorities (municipalities) also provide funding for associations working in their localities.</p> |
| <p>Membership and participation of migrants in civil society organisations and voluntary work:</p> | |
| <p>Are there any legal or practical limitations or barriers for the membership of migrants in civil society organisations?</p> | <p>There are no distinctive limitations.</p> |
| <p>Do civil society organisations encourage and support membership and participation of migrants and/or their descendants? E.g. through</p> | <p>SLOGA, the umbrella organisation of Slovenian NGOs, seeks to promote the involvement of migrants in its activities. Together with migrants and migrant organisations they are also aiming at achieving national public debates and public awareness of the</p> |

²²² For the first submission, on this and other issues (media, schooling, financing, cultural activities, good practices, ect.) we contacted the following organizations, from which we did not receive any reply: The Bosniak Cultural Association of Slovenia (*Bošnjaška kulturna zveza Slovenije*), *Hrvatsko Društvo Ljubljana* ('Croatian Society of Ljubljana'), The African Center of Slovenia (*Društvo Afriški Center*), the Institute for African studies (*Inštitut za Afriške študije*), the Association of Nigerians in Slovenia (*Društvo Nigerijcev v Sloveniji*), The Slovenian-Taiwan Friendship Association (*Društvo slovensko-tajvanskega prijateljstva*), *Društvo indijsko slovenskega prijateljstva* ('Society of Indian Slovenian friendship'), *Zavod Nur* ('Society Nur'), *DIWAN, društvo za kulturo in umetnost* ('DIWAN, society for culture and art'), *Društvo za kulturo, razumevanje in dialog Rozana* ('Society for culture, understanding and dialog Rozana'), and *Zavod Global, Zavod za globalno učenje in razvoj projektov GLOBAL* ('Society for global learning and development of projects'). All requests for information were sent 24 March 2015. All requests were once again on 28 April 2015.

²²³ Interview on 27 March 2015 from 14:00 to 16:00 with Ms Julija Mesarič, founder and director of *Zavod Vesela dRuščina* (an educational and support establishment for Russian speaking migrants of ex-Soviet nations).

²²⁴ Information provided by Mr Matija Blagus, president of *Kulturno društvo Međimurje Velenje* ('Cultural Society Međimurje Velenje'), on request (written response 25 March 2015).

²²⁵ Available at: www.jskd.si/organizacija/posvetovalna_tesela/organizacija_posvetovalna_tesela_spk_manjsine.htm.

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| | <p>information and raising awareness initiatives in more languages, translation and language support services etc.</p> | <p>links between migration and development cooperation.²²⁶</p> <p>Zavod Global (<i>Zavod za globalno učenje in razvoj projektov</i>) is an organisation developed by migrants and Slovenians, for migrants and Slovenians. Notable projects: Skuhna (restaurant of world cuisine where migrants and asylum seekers work); day of remembering 'The memory of slavery and its abolition' (<i>Spomin na trgovino s sužnji in njeno ukinitve</i>).²²⁷</p> <p>The Slovene Philanthropy, Association for promotion of voluntary work (<i>Slovenska filantropija, Združenje za promocijo prostovoljstva</i>); current project: Training migrants for volunteer work (<i>Usposabljanje migrantov za prostovoljsko delo</i>).²²⁸</p> |
| | <p>Please provide any data on the participation and membership of migrants and their descendants in the most representative civil society organisations? (figures or % of organisation members, % of migrants and/or with migrant background as members, or descriptive data if statistical data is not available).</p> | <p>No data available,²²⁹ except from SLOGA. SLOGA unites 45 organisations of which 7 are migrant organisations. For data on membership of these organisations, they replied to contact the migrant organisations directly, which we did, but have not received any reply. None of SLOGA employees are migrants and they did not provide a reply on the number of migrant volunteers.²³⁰ ,</p> |
| <p>Membership and participation of migrants in political parties:</p> | | |
| | <p>Are there any legal or practical limitations or barriers for the membership of migrants in political parties, initiatives (e.g. petitions, signature collections) and movements?</p> | <p>As stipulated in Articles 7 and 4 of the Political Parties Act (<i>Zakon o političnih strankah</i>)²³¹ persons without Slovenian citizenship cannot be members, but they can become honorary members of a political party.²³²</p> |

²²⁶ Available at: www.sloga-platform.org/sloga/index.php?option=com_content&view=category&layout=blog&id=161&Itemid=237&lang=en.

²²⁷ Available at: www.zavodglobal.org/.

²²⁸ Available at: www.filantropija.org/programi/migracije/migracije/.

²²⁹ We also contacted *Zavod Global, Zavod za globalno učenje in razvoj projektov GLOBAL* ('Society for global learning and development of projects'), request for information sent on 24 March 2015 and once again on 28 April 2015; the *Slovene Philanthropy, Association for promotion of voluntary work (Slovenska filantropija, Združenje za promocijo prostovoljstva)*, on 28 April 2015 and *Društvo Humanitas* (Society Humanitas) on 30 April 2015, but did not receive any reply.

²³⁰ Information provided by *SLOGA - Platforma nevladnih organizacij za razvojno sodelovanje in humanitarno pomoč* ('SLOGA – Platform of NGOs for development cooperation and humanitarian aid'), upon request (written response 4 May 2015).

²³¹ Political Parties Act (*Zakon o političnih strankah*), 7 October 1994, available at: www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO359.

²³² We contacted 6 major political parties on this and other issues on 24 March 2015 (sent to The Slovenian Democratic Party (SDS) (*Slovenska demokratska stranka, SDS*); Positive Slovenia (PS) (*Pozitivna Slovenija, PS*); *Nova Slovenija – krščanski demokrati (NSI)*; *Stranka modernega centra (SMC)*; Social democrats (SD), (*Socialni demokrati, SD*); Initiative for Democratic Socialism (IDS), *Iniciativa za demokratični socializem (IDS)*), but did not receive any replies for the first submission. After receiving the first revision from FRA, all requests were sent once again on 28 April 2015. The Initiative for Democratic Socialism (IDS) (*Iniciativa za demokratični socializem, IDS*) replied to have **2 such honorary members**, both citizens of the Former Yugoslav Republic of Macedonia (written response on 29 April 2015), The Slovenian Democratic Party (SDS) (*Slovenska demokratska stranka, SDS*) replied to have no such honorary members. No other replies were received.

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| <p>Do political parties encourage and support membership and participation of migrants and/or their descendants in their activities? E.g. through information and raising awareness initiatives in more languages, translation and language support services etc.</p> | <p>As found by the 'Analysis of electoral participation of third country nationals in Slovenia', there is no evidence of such activities.²³³</p> <p>The newly founded political party Initiative for Democratic Socialism (IDS) (<i>Iniciativa za demokratični socializem, IDS</i>) that has seven seats in the National Assembly (in a coalition with two other left-wing parties), reports to encourage membership of migrants although there have been no specific campaigns, as they do not differentiate their members according to nationality or ethnic origin. They also report to encourage the participation of TCNs and especially migrant workers, through field work and discussions in local communities which strive to give those who do not have voting rights a voice and chance to shape party positions on issues and also to sensitize the local community on exploitation of migrants workers.²³⁴</p> |
| <p>Please provide any data on the participation and membership of migrants and their descendants in the political parties, initiatives and movements? (figures or % of party members, % of migrants and/or with migrant background as members, or descriptive data if statistical data is not available)</p> | <p>The authors of the 'Analysis of electoral participation of third country nationals in Slovenia' sent out a survey to parliamentary political parties: the three parties that are in parliament replied either that they do not collect data about the nationality of their candidates, because the law specifies that an individual can decide for himself if he wishes to disclose his nationality. The other answers were that they do not have the requested data collected or they would need too much time to collect this data. The two non-parliamentary parties replied that they did have candidates, who were born outside Slovenia (mostly from the former Yugoslav republics).²³⁵</p> <p>IDS does not compile such data, yet provided an estimate that from their 600 members, cca. 20-30 % are migrants or their descendents (Slovenian citizens with a migrant background).²³⁶</p> |
| <p>Are migrants elected as representatives of political parties, initiatives and movements? Please provide figures if available, and report the related legal or practical limitations or barriers, eventually faced.</p> | <p>No data available.</p> <p>One notable example is however, public knowledge. The mayor of the capital Ljubljana, Mr Zoran Jankovič, who openly discusses his Serbian heritage,²³⁷ established a new political party, Pozitivna Slovenija (Positive Slovenia) in 2011 stemming from his involvement in local politics. The party won the</p> |

²³³ Migrant Participation Project (2014), *Analysis of electoral participation of third country nationals in Slovenia*, available at: www.migrant-participation.eu/clanky/7/Analysis%20of%20electoral%20participation%20of%20third%20country%20nationals%20in%20Slovenia.html.

²³⁴ Information provided by IDS upon request (written reponse on 29 April 2015).

²³⁵ Migrant Participation Project (2014), *Analysis of electoral participation of third country nationals in Slovenia*, available also at: <http://www.migrant-participation.eu/soubory/7.pdf>.

²³⁶ Information provided by IDS upon request (written reponse on 29 April 2015).

²³⁷ Huč, M., SLOGA – Slovenian Global Action (2012) presentation at “Bridging the Gap” International Conference on Migration & Development (23-24 January 2012), *Summary Report CoMiDe Conference*, May 2012, p. 18, available at: www.mirovni-institut.si/data/tinyince/Projekti/comide_lana/Report_CoMiDe%20Conference_23%20and%2024%20Jan.%202012.pdf. See also presentation of Ljubljana's mayor: The City of Ljubljana (2015), 'Zoran Jankovič, Mayor of the City of Ljubljana' available at: www.ljubljana.si/si/mol/zupan/.

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| | | <p>National assembly elections in 2011 and later on in 2012 formed the government, although Mr Janković was no longer its de-facto leader.</p> <p><i>IDS</i> reports that migrants or their descendents are elected as representatives in the party's organisational hierarchy, but gave no details as to how many.²³⁸</p> |
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3.7.Civic and citizenship education

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| | The participation of migrants and their descendants (with a distinct linguistic, cultural background) in education: | |
| Have teachers of migrant background equal access to employment in education, as teachers? If yes, what is the rate of participation (% of teachers with migrant background at national level)? Are they represented in professional teacher associations? Please identify limitations, challenges and promising practice. | Teachers of background migrant, also TCNs, have by law, equal access to employment in education, as provided in Article 6 paragraph 1 of the Employment Relationship Act. All teachers must have an adequate command of the Slovenian language; this is assessed in their professional qualifications exam. | No information is available on practical barriers. |
| | No data on % of teachers with migrant background. The only data available is that out of 32,131 persons employed in education, as of January 2015, 217 persons are foreigners (including EU citizens) . ²³⁹ | As reported by MIPEX there are "no concrete measures to implement intercultural education in all schools, e.g. recruiting migrant teachers". ²⁴⁰ |
| Are there any particular gender issues? | No data available. ²⁴¹ | |
| Are parents of migrant background actively participating in the school life? Please provide evidence concerning their participation in parents associations, school and community events and extracurricular activities, consultations etc. ²⁴² | Participation of parents is not being monitored or evaluated by the Ministry of Education, Science and Sports (<i>Ministrstvo za šolstvo, znanost in šport – MIZŠ</i>). | According to the Ministry of Education, Science and Sports, The national education institute of the Republic of Slovenia (<i>Zavod Republike Slovenije za šolstvo</i>) reports from practice that parents are hesitant to come to schools, if they do not speak Slovenian. ²⁴³ |
| Are there extracurricular activities involving and engaging with children and parents of migrant background | No research available. | |
| | There is no evidence that such activities being planned, supported or evaluated on national level. | |

²³⁸ Information provided by *IDS* upon request (written response on 29 April 2015).

²³⁹ Information provided by the Ministry of Education, Science and Sports upon request (written response of 6 March 2015).

²⁴⁰ Migrant Integration Policy Index III, Brussels, British Council, Migration Policy Group, p. 179, available at: www.mipex.eu/sites/default/files/downloads/migrant_integration_policy_index_mipexiii_2011.pdf. The same is stated on MIPEX website country data (last updated 3 April 2014), available at: www.mipex.eu/slovenia.

²⁴¹ Information provided by the Ministry of Education, Science and Sports upon request (written response of 6 March 2015).

²⁴² For more information about involving the community in the school life and vice versa please refer also to the findings of the SIRIUS Network <http://www.sirius-migrationeducation.org/>

²⁴³ Information provided by the Ministry of Education, Science and Sports upon request (written response of 6 March 2015).

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| | and/or focussing on civic and citizenship education? Please identify limitations, challenges and promising practice. | |
| | Are there provisions for bilingual education? If yes, is it supported by trained teachers and training programmes, curriculum provisions and dedicated school manuals and books? | No. ²⁴⁴ |
| | Is there evidence of school segregation and/or policies of separate/distinct schooling of migrants? | <p>No official school segregation. However there are certain schools (e.g. OŠ Livada, OŠ Danilo Kumer, OŠ Koper, OŠ Janka Padežnika Maribor, OŠ Grm Novo mesto) that have many migrant pupils.²⁴⁵ These schools have developed special programs over the years.</p> <p>In its third report on Slovenia, ECRI strongly recommended that the authorities monitor the situation of disproportionate representation of pupils from ethnic minority groups, including ex-Yugoslav minority groups, in some schools and take swift measures to avoid de facto segregation. The <i>Fourth ECRI Report on Slovenia</i> states that the situation has not changed. The authorities stated that the higher representation of ethnic minority groups in certain schools is directly related to the districts where these minorities live since pupils, as a rule, enrol in the school nearest to their home.²⁴⁶</p> <p>In a case study of a well-functioning programme of integration in one urban primary school, the author reported how despite great efforts and painstaking work at school, it was possible to detect a dismissive attitude towards the "immigrant" school in the local community. Some parents did not wish to enrol their children in such a school, while the neighbouring school advised immigrant parents to enrol their children in that particular school, since it has more immigrant children and more experience in working with them.²⁴⁷ Specialisation of only some schools can thus have negative effects in terms of a segregation of schools.</p> |
| | Is there evidence of modifying school curricula and teaching materials can be modified to reflect the diversity of the school population? Is the teacher regular curricula/training dealing with specific reference to | Teacher have additional training courses, that are 50 % financed by the MIZŠ and 50 % by the school, making it free of charge for the teacher if the school agrees to it. From 2011 to 2015, 108 teachers participated in two such courses. Teachers also receive professional support on such issues by The national education institute of the Republic of Slovenia (<i>Zavod Republike Slovenije za šolstvo</i>): ²⁴⁸ it organises regular |

²⁴⁴ Information provided by the Ministry of Education, Science and Sports upon request (written response of 6 March 2015).

