



Slovenia

## “Feeding in” and “Feeding out”, and Integrating Immigrants and Ethnic Minorities

A Study of National Policies

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## Summary

Economic and social reforms are a controversial issue in Slovenia. They were introduced and promoted as a set of measures that will fundamentally change the economy and partly also society. Because it was soon realised that there are more social than economic changes several civil society initiatives were created that were included into the public debates, mostly to oppose them. Trade unions organised massive protest against some of the measures, like lowering the level of social protection and flat tax. The government already abandoned the idea of flat tax and the new law on social transfers triggered a strong public debate and created coalition against it. It was promoted with the claim that the state will save up to 13 billion toalars in three years by adopting the new law. Another civil society initiative was created (The Movement for the Protection of Public Health) that opposed the privatisation of health care services. In a way we can claim that the most positive side of the reforms has been to awaken civil society to actively participate in public and accept the responsibility for social change. We can also see that the consensus at the level of the welfare in the country is still high and people do not want to lower the level of the quality of life for the poor.

There is an insufficient recognition of importance of social inclusion in the NRP. Flexibility of employment and labour market is strongly emphasised without referring also to their security, although it is partly covered with the activation measures. Flexibility does not so much refer to the choices of the workers but to the creations of the environment (legislative changes, new social agreement) for short term and part time employment. There is no recognition of the new problem of the growing number of working poor – that is employed persons entitled to social benefits. In 2002 there were 479 such applicants and in 2004 1519<sup>1</sup>. It is a paradoxical situation because at-risk-of-poverty-rate for employed is dropping and at the same the number of the employed welfare recipients is growing. At the same time the number of short term and part time employment is growing. We cannot actually claim that the two processes are interrelated and the first is a consequence of the second, but such trends are certainly giving ground for research. There is also insufficient recognition of gender differences which are poorly addressed, mainly within the measures regarding discrimination. The issue is not mainstreamed in the document as a whole.

We only assessed the NRP from the point of view of social inclusion, therefore our criticism does not apply to the areas we do not have an expertise for or have a lack of information and knowledge.

## 1. Feeding in, feeding out analysis

### Introduction

The reform programme for achieving the Lisbon strategy goals (NRP) was issued in October 2005. Before that several governmental documents on reforms were written providing the ground for it. These documents are Slovenia's Developmental Strategy, Structural Reforms in Slovenia and The Framework of Social and Economic Reforms for Increasing the Welfare in Slovenia. Important source for the preparation of the NRP 2005 was Slovenia's Developmental Strategy (SDS). It has to be noted, that on the basis of the SDS the Committee for reforms was established and that produced a paper called »The framework of Social and Economic Reforms for Increasing Welfare in Slovenia«. This paper was prepared side by side with the NRP (it was actually presented one week later than NRP

<sup>1</sup> [http://www.mddsz.gov.si/fileadmin/mddsz.gov.si/pageuploads/dokumenti\\_pdf/dsp\\_status\\_dec04.pdf](http://www.mddsz.gov.si/fileadmin/mddsz.gov.si/pageuploads/dokumenti_pdf/dsp_status_dec04.pdf) 14. 11. 2006

2005). The objectives and measures of the NRP 2005 are consistent with the SDS and incorporate the Committee for Reforms proposals.

To carry out the reform the government established a new Office for Growth and appointed the minister, Jože P. Damjan, who resigned the position after three months. Jože P. Damjan is a representative of a group of the Slovene neo-liberal economists and was intensely involved in the formation of the basic ideas and documents of the reforms. After the reforms were presented in public, several civil society initiatives were formed to oppose them. The Trade Unions organised massive demonstrations against them and a number of round tables, lectures and seminars were organised to campaign against neoliberalism of the planned reforms<sup>2</sup>.

On the 24th of October 2006 a book was published in which prominent Slovenian scientists give plenty of arguments against some of the ideas in the reform documents<sup>3</sup>. The most controversial is an idea on flat tax (actually the government abandoned it and introduced a progressive tax system that introduces 3 income tax levels) and on lowering the level of welfare state (recently a new law on social transfers was introduced and the main argument for it was that the state would save up to 13 billion Slovene tolar in three years which again caused massive opposition to it including social partners and Trade Unions<sup>4</sup>).