²⁴⁵ Information provided by the Ministry of Education, Science and Sports upon request (written response of 6 March 2015).

²⁴⁶ Council of Europe, European Commission against Racism and Intolerance (ECRI) (2014), *ECRI Report on Slovenia (fourth monitoring cycle)*, Strasbourg, Council of Europe, 16 September 2014, para 173-176.

²⁴⁷ Vižintin M. A. (2013). The integration of immigrant children in Slovenia: good practices from primary schools.

Innovative Issues and Approaches in Social Sciences, vol.6, no.2, p. 53-68.

²⁴⁸ Information provided by the Ministry of Education, Science and Sports upon request (written response of 6 March 2015).

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| immigrants or ethnic minorities and respect/promotion of diversity? | seminars and conferences for professionals working at schools (teachers, social workers, psychologists, etc.) as well as workshops on the use of the Guidelines for the integration of children of migrants (<i>Smernice za vključevanje otrok priseljencev</i>). ²⁴⁹ |
| Are all students – not only of migrant background – targeted and/involved by civic education and activities related to migrant integration at schools? | In some schools other pupils serve as 'tutors' to migrant pupils (e.g. OŠ Janka Padežnika Maribor, OŠ Domžale, OŠ Grm, OŠ Bršlin, OŠ Žalec, OŠ Kozina). According to the Ministry of Education, Science and Sports schools strive to promote multi-cultural appreciation (e.g. in some schools migrant pupils make presentation of their native country, culture and language at the Open Doors Day). ²⁵⁰ |
| The implementation of specific measures and initiatives aiming at (the following possible practices on the left is an indicative and non-exhaustive list): | |
| <p>Please use the following as indicative list of possible practices to report on:</p> <p>Improving the way civic and citizenship education reflect diversity in society through curricular and extracurricular activities. Are there specific programmes helping young people to learn how to live in a society with people from different cultures and religions?</p> | <p>Generally, measures aimed at integration of migrants into the education system of Slovenia were late in coming and are still at an initial phase.²⁵¹</p> <p>Language learning support to students of migrant background: In 2011, the Elementary School Act (<i>Zakon o osnovni šoli</i>)²⁵² was amended to include a new provision stipulating that residing children whose mother tongue is not Slovenian be provided with courses of Slovenian language and culture. In his/her first year of attending school the pupil is entitled to 40 hours, and in the second year 20 hours of 'learning language and culture support'. This is additional support, not a special subject. Each school decides how these 'classes' are taught and spread through the year.</p> |
| Improving the way formal curriculum subjects, e.g. literature, history, etc. promote mutual understanding, respect for ethnic and religious diversity and the common democratic and pluralist values? | <p>First year students receiving support (school year): 992 (2012/2013), 994 (2013/2014), 1,051 (2014/2015). Second year students receiving support (school year): 815 (2012/2013), 803 (2013/2014), 782 (2014/2015).</p> |
| Facilitating equal opportunities in education for children with migrant background? | There is also the possibility of a two year adjustment period where the testing and grading is adapted accordingly to primary school pupil's knowledge of Slovenian (e.g. can answer only orally, with the help of pictures, or even in a language known to the teacher, e.g. English). Data on the number of pupils is not being collected. |
| Facilitating the involvement, participation and support of parents with migrant background in the educational system and in the school | |

²⁴⁹ Guidelines for the integration of children of migrants (*Smernice za vključevanje otrok priseljencev*), last amended 2012, available at:

http://eportal.mss.edus.si/msswww/programi2013/programi/media/pdf/smernice/cistopis_Smernice_vkljucevanje_otrok_priseljencev.pdf

²⁵⁰ Information provided by the Ministry of Education, Science and Sports upon request (written response of 6 March 2015).

²⁵¹ Peace Institute, Institute for Contemporary Social and Political Studies (2012), *CoMiDe – Initiative for Migration and Development, Report/ Slovenia*, European Commission, p. 10, available at: www.mirovni-institut.si/data/tinymce/Projekti/comide_lana/pdf/Consistency%20of%20M&D%20in%20Slovenia.pdf.

²⁵² Elementary School Act (*Zakon o osnovni šoli*), 19 February 1996, Article 8, available at: www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO448.

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| | activities? | <p>A group option is available for secondary school students, also for the first two years of their education in Slovenia. The number of hours depends on the number of students: 1-6 students (intensive 35 hour course), 7-12 students (70 hour course), a group of max. 16 students at same level of knowledge (70 hour course). € 40.000 were allocated for this purpose in the school year 2012/13, leading to 3,241 hours of teaching in almost 50 schools, for 500 students at three language proficiency levels.</p> <p>Facilitating equal opportunities in education for children with migrant background: To support migrant pupils in learning and help with social inclusion, schools employ a 'counsellor' who coordinates work with migrant pupils.²⁵³</p> <p>Improving school and teachers' capacity to embrace, build on and/or manage diversity: The 2011 amendment to the Elementary School Act also provided for Additional classes of native languages and culture (<i>Dopolnilni pouk maternih jezikov in kultur</i>), which are co-financed by the Ministry of Education, Science and Sports (40 euro per pupil per year), for which schools must apply, but the initiative and all surrounding organisation is led by migrant organisations. Classes must be taught by native speakers (mostly volunteers), who freely develop the curriculum. As found by Vižintin²⁵⁴ schools mostly have no in-sight into these teachings. Classes take place once a week, in the afternoon at the pupils' school, for three school hours. Children that attend classes receive a certificate from the Ministry of Education, Science and Sports at the end of the school year. As stated by one very active native language teacher this is a very important novelty. She reports that consequently school teachers tend to see migrant pupils in a new light (as bright and prepared to study).²⁵⁵ Students attending (school year): 244 (2011/2012), 370 (2012/2013), 305 (2013/2014).</p> <p>Some additional good practice examples have evolved primarily with funding from the EU. Individual schools started to promote awareness and develop good practices that are now being implemented in other schools, also leading to national debate and guidelines. Projects <i>EDUKA</i> and <i>Medkulturno učenje in sprejemanje različnosti za uspešno življenje</i> ('Intercultural learning and excepting for a successful life') (See Annex 7) developed a curricullar proposal program for a new subject 'Intercultural education'</p> |
| | Providing language learning support to students of migrant background? | |
| | Improving attendance and reducing drop-out of students with migrant background? | |
| | Improving school and teachers' capacity to embrace, build on and/or manage diversity? | |
| | <p>In particular, please specify if there are promising practices, including affirmative action / positive action practices designed to tackle structural inequalities</p> <p>Other...</p> | |

²⁵³ Information provided by the MIZŠ upon request (written response of 6 March 2015).

²⁵⁴ Vižintin, M. A. (2013), Vključevanje otrok priseljencev prve generacije in medkulturni dialog v slovenski osnovni šoli, University of Ljubljana.

²⁵⁵ Interview of 27 March 2015 with Ms. Julija Mesarič (director of *Zavod Vesela dRučina*, an educational and support establishment for Russian speaking migrants).

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| | | <p>(<i>Medkulturna vzgoja</i>) among other numerous activities for supporting inclusion of migrant pupils in primary and secondary schools.²⁵⁶ Another relevant project is MIRACLE: Migrants and refugees – A challenge for learning in European Schools.²⁵⁷</p> <p>The project 'Interculturalism as a new form of coexistence' began in October 2015 and is taking place in 65 primary and secondary schools in Slovenia. It seems to be an umbrella project for all good practices that have evolved till now, among other things it provides support and promotes participation of parents, by socialising with other families, 'School for mothers', furthermore, pupils are learning the language and getting to know the school and teachers before the school year begins in 'Uvajalnica', support to pupils in join extracurricular activities, etc.²⁵⁸</p> <p>The SIRIUS Network does not have a national partner from Slovenia.²⁵⁹</p> |
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3.8. Drivers, barriers for the implementation, monitoring and assessment of legislation & policy measures

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| | <p>Previous paragraphs indicated in detail aspects about the actual implementation of participation policies, normative framework and measures. In this section briefly summarize the most important drivers, positive factors and the barriers, resistance or negative factors that have been identified regarding the design, implementation, monitoring and assessment of policy measures and normative framework for the political and social participation of migrants and their descendants. Please base the analysis on governmental and non-</p> | <p>Barriers:</p> <ul style="list-style-type: none"> - No monitoring or promotion of political participation. TCNs with permanent residence have the right to vote in local elections since 2002, but no data is being collected on voting turnout, no campaigns encouraging them, specifically, to exercise this right. The same applies for citizens of migrant background. With a few notable exceptions, there is no information available on candidates of migrant background, for the most part even from political parties themselves. This, however, does not mean that there are none (especially with origin from other nations of the former Yugoslavia).²⁶⁰ - No migrants' consultative bodies, although there have been initiatives.²⁶¹ - No quotas or other action for recruitment of TCNs, migrants or their descendants in the public sector. |
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²⁵⁶ Available at: www.seslj.si/splet/images/alenska/4_ZBORNNIK_koncni.pdf; www.edukaitaslo.eu/elenco.php?p=analize&lang=slo.

²⁵⁷ Available at: www.miracle-comenius.org/.

²⁵⁸ Available at: www.medkulturnost.si/en/.

²⁵⁹ See list of partners at: www.sirius-migrationeducation.org/national_partners/.

²⁶⁰ Migrant Participation Project (2014), *Analysis of electoral participation of third country nationals in Slovenia*, available at: www.migrant-participation.eu/clanky/7/Analysis%20of%20electoral%20participation%20of%20third%20country%20nationals%20in%20Slovenia.html.

²⁶¹ Information provided by the Ministry for internal affairs upon request (written response of 12 March 2015).

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| | <p>governmental reports, as well as research and studies.</p> | <ul style="list-style-type: none"> - Data disaggregated by national or ethnic origin is still not being collected in Slovenia. Thus making it impossible to monitor or improve many mentioned aspects (e.g. voting turnout; ethnicity or migrant background of political candidates; rate of participation in trade-unions, participation of migrant entrepreneurs or expert professionals in professional and scientific associations, in media and cultural organisations, rate of employment in the public sector, etc.).²⁶² - Similarly there is no single public authority that coordinates the promotion and improvement of active participation of migrants in society, in its forms and elements. Responsibilities are dispersed between many state authorities. The <i>Svet za vključevanje tujcev</i>, with members from different ministries, a public institute for education of adults, the union of municipalities and one NGO, was appointed with the aim of integrating different areas of inclusion of foreigners, the exchange of relevant information and “the possibility of a common approach of inclusion of foreigners”, in order to avoid the duplication of tasks. Yet, in 2013 it had only 3 meetings.²⁶³ - As emphasised by actors in the field: due to unsystematic and inadequate financing – there is often a difficulty of cooperation between development organizations on the one hand and migrant or Diaspora organizations on the other hand – as they often see each other as competition.²⁶⁴ <p>Drivers:</p> <ul style="list-style-type: none"> - NGOs and NGDOs have had a very active part in the development in the last years. The same goes for migrant organisations, societies and institutes, which in fact have been established relatively recently. Cooperation between them is especially vibrant under the umbrella of SLOGA, a platform for NGDOs.²⁶⁵ - Much is being done in the field of education for |
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²⁶² Council of Europe, European Commission against Racism and Intolerance (ECRI) (2014), *ECRI Report on Slovenia (fourth monitoring cycle)*, Strasbourg, Council of Europe, 16 September 2014, para. 181-184.

²⁶³ Government of the Republic of Slovenia, Predlog za seznanitev z Letnim poročilom Sveta za vključevanje tujcev za leto 2013 – gradivo za obravnavo, 14 February 2014, available at: [http://vrs-3.vlada.si/MANDAT13/vladnagradaiva.nsf/aa3872cadf1c8356c1256efb00603606/237d651ceae06d5fc1257c83003af1ee/\\$FILE/VG-SVET13_podpisano.pdf](http://vrs-3.vlada.si/MANDAT13/vladnagradaiva.nsf/aa3872cadf1c8356c1256efb00603606/237d651ceae06d5fc1257c83003af1ee/$FILE/VG-SVET13_podpisano.pdf). See also Migrant Integration Policy Index III, Brussels, British Council, Migration Policy Group, p. 180, available at: www.mipex.eu/sites/default/files/downloads/migrant_integration_policy_index_mipexiii_2011.pdf.

²⁶⁴ CoMiDe – Consistency of Migration and Development Policy, *report on Partnership Fair with non-governmental organizations* (4 October 2012 at the City Museum of Ljubljana), available at: www.mirovni-institut.si/en/projects/comide-consistency-of-migration-and-development-policy/.

²⁶⁵ Peace Institute, Institute for Contemporary Social and Political Studies (2012), CoMiDe – Initiative for Migration and Development, Report/ Slovenia, European Commission, available at: www.mirovni-institut.si/data/tinymce/Projekti/comide_lana/pdf/Consistency%20of%20M&D%20in%20Slovenia.pdf. See also list of organisations at: <http://infotujci.si/>.

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| | | migrant pupils. Now visible, large projects are funded by the EU, but began as good practice examples at individual schools. Although there has not yet been a notable evaluation of results at national level, programmes have a basis in national guidelines, ²⁶⁶ schools and teachers receive expert support from the Ministry of Education, Science and Sports and <i>Zavod Republike Slovenije za šolstvo</i> . Activities seem to follow the two-way approach, promote intercultural diversity, and respect for other cultures, instead of focusing just on 'integration'. |
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3.9. Use of funding instruments (EIF, ERF, EMIF)

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| | Please provide briefly information and documented insights about the allocation and distribution of funds aimed at supporting political and social participation, and active citizenship measures for migrants and/or their descendants. | Funded projects with highly visible results mostly concern schools and support for migrant workers. No other published insights were found. |
| | In particular provide a breakdown of funding for the relevant actions and measures by area (political participation, social participation and membership, indicating the source of funding (EIF, ERF, national, regional, other funding source) by using the Annex 5 | |

3.10. Key legal and policy developments, and relevant case law

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| | In this section, please provide information about developments regarding the above legal and policy instruments concerning participation (political, consultation, membership and association, active citizenship and civic education), including any new legislative or policy initiatives in the framework of migrant integration in the country. Key developments may be new legislation or policies, abolition, update, | First 'elections' for three representatives of 'persons with immigrant background, who will then be appointed to the Council for the Inclusion of Aliens (<i>Svet za vključevanje tujcev</i>) were held on 30 March 2015. Elections were managed by NGO <i>Slovenska filantropija</i> within the project 'Fostering political participation and policy involvement of immigrants in 9 Central and Eastern EU countries', financed by the EU. ²⁶⁷ From 16 candidates three representatives were elected: one represents the area of former Yugoslavia (without Croatia), one the territory of the Member States of the EU and one all other countries. ²⁶⁸ The three representatives will be appointed to the <i>Svet</i> |
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²⁶⁶ Ministrstvo za šolstvo in šport (2007), *Strategija vključevanja otrok, učencev in dijakov migrantov v sistem vzgoje in izobraževanja v Republiki Sloveniji*, available at: www.mizs.gov.si/fileadmin/mizs.gov.si/pageuploads/podrocje/razvoj_solstva/projekti/Strategija_vkljucivanje_migrantov.doc. Zavod Republike Slovenije za šolstvo (2012), *Smernicami za vključevanje otrok priseljencev v vrtnice in šole*, available at: http://eportal.mss.edus.si/msswww/programi2013/programi/media/pdf/smernice/cistopis_Smernice_vkljucivanje_otrok_priseljencev.pdf.

²⁶⁷ *Kandidati za Svet za vključevanje tujcev* ('The candidates for the Council for the Inclusion of Aliens'), available at: <http://www.filantropija.org/kandidati-za-svet-za-vkljucivanje-tujcev/>.

²⁶⁸ *Prvič izbrani priseljenci v Svet za vključevanje tujcev* ('Immigrants chosen to the Council for the Inclusion of Aliens for the first time'), 1 April 2015, available at: www.filantropija.org/prvic-izbrani-priseljenci-v-svet-za-vkljucivanje-tujcev/.

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| | <p>improvement or reform of existing ones, as well as important case law, court, equality body or administrative cases, that have had or may have an impact on the implementation of legal and policy instruments and on the actual situation on the ground, including public debates and perceptions among the native population and migrants. (Use template in Annex 9).</p> | <p><i>za vključevanje tujcev</i> by the Government of the Republic of Slovenia (<i>Vlada Republike Slovenije</i>), this has not yet happened, although the <i>Svet</i> at their last meeting on 14 April 2015 has been informed of the new representatives. We did not however receive a clear answer when they will be appointed. According to information provided by the Ministry of the Interior, this will be done 'after some of the other current members will be replaced'.²⁶⁹</p> <p>In 2011, the Elementary School Act was amended to include a new provision stipulating that residing children whose mother tongue is not Slovenian be provided with courses of Slovenian language and culture.²⁷⁰ It also extended opportunities for Additional classes of native languages and culture (<i>Dopolni pouk maternih jezikov in kultur</i>) for migrant pupils, held at the school, once a week in the afternoon. The act provides that courses of their native language and culture shall be provided in cooperation with their countries of origin. This new provision is more inclusive, as the former version of the law only granted such lessons to pupils with migrant background under the condition that an agreement had been signed between Slovenia and their countries of origin.²⁷¹</p> |
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4. Social cohesion and community relations

4.1. Social cohesion policies

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| | <p>Does the national integration legal and policy framework refer to social/community cohesion? Is there a clear definition of social/community cohesion? Please report it here – in original language and in full English translation.</p> | <p>The Aliens Act (<i>Zakon o tujcih</i>) in Articles 105 to 108 lays down an obligation on the part of the Republic of Slovenia to provide for the integration of migrants into the cultural, economic and social life in Slovenia. Accordingly, non-EU nationals are entitled to Slovenian language and culture courses as explained earlier as well as to programs of mutual introduction and understanding with Slovenian citizens, and to receiving information on their integration into the Slovenian society.</p> |
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²⁶⁹ Information provided by Ms Sabina Hrovatin from the Internal Administrative Affairs, Migration, and Naturalization Directorate at the Ministry of the Interior (*Direktorat za upravne notranje zadeve, migracije in naturalizacijo, Ministrstvo za notranje zadeve*), upon request (written response received on 6 May 2015).

²⁷⁰ Slovenia, Act amending the Elementary School Act (*Zakon o spremembah in dopolnitvah Zakona o osnovni šoli (ZOsn-H)*), 2 November 2011, available at: <http://www.uradni-list.si/1/objava.jsp?sop=2011-01-3727>. For incorporated amendment see: Slovenia, Elementary School Act (*Zakon o osnovni šoli*), 29 February 1996, Article 8, available at: <http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO448>.

²⁷¹ Peace Institute, Institute for Contemporary Social and Political Studies (2012), CoMiDe – Initiative for Migration and Development, Report/ Slovenia, European Commission, p. 10, available at: www.mirovni-institut.si/data/tiny/mce/Projekti/comide_lana/pdf/Consistency%20of%20M&D%20in%20Slovenia.pdf.

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| | | <p>Programs of mutual introduction and understanding with Slovenian citizens (<i>Programi medsebojnega poznavanja in razumevanja s slovenskimi državljani</i>) fall within the broad scope of social cohesion. They are typically offered by civil society organizations successful at public calls jointly organized by the Ministry of Internal Affairs (<i>Ministrstvo za notranje zadeve</i>) and the Ministry of Culture (<i>Ministrstvo za kulturo</i>) as per Article 10 of the Decree on ways and scope of providing programs of support for integration of third country nationals (<i>Uredba o načinih in obsegu zagotavljanja programov pomoči pri vključevanju tujcev, ki niso državljani Evropske unije</i>)²⁷².</p> <p>The key strategic policy document, the Resolution on the migration policy of the Republic of Slovenia (<i>Resolucija o migracijski politiki Republike Slovenije</i>)²⁷³ also emphasises the importance of integration policy with specific reference to creating measures and a societal environment that foster integration and allow migrants to become responsible co-creator of Slovenia's future societal development, which, again, could broadly be interpreted within the scope of social cohesion. Moreover, among the activities listed as important for a successful implementation of the Resolution, legal and societal changes are envisioned aimed at fostering migrant integration into the Slovenian society, prevent discrimination and marginalisation, and allowing migrants to express and foster their own culture and values while respecting personal integrity and dignity in accordance with the Slovenian legislation. Additionally, programs are envisioned aimed at objectively informing the general public on different aspects of migration, reasons and consequences of migration currents, in order to prevent potential xenophobic and negative emotions towards migrants.</p> <p>The Resolution on the immigration policy of the Republic of Slovenia (<i>Resolucija o imigracijski politiki Republike Slovenije, ReIPRS</i>)²⁷⁴ states, that taking into account societal multiculturalism, the respect of the riches of diversity, peaceful coexistence, social stability and cohesion, Slovenia will direct an integration policy based on the fundamental principles and values of equality, freedom and mutual cooperation. In order to allow the greatest possible social coherence, the integration policy will contain specific legal frameworks and social measures to promote the integration of immigrants into Slovenian society and to prevent discrimination and</p> |
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²⁷² Decree on ways and scope of providing programs of support for integration of third country nationals (*Uredba o načinih in obsegu zagotavljanja programov pomoči pri vključevanju tujcev, ki niso državljani Evropske unije*), 13 September 2012, available at: www.pisrs.si/Pis.web/pregledPredpisa?id=URED5966.

²⁷³ Resolution on the migration policy of the Republic of Slovenia (*Resolucija o migracijski politiki Republike Slovenije*), 28 November 2002, available at: www.pisrs.si/Pis.web/pregledPredpisa?id=RESO20.

²⁷⁴ The Resolution on the immigration policy of the Republic of Slovenia (*Resolucija o imigracijski politiki Republike Slovenije, ReIPRS*), 14 May 1999, available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=RESO4>.

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| | | <p>social marginalization and enable immigrants to express and cultivate their own culture and values based on the respect for personal integrity and dignity according to the laws of the Republic of Slovenia.</p> <p>However, neither social nor community cohesion with regard to migrants are defined in the legal and policy framework. Social cohesion is often mentioned with regard to disabled persons, gender equality issues or youth unemployment, but we were unable to find a relevant document from the area of migrations.</p> |
| | <p>Are there any specific measures in place to strengthen social cohesion? Please refer to promising practices and examples of challenges. Use the template for promising practices in Annex 7 highlighting the most important and/or successful.</p> | <p>There are individual programs aimed at strengthening social cohesion, largely co-financed by the EU and the Slovenian authorities. Annual public calls are jointly organized by the Ministry of Internal Affairs (<i>Ministrstvo za notranje zadeve</i>) and the Ministry of Culture (<i>Ministrstvo za kulturo</i>) as per Article 10 of the Decree on ways and scope of providing programs of support for integration of third country nationals (<i>Uredba o načinih in obsegu zagotavljanja programov pomoči pri vključevanju tujcev, ki niso državljani Evropske unije</i>).</p> <p>A list of providers in recent years may be found on Infotujci.si, the national web platform, designed to inform migrants on different options.²⁷⁵ The programmes, however, commonly do not distinguish clearly measures aimed at integration in general and social cohesion in particular.</p> <p>The most thorough approach seems to be the one taken with children of migrants. At the policy level, the National Education Institute of the Republic of Slovenia (<i>Zavod republike Slovenije za šolstvo</i>) has passed Guidelines for the integration of children of migrants (<i>Smernice za vključevanje otrok priseljencev</i>),²⁷⁶ fostering an inclusive approach with reaffirming the importance of language learning and additionally including the local community. Moreover <i>Zavod za šolstvo</i> organises regular seminars and conferences for professionals working at schools (teachers, social workers, psychologists, etc.) as well as workshops on the use of the Guidelines.²⁷⁷ Several programmes are being rolled out aimed at strengthening social cohesion at schools; see Annex 7 for details on an exemplary programme. The project 'Interculturalism as a new form of coexistence' began in October 2015 and is taking place in 65 primary and secondary schools in Slovenia. It seems to be an umbrella project for all good practices that have evolved till now, among other things it provides support and promotes participation of parents, by socialising with other families, 'School for mothers',</p> |

²⁷⁵ Available at: www.infotujci.si/s/4/programi-projekti.

²⁷⁶ Guidelines for the integration of children of migrants (*Smernice za vključevanje otrok priseljencev*), last amended 2012, available at: http://portal.mss.edus.si/msswww/programi2013/programi/media/pdf/smernice/cistopis_Smernice_vkljucevanje_otrok_priseljencev.pdf

²⁷⁷ See recent schedule at: <http://www.zrss.si/default.asp?rub=1945>.

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| | | <p>furthermore, pupils are learning the language and getting to know the school and teachers before the school year begins in 'Uvajalnica', support to pupils in join extracurricular activities, etc.²⁷⁸</p> <p>The only program we were able to identify that directly mentioned social cohesion is the project "begunec.si" (refugee.si), aimed at the communication of inclusion of refugees into Slovenian society and promoting intercultural dialogue. It states that intercultural dialogue is a prerequisite necessary for social cohesion.²⁷⁹</p> |
| <p>Are there indicators used by authorities to assess, monitor and support social cohesion policies? E.g. social distance, social interaction, intergroup relations, etc. Please provide available relevant data, figures and findings, if any, and present them briefly in the relevant table of the Annex (4).</p> | | |
| <p>Please outline available research, studies, and surveys about the sense of belonging and identification of migrants and/or their descendants with diverse types of local, regional and national identities. Please summarise briefly key findings and any differentiations by nationality or ethnic origin, gender, age and geographic area.</p> | | <p>There has been very limited research in the questions of belonging and identification in Slovenia so far, none of them aimed at a majority of migrants at different levels.</p> <p>Vižintin²⁸⁰ has produced a thorough qualitative study on the inclusion of elementary school pupils. She analysed three elementary schools with migrant pupils coming from Bulgaria, Bosnia and Herzegovina, Montenegro, Croatia, Macedonia, Kosovo, Ukraine, and USA.²⁸¹ Based on her findings it seems that pupils felt best included in their new school environment when the schools fostered intercultural education and developed various forms of support for children and parents migrants as well as teachers, fostered local community involvement and communicated their experiences with other schools. The most important factors were teachers and their readiness to foster an intercultural environment.</p> <p>Bučar Ručman²⁸² focuses on questions of criminality in relation with migrants, but also offers a short insight into social cohesion in the Municipality of Velenje (a community with the most diverse nationality structure in Slovenia – 20,5 % of the citizens are not of Slovenian descent), where he finds a successful model of cohabitation of different ethnicities. His findings show that multiple, repeated contacts work well towards diminishing societal friction, especially in the case of migrant children who are in constant relation with other (majority) people (pupils, teachers, etc.) outside their migrant community. Moreover, migrant culture (esp. music and language) have become widely accepted across Slovenian youth. However, underlying friction still exists, showcased by a relatively small proportion of</p> |

²⁷⁸ Available at: <http://www.medkulturnost.si/en/>.

²⁷⁹ English summary available at: www.begunec.si/english.