However, changes and reforms are supported and accepted by the scientific and professional public. Generally, the idea of the reforms is accepted, what is disputed are their content and extent.. The common opinion of both, pro- and contra-groups is that for now, we can only speak about minor changes of the system and not about the reforms.

Past year events and developments around "reforms" are pointing out the complexity of the process which is not easily decoded and deconstructed. We will do our best to provide as accurate information on it as possible.

## 1.1 Feeding-in analysis: Stakeholders' involvement/consultation in the Lisbon National Reform Programme (NRP)

### 1.1.1 *Involvement of the relevant social inclusion Ministries*

The NRP is a governmental programme and was debated about and agreed upon in the governmental sessions. There is no available information on what was the role of the key ministries, but it can be assumed that they had a good insight into the document before it was adopted. Moreover, the ministries had representatives in the bodies that prepared the document (The Reform Committee was created that consisted of several sub-groups).

What is not known and can-not be speculated about is the extent to which those who participated in the creation of the NRP were actually aware of the topic of social inclusion while discussing the relevant topics. We do not know whether their task was also to assess the document from the social inclusion point of view.

<sup>2</sup> On more about that see the First Semester Report 2006.

<sup>3</sup> Niko Toš (ed.) (2006), *Pogledi na reforme* (Views of the Reforms). Ljubljana: FDV.

<sup>4</sup> [http://www.delo.si/index.php?sv\\_path=41,35,165827&src=csr](http://www.delo.si/index.php?sv_path=41,35,165827&src=csr) 24. 10. 2006 Interview with representatives of Trade Unions.

### 1.1.2 *The extent of consultancy/involvement of any stakeholders relevant to social inclusion*

The most important document is Slovenia's Developmental Strategy (SDS) that was adopted in June 2005 and was prepared by the Governmental Institute for Macroeconomic Analysis and Development<sup>5</sup>. Because it is a different document from the NRP, participation of the public (scientific, professional, political, civic or other) in debates on the SDS cannot be automatically accepted as sufficient for the NRP that was mainly prepared by the above mentioned Institute. As stated in the NRP implementation report "approximately 150 experts from universities, companies and civil services" (p. 4) have participated in the preparation of the proposal on concrete measures which would deliver the SDS objectives in the areas of competitiveness, higher GDP growth and employment. Although employment is an important field of social inclusion, there are other important fields which have not been addressed in the NRP.

While non-governmental organisations participated in the public debate on the SDS, the debate included neither public social services or health services, nor institutions in the field of education and housing. Trade Unions were involved and as already said, they strongly opposed to changes in the social protection system which were not agreed upon by all social partners. Their claim was that the government did not even start negotiating with them about the changes in the social protection before the parliamentary procedure.

### 1.1.3 *What was the involvement of the above mentioned stakeholders?*

They gave comments and were present at the public debates on the SDS.

## 1.2 Social Inclusion/Social Protection challenges

### 1.2.1 *Is the link with the social protection and social inclusion process made explicit in the NRP? How explicit is it?*

Social inclusion is mentioned 4 times:

- In relation to the changes of the social protection system: the duty of the welfare recipients to accept and keep any job will increase their social inclusion,
- Including 50% of women into the measures of active employment policy will contribute to their social inclusion,
- Social inclusion of the disabled is an integral part of planning, monitoring and evaluation of the use of structural funds
- Active labour market measures to activate and stimulate employment will contribute to social inclusion

<sup>5</sup> <http://www.sigov.si/zmar/projekti/srs/srs.php> 24. 10. 2006. All information on the process of developing the strategy is available on the internet. There is a list of research, analyses and other documents that were used for the strategy. There is also a list of people that participated in the process with all the comments. Transcriptions of recordings from the public debates on the strategy are also available. There is a list of governmental, non-governmental and other organisations that gave comment or participated in the debate. There is also a list of the documents that were included into the strategy. A careful reading of these documents can reveal a quite different assessment of the Slovene situation, especially regarding social development, cohesion and employment. Some of the authors of the documents are also very critical to the planned economic and social reforms.