²⁸⁰ Vižintin, M., A. (2013) Vključevanje otrok priseljencev prve generacije in medkulturni dialog v slovenski osnovni šoli (Integrating children of migrants of the first generation and an intercultural dialogue in Slovenian elementary school), doctoral dissertation, Ljubljana.

²⁸¹ She did not differentiate between third country nationals and migrants from EU member states.

²⁸² Bučar Ručman, A. (2014) Migracije in kriminalitetna – Pogled čez meje stereotipov in predsodkov (Migrations and criminality – A look beyond stereotypes and prejudice), Ljubljana: Založba ZRC SAZU.

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| | | <p>"mixed" couples or mixed marriages, due to peer and parental pressure, anonymous online comments on a local webpage, etc.</p> <p>A whole different perspective is, however, offered with regard to short-term migrant workers, who were mostly employed in the construction business. As the business crumbled with the beginning of the financial crisis, numerous structural abuses were uncovered, on the one hand from employers who differentiated working conditions for non-migrant and migrant workers, and on the other hand from the government, who at the time had different labour protection in place for citizens or third country nationals.²⁸³ The stated is somewhat contradictory, as it is clearly implied that while social cohesion was rather strong (migrant workers were for the most part nationals of ex-Yugoslavian countries, as were the "permanent" migrants), structural issues were strongly against that very cohesion.</p> <p>Karič²⁸⁴ researched identity politics of second generation migrants from ex-Yugoslavia areas and concluded they are strongly integrated into the Slovenian society, according to different factors: citizenship, language, education, societal relationships etc. However she also finds evidence for an equally strong process of assimilation with the youth of migrant descent relinquishing their cultural heritage.</p> <p>Petrović²⁸⁵ finds that with regard to using their own languages many migrants from ex-Yugoslav republics limit themselves to their homes and private environments in order not to be subjected to intolerant behaviour.</p> |
| | <p>Please indicate legal measures and case law affecting social cohesion and community relations, for example the banning of specific religious or ethnic dress, such as the 'burqa'²⁸⁶.</p> | <p>The Animal Protection Act (<i>Zakon o zaščiti živali</i>)²⁸⁷, as amended in 2014 prohibits slaughtering animals without prior stunning, even in the case of religious slaughtering. An amendment, proposed by a Muslim community making an exception for religious slaughtering was not passed in the National Assembly, hence leaving some religious communities without legal means of obtaining religiously acceptable meat.</p> <p>There has been no case law on similar issues, there was however a notable opinion issued by the Ombudsman (<i>Varuh človekovih pravic Republike Slovenije</i>) in 2012, where the Ombudsman found that the practice of</p> |

²⁸³ See also Pajnik M., Herič, S. (2010) Migranti na trgu dela v Sloveniji (Migrants on the Slovenian labour market), in: Dve domovini: razprave o izseljenstvu, 9 (2010) 151–169, Ljubljana: ZRC SAZU.

²⁸⁴ Karič, N. (2010) Identitete politike druge generacije priseljenk in priseljencev s področja nekdanje Jugoslavije (Identity politics of second generation of immigrants from the area of ex Yugoslavia), Ljubljana, available at: <http://dk.fdv.uni-lj.si/diplomska/pdfs/karic-nina.pdf>

²⁸⁵ Petrović, T. (2012) Jeziki in večjezičnosti (Languages and multilingualism), in: Medkulturni odnosi kot aktivno državljanstvo (Intercultural relations as active citizenship), eds. Lukšič-Hacin, M., Milharčič Hladnik, M. and Sarđoč, M., Ljubljana: ZRC SAZU, p. 49-57.

²⁸⁶ Cfr. The notable ECHR case European Court of Human Rights (ECtHR), S.A.S. v. France, No. 43835/11, 1 July 2014, available at [http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-145466#{"itemid":\["001-145466"\]}](http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-145466#{)

²⁸⁷ Animal Protection Act (*Zakon o zaščiti živali*), 18 November 1999, available at: www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO1353.

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| | | <p>circumcising boys for solely religious (and not medical) reasons is a violation of the child's physical integrity and as such cannot be justified by invoking religious rights. The Ombudsman, basing its findings on an existing opinion of the Republic of Slovenia National Medical Ethics Committee (<i>Komisija Republike Slovenije za medicinsko etiko</i>) and the opinion of the Expanded Professional Board of Surgery (<i>Razširjeni strokovni svet za kirurgijo</i>) advised that circumcision be treated as any other medical procedure that is not necessary and only be executed with the child's valid consent (which can only be given after the age of 14). If this is not respected, the Ombudsman believes the act of circumcision has all elements of a criminal offence (against the body of the child).²⁸⁸</p> <p>The opinion sparked a large public and academic debate with the Muslim and Jewish communities strongly opposing it from the standpoint of religious freedom, joined by the Catholic Church.²⁸⁹</p> <p>As the opinion of the National Medical Ethics Committee remains valid, however, doctors may not perform circumcision in hospitals unless there are medical reasons, and they are strongly prohibited from performing such procedures outside the medical setting. In fact in 2012, The Medical Chamber of Slovenia (<i>Zdravniška zbornica Slovenije</i>) found that a doctor, who performed such a procedure at a patient's home, was in violation of the Chamber's bylaws and issued a public admonition.²⁹⁰ The same event was reason for a criminal charge against the doctor in 2013, but the Prosecution withdrew the action in 2014 before the Court made a ruling.²⁹¹</p> <p>The issue remains largely unresolved at the principal and legal level, but it is widely understood that the practice of circumcision has by no means been deterred or aborted.</p> |
| | <p>Does the action plan or strategy on integration and inclusion of migrants and their descendants address combating racism, xenophobia and intolerance?</p> <p>Are there specific integration/inclusion actions related to racism and</p> | <p>Yes.</p> <p>The Resolution on the migration policy of the Republic of Slovenia (<i>Resolucija o migracijski politiki Republike Slovenije</i>²⁹²) discusses combating racism, xenophobia, intolerance and discrimination in three fundamental parts:</p> <ul style="list-style-type: none"> - as a basis from which policy and programmes need to stem outward; |

²⁸⁸ Varuh človekovih pravic RS (2012) Obrezovanje fantkov iz nemedicinskih razlogov je kršitev otrokovih pravic (Circumcision of little boys for non-medical reasons is a violation of the rights of the child); opinion available at: www.varuh-rs.si/medijsko-sredisce/aktualni-primeri/novice/detajl/obrezovanje-fantkov-iz-nemedicinskih-razlogov-je-krsitev-otrokovih-pravic/?cHash=7364092ccb505dd5ab72cff3ecab523a.

²⁸⁹ Goršek, A. (2012) Si obrezovanje zasluži pravno varstvo? (Does circumcision warrant legal protection?), *Pravna praksa*, 8 (2012) 9-11.

²⁹⁰ Decree N. 0920-55/2011/12 of 30 October 2012, available at: <http://issuu.com/visart.studio/docs/isis2013-02/9?e=1001894/2624829>.

²⁹¹ Celec, B. (2014) Obrezal dečka, a ušel kazni (Circumcised a boy, but escaped punishment), *Slovenske novice*, 3 April 2014, available at: www.slovenskenovice.si/novice/slovenija/obrezal-decka-je-usel-kazni.

²⁹² The Resolution on the migration policy of the Republic of Slovenia (*Resolucija o migracijski politiki Republike Slovenije*, ReMPRS), 28 November 2012. Available at: www.pisrs.si/Pis.web/pregledPredpisa?id=RESO20.

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| <p>intolerance for education and/or for young people? If yes, how are such actions linked to general integration and/or social inclusion and/or cohesion policy? Please provide information on implementation and impact of such plans and refer to any assessment of their impact?</p> | <ul style="list-style-type: none"> - as an obligation on the part of the government and society to embed principles of tolerance into all existing and proposed policies and action plans related to existing and future migrants in order to facilitate their integration; - as an obligation to implement such legal norms as to ensure the respect of the principle of tolerance and prevent discrimination and marginalisation of migrants. <p>Article 155, Paragraph 2 of the Aliens Act, which was also based on the abovementioned Resolution requires governmental and nongovernmental institutions, organisations and associations to warrant protections against any discrimination on the basis of race, religion, nationality, ethnicity or other quality of migrants.</p> <p>Generally, most of the programs in the area of social cohesion address issues of racism and intolerance at a general level, stemming from the general policy orientation that programs fostering social inclusion act preventively against racist and xenophobic attitudes. However, assessment with respect to the outcomes of such programs is lacking as is a systemic academic review.</p> <p>There are no programmes aimed specifically at combating racism, there are however numerous programmes aimed at young people of school age that tackle the issue. At the policy level, the National Education Institute of the Republic of Slovenia (<i>Zavod republike Slovenije za šolstvo</i>) has passed Guidelines for the integration of children of migrants (<i>Smernice za vključevanje otrok priseljencev</i>),²⁹³ fostering an inclusive approach with reaffirming the importance of language learning and additionally including the local community. Moreover <i>Zavod za šolstvo</i> organises regular seminars and conferences for professionals working at schools (teachers, social workers, psychologists, etc.) as well as workshops on the use of the Guidelines.²⁹⁴ Several programmes are being rolled out aimed at strengthening social cohesion at schools, including fostering tolerance and non-discrimination; see Annex 7 for details on an exemplary programme.</p> |
| <p>Please provide information about state and non-state responses via positive measures, campaigns, partnerships involving migrants and communities. Please provide information only about those actions that focus on</p> | <p>As mentioned above, generally most programs address intolerance at the basic level.</p> <p>Programmes at schools, for instance, such as the “<i>Razvijamo medkulturnost kot novo obliko sobivanja</i>” (see Annex 7) are aimed at building an intercultural environment and at least nominally address issues of tolerance as a starting point.</p> |

²⁹³ Guidelines for the integration of children of migrants (*Smernice za vključevanje otrok priseljencev*), last amended 2012, available at: http://portal.mss.edus.si/msswww/programi2013/programi/media/pdf/smernice/cistopis_Smernice_vkljucevanje_otrok_priseljencev.pdf

²⁹⁴ See recent schedule at: <http://www.zrss.si/default.asp?rub=1945>.

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| <p>migrants and on <u>prevention</u> and promotion of peaceful living together and integration as mutual accommodation combating racism and intolerance. Please outline any assessment about their impact and identify any relevant promising practice. (Use the template for promising practices in Annex 7).</p> | <p>The project “<i>begunec.si</i>” specifically addresses intercultural dialogue with the intent of creating a more tolerant society. The run an awareness campaign aimed at the general population with the purpose of presenting refugees as individual personalities and not just numbers or tragedies. They have so far run a fashion show showcasing ethnically inspired intercultural clothing, an interactive show on the streets of Ljubljana commemorating the world refugees day, a photo competition, etc.²⁹⁵</p> <p>A stream of short documentary videos was produced by the Ministry of Internal Affairs (<i>Ministrstvo za notranje zadeve</i>) under the slogan <i>Sožitje za skupno rast</i> (Coexistence for a common growth) in 2014 emphasising the importance of accepting migrants and migration as a positive factor in achieving societal progress and cohesion. The programme was co financed by the Ministry of Internal Affairs and the European Integration Fund and was part of an information and awareness raising campaign.²⁹⁶ An evaluation has not yet been published.</p> |
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4.2. Combatting racism and intolerance

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| <p>Are there any policy measures, initiatives and practices to accommodate for ethnic or religious differences, for example in regard to sharing public space, such as swimming pools at local level?</p> <p>Identify any promising practices encouraging social interaction and contacts of people of different backgrounds at local level (use the template for promising</p> | <p>At the local level several intercultural dialogue programmes were co-financed by the Ministry of the Interior (<i>Ministrstvo za notranje zadeve</i>) in towns: Ljubljana, Maribor, Celje, Novo mesto and Koper. Additionally programmes aimed at specific groups of migrants (elderly migrants, women migrants) were implemented in Ptuj, Kranj, Nova gorica and Sežana.²⁹⁷ Similar programmes were implemented locally in the previous years as well.²⁹⁸ The current providers of such programmes are listed at the infotujci.si web page.²⁹⁹</p> |
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²⁹⁵ English summary available at: www.begunec.si/english.

²⁹⁶ Documentaries available at: www.infotujci.si/s/23/so%C5%BEitje-za-skupno-rast.

²⁹⁷ Ministry of Internal affairs (2014) Mednarodni dan migrantov: Sožitje za skupno rast (International migrants day: Coexistence for a common growth), press release, available at: www.mnz.gov.si/nc/si/novinarsko_sredisce/novica/article/9125/.

²⁹⁸ Report from the working areas of migration, international protection and integration for 2013 (*Poročilo z delovnega področja migracij, mednarodne zaščite in vključevanja za leto 2013*), available at:

www.mnz.gov.si/fileadmin/mnz.gov.si/pageuploads/DUNZMN_2013/Statistico_porocilo_-_SLO.pdf; Report of the

Internal Administrative Affairs, Migration and Naturalisation Directorate for 2012 (*Poročilo o delu direktorata za upravne notranje zadeve, migracije in naturalizacijo za leto 2012*), available at:

www.mnz.gov.si/nc/si/novinarsko_sredisce/novica/article/12027/7868/; Report of the Directorate for migrations and

integration for 2011 (*Poročilo direktorata za migracije in integracijo za leto 2011*), available at:

www.mnz.gov.si/fileadmin/mnz.gov.si/pageuploads/DMI/Statistico_porocilo_-_SLO_zadnja_verzija_-_popravljen.pdf;

Report of the Directorate for migrations and integration for 2012 (*Poročilo direktorata za migracije in integracijo za leto 2012*), available at:

www.mnz.gov.si/fileadmin/mnz.gov.si/pageuploads/DMI/Statistico_porocilo_-_SLO_-_Lektorirano_01.pdf

²⁹⁹ Available at: www.infotujci.si/s/3/organisations-societies.