The plans of changes in social protection system are addressing the social protection issues while the social inclusion issue has only been addressed in relation to the above mentioned measures.

### *1.2.2 Does the NRP refer explicitly to the SI/SP challenges?*

The NRP has made a link with the social protection challenges while the link with the social inclusion problems is mainly made in relation to employment and education. The link is not explicit and it is also not necessarily positive. Flexibility of employment is strongly emphasised without referring also to the security. Flexibility does not so much refer to the choices of the workers but to the creations of the environment (legislative changes, new social agreement) for short term and part time employment.

It is well known that these kinds of employment cause insecurity, fear and subordination of workers. One of the research studies on precariousness of flexible employment<sup>6</sup> shows that flexible types of employment can easily lead to poverty, especially without a strong protection of workers. Consequently flexibility can contribute to social exclusion.

There are plans for a more flexible system of education and training that improves access to employment for those that do not have formal education but hold certificates which until now were not officially recognised. We believe that such recognition can increase employment opportunities and thus contribute to greater inclusion. The same goes for the introduction of financial incentives to employers to offer practical training to students. In this way they can contribute to better access of the first time job seekers in the labour market.

## **1.3 Feeding-out analysis: in relation to employment**

### *1.3.1 Assessment of the extent to which the creation of new jobs is benefiting groups at particular risk of poverty and social exclusion*

While there is a good plan to create jobs that will include people with low employment prospects (III. D. 1. 3. Ensuring inclusive labour market) that forms the central part of the employment policy, some of the controversies that can also prevent such inclusion should be pointed out. The first is the assumption that the unemployed are inactive, which implies that if they are more active they can easily find a job. On the other hand we know that it is extremely difficult to enter the labour market after a certain age (for an unskilled worker even the age of 40 is beyond the age desired by the employers), with the low education level, illness or disability or as a first time job seeker. Most of the problems are connected with low job opportunities and strong competition in the employment market. Building the policy on the assumption of inactivity of the unemployed does not offer a good ground.

There is also a lack of clear recognition of the groups that live in poverty and are excluded. The plan is to include the unemployed (the target group is defined too broadly), the Roma, the disabled and women (again the target group is defined too broadly). There is also a set of measures tackling discrimination, but the discrimination of whom?

<sup>6</sup> Simona Smolej (2006), Tvegane zaposlitve kot vidik fleksibilizacije delovne sile in nove oblike revščine. (Risk Employment as an Aspect of Flexibilization of the Labour Force and New Forms of Poverty). Ljubljana: FDV, M.A. thesis.

### *1.3.2 Assessment of the extent to which the combination of wages, tax exemptions and in-work and family benefits ensures that people moving into employment are also moving out of poverty*

We cannot assess the extent because there is no accurate data available. There is a new trend of a growing number of the working poor – that is the employed people who are entitled to social benefits. In the year 2002 there were 479 of such applicants and in 2004 there were 1519<sup>7</sup>. It is a paradoxical situation because at-risk-of-poverty-rate for the employed is dropping and at the same the number of the employed welfare recipients is growing. At the same time the number of short term and part time employment is growing. We cannot actually claim that the two processes are interrelated and that the first is a consequence of the second, but such trends are certainly giving a good ground for research. Our thesis is that greater precariousness of employment leads to what is known as the working poor.

## 1.4 Feeding out analysis: in relation to growth

### *1.4.1 Social cohesion impact of, for instance, infrastructure policies, credit policies and tax policies*

There is no data available on the issue. The tax policy has just been changed, so the assessment cannot be made as yet. At the moment, we are still waiting for concrete measures to be introduced by the government. It is also not possible to make an assessment of social cohesion impact as yet. As some of the economists are claiming<sup>8</sup> reforms will increase social inequalities instead of reducing them.

### *1.4.2 Assessment of the extent to which economic growth is increasing the resources of those on the lowest incomes and reducing income inequalities*

No data, research studies or analyses can be found on the issue. Considering the growing number of the welfare recipients, there are grounds to doubt that until now the economic growth has had an impact on reducing income inequalities. Although the reforms are being promoted as the reforms for increasing the well-being of all citizens, so far no measures have been adopted to reduce social inequalities.

## 1.5 Feeding out analysis: the contribution of economic and employment policies to social cohesion/inclusion

### *1.5.1 How is the NRP likely to impact the Social Inclusion policies and objectives?*

As written by Prof. Jože Mencinger: “The proposed Reforms were introduced to carry out the Strategy for Development, a national counterpart of the renewed Lisbon Strategy. In addition the reform should put an end on gradualism, which has dominated the transition and development of Slovenia since its independence and should replace it with a new “paradigm of development” rooted in neo-liberalism and the supply side economy. The argument which is most frequently used in support of the Reform and which is accepted also by those who object to most of its content, is its urgency. While admitting

<sup>7</sup> [http://www.mddsz.gov.si/fileadmin/mddsz.gov.si/pageuploads/dokumenti\\_pdf/dsp\\_status\\_dec04.pdf](http://www.mddsz.gov.si/fileadmin/mddsz.gov.si/pageuploads/dokumenti_pdf/dsp_status_dec04.pdf) 14. 11. 2006

<sup>8</sup> Jože Mencinger, Franček Drenovec in Bogomir Kovač. Cf.: Niko Toš (2006), Pogledi na reforme (Views of the Reforms). Ljubljana: FDV.

that Slovenia was very successful with high and most stable levels of growth accompanied by internal and external balance, low unemployment rate and decreasing inflation, reformers assert that such development is not sustainable due to the slow restructuring process and bad development policy.<sup>9</sup> Prof. Mencinger continues to prove that economic reforms are not needed at all and that it can be assumed that the real target of the reforms is not the economy but society.

Bogomir Kovač<sup>10</sup>, one of the leading economists, is claiming that reforms are chaotic; do not allow correspondence between different fields and priorities, which can have a negative impact on social and economic development. This is also one of the reasons that we can not speculate on the impact. For now the impact of the reforms is the mobilization of civil society and scientific public that strongly oppose the reforms, at least in terms of what is presented as a reform ideology.

As already written in the first semester report, the following ideas are the most controversial:

- Flat tax
- Labour market flexibility
- Lowering of the level of social security
- Privatisation of public services

#### *Flat tax*

The basic idea of the flat tax (for VAT, personal income tax and profit tax) is that it is more just or fair than progressive taxation. Progressive taxation forces those who are successful, educated and willing to work to pay for those who are not and are often avoiding employment. They enjoy advantages of the welfare state and do not contribute to the common wealth.

One of the leading Slovene economists Jože Mencinger proves that these arguments are misleading. He says that the idea of the progressive income tax is consistent with the vertical equity principle (unequal tax for unequals), the ability-to-pay principle (decreasing the marginal utility of money) and it is also in accordance with the benefit principle (assuming that most pure public goods benefit reach people more than they benefit poor people). What, however, is an appropriate level of progressiveness is a matter of society-specific value system. Flat rate on VAT and personal income tax will increase inequalities because it re-distributes wealth<sup>11</sup>. The argument of the reformists on inequality is that it will be reduced with social transfers, but in the strategy the expenditure for welfare benefits is planned to be lower.

The Government has abandoned the idea of the flat tax and has introduced a three-level progressive income tax system.

#### *Labour market flexibility*

Most of the criticism concerns flexibility which means less labour rights, weaker protection of workers and greater precariousness. Slovene trade unions<sup>12</sup> are pointing out that labour rights are the result of long and hard negotiations between social partners. Negotiations for the last collective agreement

<sup>9</sup> Jože Mencinger, *Can a Flat Tax Rate Contribute to Growth and Welfare?* IB revija, 2/2006: 82.

<sup>10</sup> Bogomir, Kovač, *ibid.*, p. 95-97.

<sup>11</sup> Jože Mencinger, *Can a Flat Tax rate Contribute to Growth and Welfare?* IB revija, 2/2006: 81-89.

<sup>12</sup> Trade Union Pergam: [www.sindikato-bergam.si/doc/bergamova\\_staliska.doc](http://www.sindikato-bergam.si/doc/bergamova_staliska.doc)

lasted for three years and the final result was achieved by the compromise of all sides. They oppose to the following proposed changes of the labour legislation:

- The abolition of the bonus on long working period and long time employment in one organisation
- The attempt to maximise indemnity money in case of dismissal
- Shorter time to give notice (1 month)
- Less regulated collective dismissal
- Greater freedom of employers to determine working conditions, including length of employment
- Equalisation of working years of men and women
- Restrictions for the sick leave (in case of longer sick leave, workers can lose their job)

Changes are still debated between social partners – the result is as yet unknown.