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| <p>practices in annex 7).</p> | |
| <p>Please indicate concrete measures, initiatives or programmes targeting migrants and/or descendants aiming at building trust in public institutions, especially at local level. E.g. campaigns, opening doors and reaching out to citizens, social centres, informal collective bodies, cultural events etc.</p> <p>Please provide notable examples of promising practice (use the template for promising practices in annex 7).</p> | <p>A programme for Training staff in the area of intercultural competence and communication (<i>Usposabljanje uslužbencev s področja medkulturnih kompetenc in komunikacije</i>) was executed in 2010. Additionally, the Code of Conduct for employees of the Ministry of the Interior (<i>Ministrstvo za notranje zadeve</i>) and of all other persons working in the field of international protection towards applicants for international protection and persons granted international protection (<i>Kodeks ravnanja uslužbencev Ministrstva za notranje zadeve in vseh ostalih oseb, ki delujejo na področju mednarodne zaščite, do prosilcev za mednarodno zaščito in oseb s priznano mednarodno zaščito</i>)³⁰⁰ was adopted on 3 March 2014, which specifies the appropriate approach of employees towards applicants and refugees, confidentiality obligations and conflict of interest. For instance, the code advises a moderate dress code, prohibits establishing of emotional or other ties with applicants that could lead to a conflict of interest. In case employees find themselves in such situation, they must immediately report the situation to the head officer.</p> <p>The main informative point for migrants about the Slovenian system and society is the web portal "infotujci.si".³⁰¹ It offers comprehensive information on the governmental initiatives available to migrants as well as an overview of the system into which migrants are entering when immigrating to Slovenia.</p> <p>30,000 printed brochures for migrants containing relevant information were also published in 2014, with information on entering and residing in Slovenia, education, employment, programmes of integration etc. in six different foreign languages: English, French, Bosnian, Albanian, Russian and Chinese.³⁰² The publications were distributed at Slovenian diplomatic and consular missions abroad (Bosnia and Herzegovina, Serbia, Russian federation, China) and at Administrative Units (<i>Upravna enota</i>) in Slovenia.³⁰³</p> <p>However, no programmes were identified with the specific aim of building trust in public institutions.</p> |
| <p>Are there any specific ethical or other guidelines or rules concerning the language used by media or journalists, when</p> | <p>In 2011 the Audiovisual Media Services Act (<i>Zakon o avdiovizualnih medijskih storitvah</i>)³⁰⁴ was passed, which implements Directive 2010/13/EU. Article 9 prohibits inciting inequality or discrimination on the basis of</p> |

³⁰⁰ Adopted by the Minister of the Interior (*Minister za notranje zadeve*).

³⁰¹ Available at: www.infotujci.si.

³⁰² Publications available at: www.mnz.gov.si/en/services/.

³⁰³ Ministry of Internal affairs (2014) Mednarodni dan migrantov: Sožitje za skupno rast (International migrants day: Coexistence for a common growth), press release, available at: www.mnz.gov.si/nc/si/novinarsko_sredisce/novica/article/9125/.

³⁰⁴ Audiovisual Media Services Act (*Zakon o avdiovizualnih medijskih storitvah*), 19 October 2011, available at: www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO6225.

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| <p>writing about migrants and/or their descendants? In this case please provide briefly information about actual application of such rules and challenges.</p> | <p>nationality, race, gender or other personal circumstance through audiovisual media services. Article 20 moreover prohibits audiovisual commercial material from containing or inciting discrimination against those same circumstances.</p> <p>Moreover, the Code of Journalists of the Republic of Slovenia (<i>Kodeks slovenskih novinarjev</i>)³⁰⁵ strongly condemns any kind of inciting violence, spreading hatred or intolerance and other forms of hate speech. When a journalist faces such discourse, an immediate condemning reaction is warranted.</p> <p>In practice, a recent analysis on media discourse with regard to migrants has sensed a general shift in attitudes in the mid-2000s, from the previously hostile attitude towards a more inclusive, compassionate discourse, at least in respect to migrant workers from ex-Yugoslavia.³⁰⁶</p> |
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4.3. Mixed marriages

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| <p>Mixed marriages is often used as an index for social distance and integration or, even, assimilation. Mixed (citizenship) marriages are defined as those where one of the spouses has foreign citizenship and the other has national citizenship (including registered partnerships, common-law marriages). Please indicate legal limitations, if any, for marriages between nationals and foreigners, e.g. for asylum seekers, third country nationals, etc. Do these limitations result in practical barriers?</p> | <p>(1) Generally, there are no legal barriers to mixed marriages. There are however some additional burdens in terms of providing sufficient documentation for third country nationals.</p> <p>The Marriage and Family Relations Act (<i>Zakon o zakonski zvezi in družinskih razmerjih</i>)³⁰⁷ and the Private International Law and Procedure Act (<i>Zakon o mednarodnem zasebnem pravu in postopku</i>)³⁰⁸ list a number of documents to be provided: a birth certificate; a certificate confirming the status of a single person; a certificate issued by the third country confirming there are no limitations to entering marriage; proof of citizenship (passport). All documents must be issued at most 6 months prior to the application.</p> <p>In practice, the certificate issued by the third country confirming there are no limitations to entering marriage (e.g. the spouse is not under age) according to national laws, has caused some problems, because not all countries require an issue such certificates. The Administrative Units (<i>Upravne enote</i>), mandated with processing the required documentation, have been advised to accept other forms of proof, such as excerpts</p> |
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³⁰⁵ Code of Journalists of the Republic of Slovenia (*Kodeks slovenskih novinarjev*), latest changes in 2002, available at: www.razsodisce.org/razsodisce/kodeks_ns.html.

³⁰⁶ Fabijan, E. (2012) Tretjerazredni državljani: "nevidni" migrantski delavci iz nekdanje Jugoslavije skozi medijsko perspektivo (Third class "invisible" migrant workers from the ex-Yugoslavia through the lens of the media), Ljubljana, available at: http://dk.fdv.uni-lj.si/diplomska_dela_1/pdfs/mb11_fabijan-emanuela.pdf.

³⁰⁷ The Marriage and Family Relations Act (*Zakon o zakonski zvezi in družinskih razmerjih*), 4 June 1976, available at: www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO40.

³⁰⁸ Private International Law and Procedure Act (*Zakon o mednarodnem zasebnem pravu in postopku*), 30 June 1999, available at: www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO1258.

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| | <p>of legislation, official statements, etc in order to lessen the burden for third country nationals.³⁰⁹</p> <p>As regulated by the Act on verification of documents in international traffic (<i>Zakon o overitvi listin v mednarodnem prometu</i>)³¹⁰, the certificates need to be certified by national authorities as well as the Slovenian Ministry for foreign affairs, unless they fall within the exceptions listed in Art. 15 of the Act.</p> <p>Both spouses need to be present at the ceremony, as well as two witnesses, a high official or their substitute, the civil registry officer and, if there are language barriers, a sworn translator. The ceremony may either be held in Slovenia, provided that the TCN has entered the country legally, or at a Slovenian diplomatic mission abroad.</p> <p>Both the process of verifying documents as well as providing a sworn translator can incur significant financial costs for the couple, sometimes exceeding 1,000 Euros,³¹¹ which can be an important barrier in some cases.</p> <p>(2) The Rules on the registration of same-sex partnerships (<i>Pravilnik o registraciji istospolnih partnerskih skupnosti</i>)³¹² require third country nationals to present: a birth certificate; proof of citizenship and residence; a certificate confirming the status of a single person and the non-existence of a registered partnership or that there are no limitations to enter such a partnership. Same rules on issuing and certifying such certificates apply as in the case of marriages.</p> <p>In practice, the certificate confirming the lack of limitations to enter a registered partnership has caused many issues, as many countries, especially those that lack any kind of legislation on same-sex unions, have had trouble issuing such documents. According to the Ministry of Labour, Family, Social Affairs and Equal Opportunities in such cases, an official statement that the country does not regulate the issue should suffice.³¹³</p> <p>(3) In the case of civil unions (<i>zunajzakonska skupnost</i>) the issues are resolved following provisions in the Private International Law and Procedure Act, which</p> |
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³⁰⁹ Data provided by the Ministry of Labour, Family, Social Affairs and Equal Opportunities (*Ministrstvo za delo, družino, socialne zadeve in enake možnosti*) upon request (telephone conversation with Ms Špela Isop of 27 March 2015).

³¹⁰ Act on verification of documents in international traffic (*Zakon o overitvi listin v mednarodnem prometu*), 17 July 2001, available at: www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO2065.

³¹¹ Hocevar, B. (2013) Birokratske ovire pri porokah s tujci (Bureaucratic barriers in marrying foreigners), Delo, available at: www.delo.si/novice/slovenija/birokratske-ovire-pri-porokah-s-tujci.html.

³¹² The Rules on the registration of same-sex partnerships (*Pravilnik o registraciji istospolnih partnerskih skupnosti*), 26 April 2006, available at: www.pisrs.si/Pis.web/pregledPredpisa?id=PRAV7131.

³¹³ Hocevar, B. (2013) Birokratske ovire pri porokah s tujci (Bureaucratic barriers in marrying foreigners), Delo, available at: www.delo.si/novice/slovenija/birokratske-ovire-pri-porokah-s-tujci.html.

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| | | <p>states that the law of the national in question is applicable in determining the nature of the relationship.</p> <p>(4) There have been instances of Slovenian citizens marrying TCN in the process of acquiring asylum or international protection status. The issue is largely unregulated and such marriages are not subject to any kind of stricter scrutiny. The matter was formally regulated by the Family Code (<i>Družinski zakonik</i>), which was rejected at a referendum in 2012. So far it has not been re-regulated.³¹⁴</p> |
| | <p>Are there any official or non-official data and information on mixed marriages (between nationals and people with another citizenship)? Please provide % proportions on the total number of marriages in a given period, as well as data – where available – about ages, country of origin/birth of migrant spouses.</p> | <p>The Statistical Office of the Republic of Slovenia (<i>Statistični urad Republike Slovenije</i>) collects all available data regarding marriages in general and mixed marriages in particular, the data is official, but specifics only available through request.³¹⁵</p> <p>In the last couple of years the proportion of mixed marriages was around 17 % of the number of total marriages. Specifically, in 2010: 10.8 %; in 2011: 18.3 %; in 2012: 16.8 % and in 2013: 17.1 %.</p> <p>The proportion of brides and grooms who are third country nationals is approximately the same.</p> <p>The majority of brides who are third country nationals are aged between 25 and 35, while the majority of grooms who are third country national are aged between 20 and 30.</p> <p>The majority of brides and grooms who are third country nationals are Bosnian.</p> |

³¹⁴ Data provided by the Ministry of Labour, Family, Social Affairs and Equal Opportunities (*Ministrstvo za delo, družino, socialne zadeve in enake možnosti*) upon request (telephone conversation with Ms Špela Isop of 27 March 2015).

³¹⁵ Data provided by the Statistical Office of the Republic of Slovenia upon request (written response of 9 February 2015). An important methodological caveat when interpreting the data: The Statistical Office sorts data according to the residence of the brides and grooms prior to getting married. This means that the category “Slovenian citizen” oddly also includes third country nationals with a residence permit who live in Slovenia for a period longer than a year. Similarly, Slovenian citizens who permanently live abroad are not included in the statistic.

Annex 2: National and regional level action plans on integration

| <p>National / regional level (specify region)</p> | <p>Year of the first edition and Year of latest update (e.g. First edition: 2004, Most recent update: 2011)</p> | <p>Responsible ministry – public authority – reference details (URL – links)</p> | <p>Target groups identify migrant and refugee groups as beneficiaries (e.g. on the basis of their residence status)</p> | <p>Main aims, actions and activities foreseen in the focus areas – link to fundamental rights [provide both key dimensions and specific actions and aims of the policy instruments in each focus area (use a different row for each focus area if needed)]</p> | <p>Targeting general population? Yes/No – explanatory comments where needed</p> | <p>Insert here definition of integration (in EN) if any. Alternative: Indicate the core aim/objective of the NAP related to social inclusion and/or integration of migrants</p> |
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| <p>1. National level.</p> <p>Name of the programme: Initial Integration of Immigrants (<i>Začetna integracija priseljencev, ZIP</i>)</p> | <p>This is a unified programme of Slovenian language learning and knowledge of the Slovenian society. It started in 2013 as a unified programme regulated by the Decree on ways and scope of providing programs of support for</p> | <p>Ministry of the Interior (<i>Ministrstvo za notranje zadeve</i>) and Ministry of education science and sport (<i>Ministrstvo za izobraževanje, znanost in šport</i>).</p> <p>Information available at: http://www.infotujci.si/v/24/tečajji-slovenskega-jezika</p> <p>There are several providers of the programme in all</p> | <p>Third country nationals.</p> <p>The length of the course depends on the third country national's period of stay in Slovenia and the type of his/her permit (Article 4 of the Decree on ways and scope of providing programs of support for integration of third country</p> | <p>The programme is executed as a 180-hours, a 120-hours or as a 60-hours course.</p> <p>The 180 hours programme is designed for third country nationals who:</p> <ol style="list-style-type: none"> 1) have permanent residence permits and their family members who have a temporary residence permit under family reunification provisions; 2) have temporary residence permits if the validity of the current permit and previous temporary residence permits combined is of at least 24 uninterrupted months, and their family members who have the | <p>No.</p> | <p>No definition of integration.</p> <p>The core aim is to help migrants in acquiring language skills and basic knowledge of Slovenian society, culture and constitutional order.</p> <p>The programme is performed as a publicly valid educational programme for adults.</p> <p>From 2011 the programme is rolled</p> |