#### *Lowering the level of social security*

In the Draft version of the “National Programme of Social Welfare for the period 2006 – 2010.” (has been adopted in March 2006) the Ministry of Labour, Family and Social Affairs is planning to lower the percentage of the GDP for social transfers from 0.88 in 2006 to 0.73 in 2010<sup>13</sup>. The government document “Priorities in the Field of Economic and Social Reforms in Slovenia in 2006” states that: “Each individual should bear in mind that the more one invests in one’s own education and learning the higher will be the return, the higher the wages and social security”<sup>14</sup>. The same document promises to offer a plan for 2006 which will set up a more equitable and motivating system of social transfers. If the measures that will be undertaken in 2006 will prove to be effective, the number of unemployed will have declined significantly. There is also a warning that social rights will not be impaired by these changes but merely relocated.

The first changes in social assistance have already been undertaken and they are lowering the level of social rights, namely, in case of finding the employment the social assistance recipient would immediately lose the right to assistance; the person having a permanent residence or living with someone who is not his/her relative and has an income he or she loses benefits or receives an accordingly lower amount of money; social assistance recipients have the obligation to accept any kind of activity as a working occupation to preserve working habits, be in touch with the community, and acquire new skills which will supposedly increase his/her chances for employment. This would in turn increase their chances for the inclusion in society and they would thus contribute to the common wealth<sup>15</sup>. On the other hand an increase in social assistance is provided for large families.

<sup>13</sup> Source: Social Protection Bulletin, 2006, no. 25, pp. 2.

<sup>14</sup> Priorities in the Field of Economic and Social Reforms in Slovenia in 2006. Office for Growth, 2005.

<sup>15</sup> Web page of the Ministry of Labour, Family and Social Affairs:

[http://www.gov.si/mddsz/index.php?i1=MDDSZ&i2=slo&i3=1&i4=spj&i5=ter\\_1st\\_021&i10=artic&i12=58B827863296DA80C125703C005BDEF5&i15=on\\_Gnovica&j1=iso-8859-2&j2=content&j3=gids&j4=](http://www.gov.si/mddsz/index.php?i1=MDDSZ&i2=slo&i3=1&i4=spj&i5=ter_1st_021&i10=artic&i12=58B827863296DA80C125703C005BDEF5&i15=on_Gnovica&j1=iso-8859-2&j2=content&j3=gids&j4=)

A draft law on adjustment of social transfers is open up for discussion in the parliamentary procedure and it was not agreed upon by different social partners.

#### *Privatisation of public services*

Private-public partnership is strongly emphasised. This partnership applies to sectors like railways, roads, bridges, power supply, public transport and services like education, health-care, residential care for the elderly, cultural centres, sports facilities, prisons, etc<sup>16</sup>. The government is also planning to introduce undergraduate level study fees (the postgraduate level is already payable).

One of the service sectors that already introduced privatisation is the health care sector and an intense debate is going on on efficiency and effectiveness. One of the arguments for the privatisation is greater quality but there is no data that will prove that. The Minister of health is claiming that privatisation will increase patient satisfaction, opportunities to choose services and will increase accessibility of health care.

For now no such effects of the privatisation are known. On the contrary some of the local health centres are facing serious problems because the majority of their doctors opened their own private practices. The Movement for the Protection of Public Health was formed with almost one third of the members being medical doctors.

#### *1.5.2 Does the NRP refer explicitly to such possible impact?*

NRP does not refer to such possible impact.

### **1.6 Analysis question per (relevant) guideline of the NRP implementation report**

*GL14 To create a more competitive business environment and encourage private initiative through better regulation*

- Is there any sign in the NRP of an awareness of corporate social responsibility of business? What measures are proposed?

NRP does not refer to corporate social responsibility at all.