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| | <p>integration of third country nationals (<i>Uredba o načinih in obsegu zagotavljanja programov pomoči pri vključevanju tujcev, ki niso državljani Evropske unije</i>).³¹⁶</p> <p>Before the Decree came into force, two separate programmes run from September 2009: 1) a language learning course and 2) a course on Slovenian history, culture and constitutional order.</p> | <p>major Slovenian towns. The list is available at: http://www.infotujci.si/s/2/slovenian-language-courses</p> | <p>nationals).</p> | <p>temporary residence permit issued under family reunification provisions. The 24-month validity of the permit also includes the time of residence on the basis of an application to renew or issue another temporary residence permit.</p> <p>3) are family members of a Slovenian national or a citizen of the European Economic Area and reside in Slovenia under the residence permit for the family member, irrespective of the length of stay and the validity of the permit.</p> <p>The 120 hours programme is available when a third country national has already attended a 60-hour Slovenian language course as a third country national with a temporary residence permit and meets the requirement of a 24-month uninterrupted residence on the basis of temporary residence permits.</p> <p>The 60 hours programme is designed for third country nationals residing in Slovenia under a temporary residence permit valid for at least one</p> | <p>not only in urban areas but also in smaller towns and in the suburbs of larger towns in order to reach third country nationals living in more remote areas.</p> |
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³¹⁶ The Official Gazette of the Republic of Slovenia no. 70/12, 13 September 2012. Available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=URED5966>

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| | The programme has been running throughout the reporting period. | | | year; the one-year period also includes the time from the lodging of the application for this permit. | | |
| 2. National level. Name: The first free Slovenian language assessment test on the basic level (<i>Brezplačni prvi preizkus znanja iz slovenskega jezika</i>) | It started in September 2009 and has been running throughout the reporting period. | Ministry of the Interior. Available at: http://www.infotujci.si/v/26/basic-level-slovenian-language-exam The Centre for Slovene as a Second/Foreign Language (<i>Center za slovenščino kot drugi/tuji jezik</i>) maintains a list of authorised institutions. | Third country nationals who attended the 180 or 120 hours language and Slovenian society course with an attendance rate of min. 80 percent and fulfil the conditions of residence in the Republic of Slovenia are entitled to the test after finishing the programme. | The main aim is to support third country nationals in acquiring basic language skills of the Slovenian language. | No. | No definition of integration. Objective of the action is to test the level of language proficiency that is obligatory, for instance, for the acquisition of Slovenian citizenship. Until 30 April 2013, 2451 participants of the Slovenian language-learning course had taken the exam. |
| 3. National level. Programme of informing third country nationals about integration | Executed in 2011. | Ministry of the Interior. | Third country nationals. | The aim of the marketing campaign was to inform and promote the participation in the available integration programmes in Slovenia. The campaign was broadcast on national television and published on the internet. Flyers and brochures were distributed at migrants' points of interest, | No. | No definition of integration. The core aim of the action plan was to raise awareness about possibilities offered by the Ministry of the Interior for third |

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| programmes (co-financed by the EIF) | | | | such as schools, social work centres, relevant NGOs and Administrative units. The campaign was successful according to the Annual Report of the Directorate for Migrations and Integration for 2011, ³¹⁷ e.g. comparing to 2010 62 percent more certificates allowing participation in integration programmes were issued. | | country nationals. |
| 4. National level. A special web page dedicated to foreigners living in Slovenia: www.infotujci.si (in translation www.infoforeigners.si) | The web site was created in 2010 and has been regularly updated. | Ministry of the Interior. | Foreigners. | The web page is available in Slovenian and 6 other languages. The main aim is to provide practical information for staying and living in Slovenia to foreigners. The web site includes information on the following topics: 1) Entry and residence (e.g. Temporary residence permit, Family reunification, Employment or work, highly qualified employment, seasonal work, Permanent residence permit etc.); 2) Schooling (Primary education, Secondary education, Tertiary education, Slovenian language courses, Basic level | Yes, indirectly, e.g. potential employers can find information about working permits for foreigners. | No definition of integration. The core objective is to offer a focal web page with practical information about living in Slovenia to foreigners and to facilitate distribution of information about their basic rights and duties. |

³¹⁷ Annual Report of the Directorate for Migrations and Integration for 2011 (*Poročilo Direktorata za migracije in integracijo za leto 2011*). Available at: http://www.mnz.gov.si/fileadmin/mnz.gov.si/pageuploads/DMI/Statisticko_porocilo_-_SLO_zadnja_verzija_-_popravljen.pdf.

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| | | | | <p>Slovenian language exam, Procedure for recognition and assessment of education etc.);</p> <p>3) Social security and healthcare (Social work centres, Financial assistance, Health insurance, Medical clinic for people without health insurance, Work permit Rights and obligations);</p> <p>4) Life in Slovenia (Business in Slovenia, Accommodation, Public transport, Marriage/birth/parenthood, Road safety, Post, Shops, Banks, etc.);</p> <p>5) Information on Slovenia (e.g. form of government and history).</p> | | |
| <p>5. National level.</p> <p>The Council for the integration of foreigners (<i>Svet za integracijo tujcev</i>)</p> | <p>The Council was established in 2008 and has been active throughout the reporting period; e.g. its members met six times in 2011.</p> | <p>Ministry of the Interior.</p> | <p>Foreigners.</p> | <p>Main activity of the Council is monitoring the implementation of integration programmes and measures; preparing proposals about the integration related legislation. The Council reports directly to the Government of the Republic of Slovenia.</p> | <p>No.</p> | <p>No definition of integration.</p> <p>The core objective is to provide foreigners a voice in designing policies related to migrants.</p> |
| <p>6. National</p> | <p>The programme</p> | <p>Ministry of the Interior.</p> | <p>Albanian speaking</p> | <p>The main aim was to offer tailored textbooks to the</p> | <p>No.</p> | <p>No definition of integration.</p> |

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| level. Textbook for the Slovenian language course for Albanian speaking participants. (co-financed by the EIF) | was executed in 2011. | Contracted to the Faculty of Arts of the University of Ljubljana. | individuals living in Slovenia and taking Slovenian language course. | Albanian-speaking foreigners living in Slovenia. The Faculty of Arts prepared and reprinted a textbook for the Slovenian language course. | | The aim of the programme was to adapt the language course to one of the biggest language groups taking the Slovenian language course. |
| 7. National level. Name of the programme: 6 programmes for integration (co-financed by the European Refugee Fund) | Started in 2010. Duration: until July 2012. | Ministry of the Interior. Available at: http://www.mnz.gov.si/fileadmin/mnz.gov.si/pageuploads/DMI/Statisticno_porocilo_-_SLO_zadnja_verzija_-_popravljen.pdf (Annual Report of the Internal Administrative Affairs, Migration and Naturalisation Directorate for 2011) | Individuals <i>granted</i> international protection in accordance with the International Protection Act (<i>Zakon o mednarodni zaščiti</i> , ZMZ). ³¹⁸ International protection refers to the refugee status and the subsidiary form of protection. | The 6 programmes executed were (apart from the already mentioned Slovenian language course and Course on knowledge of the Slovenian society): 1) Program of assistance in arranging life situations (<i>Program pomoči pri urejanju življenjskih situacij</i>) 2) The program of psychosocial assistance to children granted international protection and other vulnerable persons (<i>Program psihosocialne pomoči mladoletnim osebam z mednarodno zaščito in drugim ranljivim osebam</i>) 3) Education to improve | 1) No. 2) No. 3) | No definition of integration. The programmes focus only on the group of migrants granted international protection. |

³¹⁸ The Official Gazette of the Republic of Slovenia, no. 11/11, 21 November 2007, available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO4911>

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| | | | | <p>employment opportunities for people with international protection (<i>Izobraževanja za izboljšanje zaposlitvenih možnosti oseb z mednarodno zaščito</i>)</p> <p>4) Raising public awareness on the importance of the integration of persons with international protection in the Slovenian society, with an emphasis on the promotion of intercultural dialogue (<i>Osveščanje širše javnosti o pomenu vključevanja oseb z mednarodno zaščito v slovensko družbo s poudarkom na vzpodbujanju medkulturnega dialoga</i>).</p> | <p>Yes, employers.</p> <p>4) Yes.</p> | <p>4) The programme's aim was to raise awareness on dilemmas related to refugees with a goal to increase the intercultural exchange of ideas. It was executed on the local level in Celje, Ljubljana and Maribor. A special web site was created (www.begunec.si).</p> |
| <p>8. National level. Name of the programme: 8 programmes for integration (co-financed by the European Refugee Fund)</p> | <p>2011 2012</p> | <p>Ministry of the Interior</p> <p>Available at: http://www.mnz.gov.si/fileadmin/mnz.gov.si/pageuploads/DMI/Statisticno_porocilo_-_SLO_zadnja_verzija_-_popravljen.pdf (Annual Report of the Internal</p> | <p>Individuals seeking international protection according to the International Protection Act (<i>Zakon o mednarodni zaščiti</i>, ZMZ).³¹⁹</p> | <p>The 8 programmes executed were:</p> <p>1) Identifying specific needs and providing special treatment for vulnerable groups, with an emphasis on unaccompanied minors (<i>Ugotavljanje posebnih potreb ter nudenja posebne obravnave ranljivim skupinam, s poudarkom na mladoletnikih brez spremstva</i>)</p> <p>2) PIAS - Informing applicants</p> | <p>1) No.</p> <p>2) No.</p> | <p>No definition of integration.</p> <p>Aims explained in the previous columns.</p> |

³¹⁹ The Official Gazette of the Republic of Slovenia, no. 11/11, 21 November 2007, available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO4911>

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| | | Administrative Affairs, Migration and Naturalisation Directorate for 2011 | | <p>for the purpose of detection of potential victims of trafficking in human beings (<i>PIAS - Informiranje prosilcev z namenom zaznavanja potencialnih žrtev trgovine z ljudmi</i>)</p> <p>3) Program implementation for housing assistance and care of applicants for international protection in the Asylum Home (<i>Program izvajanja pomoči pri nastanitvi in oskrbi prosilcev za mednarodno zaščito v Azilnem domu</i>)</p> <p>4) Providing free legal aid (<i>Zagotavljanje brezplačne pravne pomoči</i>)</p> <p>5) Providing interpretation and translation in asylum procedures (<i>Zagotavljanje tolmačenja in prevajanja v azilnih postopkih</i>)</p> <p>6) Slovenian language course at the Asylum Home (<i>Tečaj slovenskega jezika v Azilnem domu</i>)</p> <p>7) Informing foreigners who have expressed an intention to lodge an application for international protection and applicants for international protection in procedures for</p> | <p>3) No.</p> <p>4) No.</p> <p>5). No.</p> <p>6) No.</p> <p>7) No.</p> | |
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| | | | | <p>granting international protection about their rights and duties (<i>Informiranje tujcev, ki izrazijo namen vložiti prošnjo za mednarodno zaščito, in prosilcev za mednarodno zaščito v postopkih za priznanje mednarodne zaščite ter o njihovih pravicah in dolžnostih</i>)</p> <p>8) Setting up a database of judicial practice (<i>Vzpostavitev registra sodne prakse</i>)</p> | 8) Yes, indirectly. The general public can benefit from the database as well. | |
| 9. Regional level (Celje, Maribor, Ljubljana). Name of the programme: Fostering intercultural dialogue (<i>Spodbujanje medkulturnega dialoga</i>) (co-financed by the EIF) | 2011 | <p>Ministry of the Interior</p> <p>Available at: http://www.mnz.gov.si/fileadmin/mnz.gov.si/pageuploads/DMI/Statisticno_porocilo_-_SLO_zadnja_verzija_-_popravljen.pdf (Annual Report of the Internal Administrative Affairs, Migration and Naturalisation Directorate for 2011)</p> | Third country nationals. | The programme Fostering intercultural dialogue was executed at the local level in three Slovenian regions. | Yes. | <p>Integration not defined.</p> <p>The aim was to help migrants establish personal connections with nationals.</p> |

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| <p>10. National level. Pilot project awareness and informing employers of the importance of third-country nationals integration (<i>Pilotni projekt Osveščanje in informiranje delodajalcev o pomenu vključevanja državljanov tretjih držav</i>) (co-financed by the EIF)</p> | <p>Started in 2010 and lasted until 30 November 2012.</p> | <p>Ministry of the Interior.</p> <p>Available at: http://www.mnz.gov.si/fileadmin/mnz.gov.si/pageuploads/DMI/Statisticno_porocilo_-_SLO_zadnja_verzija_-_popravljena.pdf (Annual Report of the Internal Administrative Affairs, Migration and Naturalisation Directorate for 2011)</p> | <p>Third country nationals.</p> | <p>The focus group were potential employers. They were informed about possibilities and added value of integration programmes in place for their third country national employees. Employers were acquainted with the available options for their own collaboration in the integration programmes designed for third country nationals.</p> | <p>Yes.</p> | <p>No definition of integration.</p> |
| <p>11. Regional level.</p> <p>Name of the programme:</p> <p>Programme of stimulating</p> | <p>Started in 2012.</p> <p>Available at: http://www.mnz.gov.si/novinarstvo/sredisce/novica/articel/12027/786</p> | <p>Ministry of the Interior.</p> | <p>Women, third country nationals.</p> | <p>The action targets women as one of the vulnerable migrant groups. It is implemented at the regional level with three contractors from Nova Gorica, Novo mesto and Velenje.</p> | <p>No.</p> | <p>No definition of integration.</p> |

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| social inclusion of women, third country nationals (<i>Program spodbujanja socialne vključenosti žensk, državljanek trejih držav</i>) | 8/ | | | | | |
| 12. National level. Name of the programme: Environment learning guide and promotion of social inclusion of newly arrived children (Orientacijsko spoznavanje okolja in spodbujanje socialne vključenosti novo | Started in 2012. Available at: http://www.mnz.gov.si/novinarsko_sredisce/novica/article/12027/7868/ | Ministry of the Interior. | Children, third country nationals. | The programme fosters integration of third country nationals aged below 18 years. | No. | No definition of integration. |