*GL17 Implement employment policies aiming at achieving full employment, improving quality and productivity at work, and strengthening social and territorial cohesion.*

- What is the attention given to social cohesion in terms of balance among the three overarching objectives?

Reference to overarching objectives is only indirect. The chapter on cohesion policy only gives explanation on how different documents are interconnected and who is responsible for the cohesion policy. It also says that cohesion is now and will be in the future connected to the economic growth and job creation. Lisbon orientation of cohesion policy is reflected in the significant volume of resources allocated to ESF. NRP only includes cohesion policy, which is

<sup>16</sup> Reform Program for Achieving the Lisbon Strategy Goals. Republic of Slovenia, October 2005, pp. 29.

a different concept from social cohesion. While cohesion policy is a policy aiming at reducing the disparities between EU regions through different financial instruments, such as structural and cohesion funds, the social cohesion is a much wider concept covering the relations and situation of different groups in society.

Social cohesion is mentioned only once in the whole document (page 3), therefore it is difficult to assess the balance among the three objectives.

- Are there specific targets set that are relevant for SI/SP?

In relation to employment targeted groups are young people, elderly, disabled and Roma. There are also references to equal opportunities of men and women. In relation to these groups targets are set. For example there is a plan to reduce the share of young people without a vocational education to 8.5% (p. 47). Special programmes will be introduced to promote the careers for women and similar. There is also a plan to reduce discrimination in the labour market.

*GL 18 Promoting a lifecycle approach to work*

⇒ *GL 2 To safeguard economic and fiscal sustainability as a basis for increased employment*

- How clear and consistent is the cross-reference to the SI/SP process, if any?

There are 6 references to social inclusion in the whole document, but there is also a section on inclusive labor market. Social protection is mentioned in relation to social assistance and in the context of modernization. There are some cross-references to social protection in sections on employment.

- Are measures to promote modern social protection systems, including pensions and healthcare, sufficient to meet challenges identified in the SI/SP process? Are these measures consistent with the SI/SP National Strategy Reports?

Modern social protection system mainly refers to new social protection legislation and social transfers. Under the term we can also find plans to rationalize the procedures and budgetary expenditure. There is nothing on health care in NRP and there are plans to extend increase the retirement age in accordance with the existing pension reform. These few measures are in accordance with CI/SP national Strategy Report.

- Are these measures socially adequate and accessible? In what way?

On the contrary we think that these measures are socially damaging. Although we already reflected on that, we will repeat some of the arguments:

- The assumption on passivity and inactivity of the unemployed (especially long-term unemployment) is a moral judgment and does not rely on research, therefore it is ideological. Ideology (especially neo-liberal) does not offer ground for planning,

- Such judgments are relying on prejudices about immorality of welfare recipients: because they are considered to be abusing the welfare state by not being active and not wanting to work, forced labor is considered a relevant measure of justice,
- Measures that are grounded on such judgment are directed to change human personalities, which is actually impossible (we can only change ourselves, when we decide such change is needed), while the state should take care of the changes in social structures, this being their scope of responsibility.
- Lowering the level of the already low social benefits will therefore not “motivate” people to get employed, but will deepen their poverty,
- Because unemployed are presented as immoral people, it seems they will have to accept any work, regardless of the working conditions and payment.

- Is there a good interaction between the social protection system and the labor market?

Social protection system will be “modernized” which means there will be cuts in social assistance which in turn should “motivate” the unemployed to actively seek employment. Forced (compulsory) labor will be introduced for social assistance recipients.

- Does the NRP refer specifically to older workers and pensions?

NRP refers to both groups. Some of the programmes were already developed and implemented. The state will discourage early retirement, and instead develop programs for the employment of older workers and promote active aging and life long learning. Few strategies will be drafted in this respect.

- How is reconciliation of work and family life addressed?

There are three measures in this respect: to introduce the employee friendly working time and the organization of working time; to increase a share of flexible forms of employment; to introduce new programs and services for child and elderly care.

Under the title of a friendly working time we can find measures like: one of the parents is eligible for the state coverage of social security contributions if they leave the labor market to care for four or more children in the family (until the youngest is 6 years old). The father has the right to 15 days of parental leave which he can use until the child is 6 months old. There is also a plan to introduce a competition on a “family friendly company”.