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| prispelih mladostnikov) | | | | | | |
| 13. Regional level. Name of the programme: INFO point for parents of children, third country nationals, enrolled in Primary school Livada (<i>INFO kotiček za starše otrok, državljanov tretjih držav, vključene v Osnovno šolo Livada</i>) | Started in 2012. | Ministry of the Interior. | Children, third country nationals, enrolled in a particular primary school in the capital Ljubljana. | The main aim is to help parents and children who are third country nationals to adapt to the new school environment. | Yes, indirectly. Collaboration of school staff. | No definition provided. |
| 14. National level. Name of the programme: Integrated Programme »Help with | Started in 2013. Available at: http://www.mnz.gov.si/fi/leadmin/mnz.gov.si/page/uploads/DUN_ZMN_2013/S | Ministry of the Interior. | Individuals <i>granted</i> international protection according to the International Protection Act. | The main goal is to offer support to target group on one place, i.e. with one programme that includes learning help, assistance in arranging life situations, help in social inclusion. | No. | No definition of integration. |

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| integration« (Celostni program »Pomoč pri integraciji«) | taticno po rocilo - _SLO.pdf | | | | | |
| 15. Regional level. Name of the programme: Programs to promote social inclusion of the elderly population over 50 years of age (<i>Program spodbujanja socialne vključenosti starejših nad 50 let</i>) | Started in 2013. | Ministry of the Interior. Available at: http://www.mnz.gov.si/fileadmin/mnz.gov.si/pageuploads/DUNZMN_2013/Statisticno_porocilo_-_SLO.pdf | Elderly third country nationals. | The programme is performed locally in three towns: Velenje, Nova Gorica and Ptuj. | No. | No definition provided. |

Annex 4: Indicators monitoring migrant integration - social inclusion/cohesion

As explained in the main text, the number of indicators in Slovenia is alarmingly small: we were only able to identify one, and even this one is not targeted specifically towards migrants, but towards all vulnerable groups.³²⁰

Specific programmes in the area of integration are regularly monitored and assessed according to specific indicators, measuring the success of the programme. E.g. language programmes (organised by the Ministry of Interior together with the European Fund for Integration of Third-country Nationals) are evaluated regularly: data on participants, how they are informed about programmes, and their satisfaction with the programmes is collected through a regular survey and reported on in the Ministry of Interior's annual reports from the migration working area.³²¹

However, no general indicators on integration have so far been developed, which means that one of the priorities of the multiannual programme 2007-2013 of the European fund for the integration of third-country nationals (*Večletni program 2007-2013 Sklad za vključevanje državljanov tretjih držav*)³²² entitled "Developing indicators and methodology of assessment to assess progress, adapt policies and measures and allow coordination" (*Razvoj kazalnikov in metodologij ocenjevanja, da se oceni napredek, prilagodijo politike in ukrepi ter omogoči usklajevanje*) was not carried out.

³²⁰ Information provided by the Ministry for work, family, social affairs and equal opportunities; Cohesion Policy Office (*Ministrstvo za družino, delo, socialne zadeve in enake možnosti, Urad za izvajanje kohezijske politike*) upon request (written response of 16 February 2015).

³²¹ Information also provided by the Ministry for work, family, social affairs and equal opportunities; Cohesion Policy Office (*Ministrstvo za družino, delo, socialne zadeve in enake možnosti, Urad za izvajanje kohezijske politike*) upon request (written response of 16 February 2015)

³²² The reports are available at: www.mnz.gov.si/fileadmin/mnz.gov.si/pageuploads/UFZJN/PEES/Evropski_sklad_za_integracijo/05_Sklad_za_vkljucvanje_-_Vecletni_program.pdf.

| N. | Indicator | Definition | Legal frame / policy target | Data source | Periodicity | Reference / Comments |
|----|--|--|--|---|--------------|--|
| 1 | Number of gross jobs created for vulnerable groups | <p>The indicator measures the total number of gross jobs created for vulnerable groups.</p> <p>The population is sorted in three categories: persons with jobs, unemployed persons, and inactive persons.</p> <p>Vulnerable groups are: Minorities; Migrants (defined as people without citizenship with temporary or permanent residence, refugees, asylum seekers); Disabled people; Other disadvantaged people.</p> | <p>The indicator is regulated by the Operational Programme for Human Resources Development for the Period 2007-2013 (<i>Operativni program razvoja človeških virov za obdobje 2007-2013</i>)³²³ and the Guidelines of the institution responsible for monitoring annex XXIII of the Directive 1828/2006(ES) on the implementation of the Operational Programme for Human Resources Development for the Period 2007-2013 (<i>Navodila organa upravljanja za spremljanje priloge XXIII Uredbe št. 1828/2006(ES) o izvajanju</i></p> | <p>Data is generally collected in two ways:</p> <ol style="list-style-type: none"> 1. By actively monitoring the migrant's personal identification number. 2. By taking anonymous surveys. <p>In the case of this specific indicator the data is collected through the Employment Service of Slovenia (<i>Zavod za zaposlovanje</i>).</p> | Twice a year | <p>The information was provided by the Ministry for work, family, social affairs and equal opportunities; Cohesion Policy Office (<i>Ministrstvo za družino, delo, socialne zadeve in enake možnosti, Urad za izvajanje kohezijske politike</i>) upon request (written response of 16 February 2015)</p> |

English translation available at: www.eu-skladi.si/other/operational-programmes/op-rv_eng

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| | | | Operativnega programa razvoja človeških virov za obdobje 2007-2013) ³²⁴ | | | |
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³²⁴ Guidelines of the institution responsible for monitoring annex XXIII of the Directive 1828/2006(ES) on the implementation of the Operational Programme for Human Resources Development for the Period 2007-2013 (*Navodila organa upravljanja za spremljanje priloge XXIII Uredbe št. 1828/2006(ES) o izvajanju Operativnega programa razvoja človeških virov za obdobje 2007-2013*), 17 April 2012, only available in Slovene at: www.eu-skladi.si/ostalo/navodila-za-izvajanje-kohezijske-politike-2007-2013/Navodila%20za%20spremljane%20udeleencev%20po%20prilogi%20XXIII.pdf.

Annex 5:³²⁵ Use of funding instruments

Table 1 - European Integration Fund (EIF)

| | European Integration Fund (EIF) - TOTAL | Own funds | Funds distribution / Thematic areas | | | | | | | |
|-------------|---|------------|-------------------------------------|------------------------------------|--------------------|-------------------|------------|------------|------------|------------|
| | | | Participation | Social Cohesion / social inclusion | Active citizenship | Welcoming society | Employment | Education | Healthcare | Other |
| 2010 | 443,785.71 | 145,213.83 | - | 16,307.94 | - | 61,063.57 | - | 326,796.74 | - | 39,617.46 |
| 2011 | 840,143.03 | 276,739.45 | - | - | - | 24,183.90 | - | 669,855.88 | - | 146,103.25 |
| 2012 | 420,301.30 | 140,100.43 | - | - | - | 62,352.81 | 9,174.69 | 237,002.49 | - | 110,771.31 |
| 2013 | 716,001.53 | 225,302.24 | - | - | - | 36,736.52 | 36,575.12 | 565,772.04 | - | 75,917.85 |
| 2014 | 729,038.10 | 228,933.22 | - | 86,680.68 | - | 43,325.21 | 28,092.38 | 489,401.57 | - | 81,538.26 |

* Please indicate if Asylum, Migration and Integration Fund is used for 2014 – No.

³²⁵ Data provided by the Ministry of the Interior (*Ministrstvo za notranje zadeve*) upon request (written response of 17 February 2015).

Table 2 - European Refugee Fund (ERF) aiming at integration of beneficiaries of international protection

| | European Refugee Fund (ERF) TOTAL | Own funds(national/regional) | Funds distribution / Thematic areas | | | | | | | |
|-------------|-----------------------------------|------------------------------|-------------------------------------|------------------------------------|--------------------|---|------------|-----------|------------|------------|
| | | | Participation | Social Cohesion / social inclusion | Active citizenship | Welcoming society (host society targeted) | Employment | Education | Healthcare | Other |
| 2010 | 107,261.81 | 79,135.62 | 65,244.11 | 114,587.45 | 283.75 | 1,245.17 | 6,106.43 | 45,613.72 | 4,326.03 | 4,855.15 |
| 2011 | 308,990.18 | 102,391.21 | 75,121.08 | 97,516.67 | 97.72 | 21,099.94 | 6,816.17 | 54,533.70 | 52.31 | 53,752.59 |
| 2012 | 486,989.19 | 151,677.85 | 145,119.69 | 208,024.07 | 2,625.79 | 11,890.04 | 1,907.29 | 60,452.05 | - | 58,877.55 |
| 2013 | 705,877.24 | 187,182.98 | 231,181.73 | 203,144.82 | - | 11,040.54 | 7,045.48 | 62,170.74 | - | 191,293.93 |
| 2014 | 431,375.04 | 143,658.64 | 125,024.91 | 219,099.44 | - | 10,418.14 | - | 57,129.08 | - | 18,204.97 |

* Please indicate if Asylum, Migration and Integration Fund is used for 2014 – No.

Annex 7: Promising practices

| Thematic area | Participation of migrants and their descendants in society |
|--|---|
| Title (original language) | Medkulturni.si |
| Title (EN) | Intercultural.si (<i>reporter's translation</i>) |
| Organisation (original language) | Kulturno društvo Pripovedovalski Variete - Mreža kulturnih delavcev drugih narodnosti v Sloveniji |
| Organisation (EN) | Cultural Association Narrative Variety – A network of cultural workers of other nationalities in Slovenia |
| Government / Civil society | Civil Society |
| Funding body | Ministry of Culture, European Social funds |
| Reference (incl. url, where available) | www.medkulturni.si/?lang=en |
| Indicate the start date of the promising practice and the finishing date if it has ceased to exist | June 2013 – August 2014 |
| Type of initiative | Networking and establishing a database of migrants who work in the broadly understood area of culture. |
| Main target group | Migrants, Slovenian nationals, audiences for cultural contents |
| Indicate level of implementation: Local/Regional/National | National and Local |
| Brief description (max. 1000 chars) | Medkulturni.si is devoted to the presentation of cultural workers and animators of other nationalities who permanently or temporarily live and work in Slovenia, and connecting them with their potential audiences. It presents individual cultural workers, as well as associations. Although the project itself has finished, the established web platform continues to operate and offer information for potential readers. As an additional activity program café Union in Ljubljana hosted a series of expert talks on the broader topic of cultural activity and position of cultural workers, representatives of other nationalities in Slovenia. |

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|---|--|
| Highlight any element of the actions that is transferable (max. 500 chars) | Establishing a common platform for cultural workers who are migrants or of migrant descent. Offering interesting contents and insights into different cultural heritages. |
| Give reasons why you consider the practice as sustainable (as opposed to 'one off activities') | Very inviting and transparent website. While the initial setting up of the page requires significant resources, the upkeep itself is relatively inexpensive and may function on the premise of snowballing (migrants who are already involved recruit others, who add themselves on the page, etc.). |
| Give reasons why you consider the practice as having concrete measurable impact | While this has not been assessed in this specific case, it would be possible to measure the impact by 1) monitoring the number of migrants that are involved; 2) monitoring the number of their performances and how that number changed since their joining the web platform; 3) representations of the project in the media. |
| Give reasons why you consider the practice as transferrable to other settings and/or Member States? | There are only limitations in terms of size – if a country is much larger than Slovenia, there may be too many cultural workers, which would make the web platform too big. A potential solution for larger member states would be to set up different regional or local platforms, which would allow for its coherence. |
| Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice. | Not applicable. |
| Explain, if applicable, how the practice provides for review and assessment. | Not applicable. |

| Thematic area | Social cohesion and community relations |
|----------------------------------|--|
| Title (original language) | Razvijamo medkulturnost kot novo obliko sobivanja |
| Title (EN) | Interculturalism as a new form of coexistence |
| Organisation (original language) | Institut za psihološko svetovalne razvojne projekte (ISA Inštitut) |
| Organisation (EN) | ISA institute |

| | |
|--|--|
| Government / Civil society | Civil society in a consortium with public schools |
| Funding body | EU (European social fund, Operational Programme Human Resources Development for 2007-2013) and the Ministry for Education, Science and Sports (<i>Ministrstvo za izobraževanje, znanost in šport</i>) |
| Reference (incl. url, where available) | www.medkulturnost.si |
| Indicate the start date of the promising practice and the finishing date if it has ceased to exist | 2. 8. 2013 – 31. 8. 2015 |
| Type of initiative | Educational programme for teachers in elementary schools with the development of practical activities implemented at partner schools. |
| Main target group | Teachers and counsel workers in elementary schools – multipliers, migrant pupils entering primary education in Slovenia, migrant families, classmates of migrant pupils and their parents, local authorities and NGOs working in the local community, policymakers. Elementary school pupils, parents, teachers |
| Indicate level of implementation: Local/Regional/National | National and Local |
| Brief description (max. 1000 chars) | The basic goal of the project is to contribute to the strengthening of support in educational institutions for the development of interculturalism and its values and ensure proper information and training for professionals in order to ensure successful integration of immigrant children from other linguistic and cultural backgrounds in the Slovene educational system. The project's goal is also to ensure appropriate training for professional workers who are in contact with the immigrant children, and the training of professional staff – multipliers for working with practitioners of educational institutions included in the project. |
| Highlight any element of the actions that is transferable (max. 500 chars) | <ul style="list-style-type: none"> - Educating teachers on multiculturalism and enabling them to multiply the acquired knowledge (transfer it to colleagues and pupils at schools). - Activities that allow for the involvement of migrant parents in school activities, such as language courses, parents-pupil activities etc. |
| Give reasons why you consider the practice as sustainable (as | The main purpose of the project is to train professionals and |

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|---|---|
| opposed to 'one off activities') | enable them to transfer the acquired knowledge. In that vein even after the project itself is finished, the knowledge acquired and the changes in the school environment achieved through educating teachers and pupils will be able to develop further. |
| Give reasons why you consider the practice as having concrete measurable impact | Different aspects of the program can be measured differently: in terms of language improvement, assessing should not be problematic; in terms of the number of programmes implemented there should also be no problems; in terms of a better social inclusion of migrant pupils, however, there might be problems in assessing the programme. One option could be to compare the number of incidents with a national element prior to and after implementing the programme and hopefully noticing an important difference. |
| Give reasons why you consider the practice as transferrable to other settings and/or Member States? | The basic premise of the programme – that is to target teachers in schools with migrant pupils in order to allow for a school environment that is more open to a multicultural dialogue – is highly transferable. As are some of the activities they are developing and that teachers (also used as multipliers) transfer to pupils. Neither of those is limited to a single setting or Member State. They could easily be reproduced in e.g. a high school setting or another country with some moderate modifications (e.g. language, cultural references, etc.). |
| Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice. | Policymakers are one of the targets of the programme – one of its aims is to contribute to the national scheme designed towards a more inclusive society in general and among school children in particular. Main legal and policy instruments were considered in the design; the project itself is tailored to the needs of primary schools. |
| Explain, if applicable, how the practice provides for review and assessment. | Except for the number of teachers-multipliers educated through the programme no such measures were found. |

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|---------------------------|--|
| Thematic area | Social cohesion and community relations, Participation of migrants and their descendants in society |
| Title (original language) | Skuhna, svetovna kuhinja po slovensko |
| Title (EN) | Skuhna (cannot be translated – the name is a wordplay between the words "svetovna" (meaning worldwide) and "kuhna" (a slang word for kitchen), international cuisine the Slovenian way |

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|--|---|
| Organisation (original language) | Zavod Global, Zavod volontariat, migranti in migrantke v Sloveniji |
| Organisation (EN) | Zavod Global, Institute for global learning and project development, Zavod Volontariat, Institute for international volunteer work, migrants in Slovenia |
| Government / Civil society | Civil Society |
| Funding body | European Social funds (partly), own funds (partly) |
| Reference (incl. url, where available) | www.skuhna.si/ |
| Indicate the start date of the promising practice and the finishing date if it has ceased to exist | October 2012 – August 2015 |
| Type of initiative | Skuhna is an example of social entrepreneurship. |
| Main target group | Migrants, Slovenian nationals |
| Indicate level of implementation: Local/Regional/National | National and Local |
| Brief description (max. 1000 chars) | <p>Skuhna organises a variety of activities, related to preparing and tasting food, the main purpose of which is connecting migrants with the locals. The activities are led by migrants themselves and comprise: culinary intercultural workshops, culinary intercultural camps, catering with a cultural programme. Activities are organised at its seat in Ljubljana, but also across the country.</p> <p>The programme also comprises of a puppet show with culinary references from different world areas, Skuhna talks! – social events with prominent guests on a variety of topics, etc.</p> <p>The programme employs several migrants as well as volunteers from the local population.</p> |
| Highlight any element of the actions that is transferable (max. 500 chars) | Culinary is one of most prominent and culturally acceptable features of modern day migrations. Offering a variety of culinary options in connection with offering jobs to migrants is an appealing and original idea. Workshops, camps and catering are all highly transferrable practices and can be tailored to the structure of the actual migrant population in any given setting. |

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| <p>Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')</p> | <p>It is highly innovative, has a great visual appeal and has become an important feature in the capital's culinary world. It is also self-funding once it is established or needs relatively small financial support.</p> |
| <p>Give reasons why you consider the practice as having concrete measurable impact</p> | <p>The main measurable impact would be the number of customers and the variations of national heritages of such customers.</p> |
| <p>Give reasons why you consider the practice as transferrable to other settings and/or Member States?</p> | <p>As stated, culinary is popular across Europe, the concept is simple and adaptable to local peculiarities. There are no indications that this practice would not perform well elsewhere.</p> |
| <p>Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.</p> | <p>Not applicable.</p> |
| <p>Explain, if applicable, how the practice provides for review and assessment.</p> | <p>Not applicable.</p> |

Annex 8: Discrimination complaints submitted to Equality Bodies

Table 3 – Numbers of discrimination cases on any ground submitted by third country nationals (TCNs) in 2014*

Zagovornik (Equality Body)

| Number of cases (report the 10 Largest nationality group that submitted a complaint by the end of 2014) | Grounds | | | | | | | | |
|--|-------------------------|--------------------------------|--------------------|--------------------------|--------------------|--------------------|--------------------------------------|--------------------|--------------------|
| | Racial or ethnic origin | Nationality (where applicable) | Race / skin colour | Religion / faith/ belief | disability | gender | Sexual orientation / gender identity | age | other |
| Serbian, Bosnian, Croatian, and Kosovar ³²⁶ | Data not available | Data not available | Data not available | Data not available | Data not available | Data not available | Data not available | Data not available | Data not available |

Varuh (Ombudsman)

| Number of cases (report the 10 Largest nationality group that submitted a complaint by the end of 2014) | Grounds | | | | | | | | |
|--|-------------------------|--------------------------------|--------------------|--------------------------|------------|--------|--------------------------------------|-----|-------|
| | Racial or ethnic origin | Nationality (where applicable) | Race / skin colour | Religion / faith/ belief | disability | gender | Sexual orientation / gender identity | age | other |
| Brazilian | / | / | / | / | / | / | 1 ³²⁷ | / | / |

Provide data for 2013 if 2014 not available by March 2015

³²⁶ This is unofficial data, since *Zagovornik* does not record the nationality of the complainants. The information has been given by the only staff member of *Zagovornik*, Mr Boštjan Vernik Šetinc, and is based on his personal estimation (Information provided by *Zagovornik* upon request (written response of 16 February 2015)).

³²⁷ This was the only discrimination case submitted by a TCN to *Varuh* in 2014. (Information provided by *Varuh* upon request (written response of 12 February 2015).)

Table 4 - Outcome of discrimination cases on grounds of ethnic origin submitted by third country nationals*

| Competent Body (e.g. Equality Body, Administrative court etc.) | Outcome | | | | | | |
|---|--------------------------------|-----------------------------------|-------------------------------|--|---|---------------------------|--|
| | Pending from previous years | Pending – submitted in 2014 | Established discrimination | Shift of the burden of proof applied | Successful mediation – restoring rights/fairness – sanctions applied | Unsuccessful mediation | Not admissible (formal admissibility / withdrawal reasons) |
| <i>Varuh</i> (Ombudsman) ³²⁸ | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| <i>Zagovornik</i> (Equality body) ³²⁹ | / | / | / | / | / | / | / |

* Provide data for 2013 if 2014 not available by March 2015

³²⁸ None of the discrimination cases the Ombudsman has dealt with in 2014, have been lodged by a TCN (Information provided by the Ombudsman upon request (written response of 12 February 2015.))

³²⁹ This information is not available since *Zagovornik* does not record the nationality of the complainants.

Annex 9: Case law – max 5 leading cases

| | |
|---|--|
| Thematic area | Promoting equal treatment and non-discrimination |
| Decision date | 14.1.2015 |
| Reference details | U-I-309/13, Constitutional Court of the Republic of Slovenia (<i>Ustavno sodišče Republike Slovenije</i>), [ECLI:SI:USRS:2015:U.I.309.13] |
| Key facts of the case (max. 500 chars) | The Ministry of Interior (<i>Ministrstvo za notranje zadeve</i>) rejected the request of the appellant (national of Somalia granted status of a refugee in 2010) for a family reunification permit that would allow her sister to join her in Slovenia. Article 16.b of the International Protection Act (<i>Zakon o mednarodni zaščiti</i>) did not list the category of “sister” among family members granted international protection for family reunification reasons. The Constitutional Court found Article 16.b was not in accordance with the Constitution and remanded the case to the Ministry of Interior who subsequently decided to grant the request. |
| Main reasoning/argumentation (max. 500 chars) | While admitting that restricting family reunification to close family relations is admissible in terms of limiting the risks in providing for public and national safety and economic burdens, the Constitutional Court held that the definition of a family that strictly limits family members to those common in the Slovenian setting is too narrow. When weighing the Government’s interest in public and national safety and the right to family life (granted by the Constitution as well as the European Convention of Human Rights and the EU Charter of Fundamental Rights – all cited by the Constitutional Court) the proportionality test for such a provision was not passed. The Constitutional Court thus held that different families may exist from those envisioned by the legislator and that the Ministry of Interior, when issuing family reunification permits, should have the opportunity to consider different ties between individuals that resemble those typically held as “close family” in our context. |
| Key issues (concepts, interpretations) clarified by the case (max. 500 chars) | When deciding on family reunification permits the issuing authority should be allowed to consider different forms of family ties. A closed list of family members, set in accordance with the “nuclear family” concept of our cultural sphere cannot possibly include the multitude of different family settings that function similarly to the nuclear family. Such a strict delineation between admissible and inadmissible applications without a possibility to consider the specific circumstances of the case infringes on the refugees right to family life and is as such unconstitutional and unacceptable. |

| | |
|--|--|
| <p>Results (sanctions) and key consequences or implications of the case (max. 500 chars)</p> | <p>The Constitutional Court found the provision in Art. 16.b unconstitutional and held that the government needs to consider special circumstances in determining family members for the purpose of reunification in all cases that should arise until a legislative change, but also in all cases already under government scrutiny. The case of the Somalian sisters was to an extent resolved prior to the decision of the Constitutional Court as the Government ordered issuing a permit for a 5-year temporary residence permit due to extraordinary humanitarian reasons. The girl joined her sister safely in Slovenia in February 2015. The Ministry of Interior is however, reviewing the issue of family reunification as per the Constitutional Court's instructions. Simultaneously, the Aliens Act (<i>Zakon o tujcih</i>) has been amended to include provisions on family reunification (now deleted in the International Protection Act) in accordance with the Constitutional Court's decision.</p> |
| <p>Key quotation in original language and translated into English with reference details (max. 500 chars)</p> | <p>“Zakonodajalec je naštel družinske člane, za katere lahko begunec uveljavlja združitev družine, in izključil vsako drugo obliko življenjske skupnosti, ki bi jo bilo glede na specifične dejanske okoliščine konkretnega primera treba šteti za življenjsko skupnost, v bistvenem podobno primarni družini, in s tem za življenjsko skupnost, varovano v okviru pravice do spoštovanja družinskega življenja. [...] Taka ureditev v določenih primerih torej pomeni, da begunec kljub specifičnim okoliščinam svojega primera nikakor ne bo mogel uveljaviti svoje pravice do združitve družine, zato je že na prvi pogled očitno, da teža posledic posega v pravico do spoštovanja družinskega življenja ni proporcionalna vrednosti zasledovanega cilja [...].”</p> <p>“The legislature listed family members, for whom the refugee may apply for family reunification, and excluded all other forms of cohabitation, that should be interpreted as fundamentally similar to a nuclear family due to the specifics of the case, and as such protected within the scope of the Right to the protection of family life. [...] Such a regulation means that in individual cases a refugee will be inhibited from enjoying his or her Right to family reunification, regardless of the specific circumstances of the case. It is hence <i>prima facie</i> clear that the weight of the consequences of limiting the Right to the protection of family life is not proportional to the weight of the objective pursued [...].”</p> |

| | |
|---------------------------------|--|
| <p>Thematic area</p> | <p>Promoting equal treatment and non-discrimination</p> |
| <p>Decision date</p> | <p>12 March 2014</p> |
| <p>Reference details</p> | <p>ECtHR, Kurić and others v. Slovenia, No. 26828/06, 26 June 2012.</p> <p>ECtHR, Kurić and others v. Slovenia, No. 26828/06, 12 March 2014.</p> |

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| <p>Key facts of the case</p> <p>(max. 500 chars)</p> | <p>On 26 February 1992 the Slovenian government erased from the registry of permanent residents names of 25,671 citizens of the former Socialistic Federal Republic of Yugoslavia (SFRY). Before erasure, these people had been living legally in Slovenia. The erasure was based on the fact that the 'erased' had not applied for Slovenian citizenship within prescribed six-month time period. With this measure the 'erased' were treated as aliens illegally residing in Slovenia and were denied many fundamental rights.</p> |
| <p>Main reasoning/argumentation</p> <p>(max. 500 chars)</p> | <p>The applicants (11 members of the 'erased') claimed they have been arbitrarily denied the right to legally reside in the newly established Republic of Slovenia and that, as a result, they have been breached the following ECHR rights: to respect for private and family life (Art. 8), to an effective legal remedy (Art. 13), and prohibition of discrimination (Art. 14). The ECtHR's Grand Chamber found that Slovenia breached all three Articles.</p> |
| <p>Key issues (concepts, interpretations) clarified by the case</p> <p>(max. 500 chars)</p> | <p>Particularly important is the Court's finding that the 'erased' migrants from the former SFRY have been discriminated. The Court noted that the 'erased' were treated less favourably than other (so-called 'real') aliens, whose resident permits remained valid even if they had not applied for Slovenian citizenship.</p> |
| <p>Results (sanctions) and key consequences or implications of the case</p> <p>(max. 500 chars)</p> | <p>The Court ordered Slovenian government to set up an ad hoc compensation scheme for the 'erased'. The legislation regulating compensations came into force in June 2014 (please see section 2.3 for more details on the Act in question). NGOs criticise the scheme for providing disproportionately lower compensations in comparison to those awarded by ECtHR.³³⁰ The adopted legislation does not offer any possibility for the 'erased' who have not yet regained their legal status to do so.</p> |
| <p>Key quotation in original language and translated into English with reference details</p> <p>(max. 500 chars)</p> | <p>"... the Grand Chamber finds that one of the characteristics of the present case is the widespread human-rights concern created by the 'erasure'. Furthermore, this situation lasted nearly twenty years for the majority of the applicants, in spite of the Constitutional Court's leading decisions, which were themselves not complied with for more than a decade ..."331</p> |

³³⁰ Amnesty International Slovenia (2014), *Izbrisani: Evropsko sodišče prisodilo odškodnine za materialno škodo*, available at: www.amnesty.si/izbrisani-evropsko-sodisce-prisodilo-odskodnine-za-materialno-skodo.html

³³¹ ECtHR, *Kurić and others v. Slovenia*, No. 26828/06, 26 June 2012, para. 267.