When coming to flexible forms of employment general plans on flexibility are repeated. In respect to new services for children and elderly care, only a notion on increasing the quality of care exists.

We can be quite critical of these measures because they contribute mostly to domestication of women. Most of the measures are encouraging women to stay at home and take care of

the children and the family. The intention of the concept of reconciliation of work and family life should be just the opposite: how to effectively include women into the labor market and how to encourage men to participate in childcare. It is about equality between women and men, while the Slovene measures contribute to strengthening traditional gender roles.

We can also see that friendly working time also means how not to be included in labor – so friendly working time means not to work at all. It is also not clear from the NRP how its notion of employment flexibility can contribute to reconciliation of work and family life.

#### *GL19 Ensuring inclusive labour markets*

- Are there any measures promoting an inclusive labor market? Are they consistent with the SI/SP objectives?

There are three measures promoting an inclusive labor market. Several groups (the handicapped, women, seniors, youth) with low employment prospects will be included in programs for social entrepreneurship; they will receive training and education. The program will also focus on improving employment possibilities of these groups. There will also be investment in the training of unskilled workers and programs on employment in non-profit sector.

No other measures are planned.

- Does the NRP focus specifically on the inclusion of those furthest away from the labor market? How and for which groups? Are clear pathways towards employment put in place?

Groups, that are mentioned in the NRP are young people (especially first time job seekers), seniors, unemployed, Roma, disabled and women. No other groups are included.

Most of them will be included in active employment policy. Youth will be included in different groups that aim at motivating them for employment and will also receive re-training or education for professions that are in short supply in the labor market. A center for career counselling will be opened at the local level.

Seniors will have the opportunity to partly retire and keep part time jobs; mentor and instructor schemes will be introduced to exchange skills know-how and competences between employees; integrated programs for employing older persons will be introduced and funded from ESF; there will also be reimbursement of contributions for employers that hire people older than 55.

Women will be encouraged to enter professions where the majority is male workers; they will be included in active employment policy and special programs encouraging female workers; long term unemployed women are encouraged to self-employ in the non-profit sector.

There will also be awareness raising campaigns on combating discrimination in the labor market.

When coming to Roma, nothing more than a plan to introduce a special law on Roma in Slovenia exists which has already been highly criticized by the Roma community.

Also some other measures are taken to improve the employment possibilities. It is difficult to assess the impact of all those measures on the inclusion of vulnerable groups. There is also no information on the evaluation of the already existing programs and there is also no research in this field.

What the NRP is lacking is a clear pathway towards the access to the programs and to employment.

- How does the NRP plan to contribute to the eradication of poverty?

Poverty is only mentioned once in one of the tables in the Appendix I on structural indicators. (p. 74). No other plan exists to tackle the issue.

*GL21 Promote flexibility combined with employment security and reduce labor market segmentation, having due regard to the role of social partners*

⇒ *GL 5 To promote greater coherence between macroeconomic, structural and employment policies*

⇒ *GL 9 To facilitate the spread and effective use of ICT and build a fully inclusive information society*

- Does the NRP refer to tax- or benefit reforms to improve incentives and to make work pay? Are these measures in line with the SI objective of "necessary resources to live in accordance with human dignity"?

There is a change in the tax system – progressivity in personal income tax was reduced in order to enhance incentives for the activity of highly qualified labor (we do not learn how lower progressivity will enhance the activity of the high quality labor. Probably there is an assumption that lower taxes motivate highly educated people to work even more or better – which, in our opinion, is a false assumption. Working conditions are the most important. Such assumption is lowering the level of solidarity and has a negative impact on social cohesion).

“The effect of the tax reform on employment will be tackled by the legislative changes adopted this year to make eligibility for unemployment benefits and financial social assistance more conditional on a claimant’s readiness to accept employment that has been offered (up to two levels lower than the education of the applicant). Combined by the draft law proposed by the government whereby in the future all social transfers will only be adjusted to consumer price rises and no longer to pay rises, this will create new incentives for less skilled people to enter activity”. (NRP, Introduction, p. 3).

We think that this is a highly problematic measure that actually relies on false assumptions and will have negative and excluding effects. The first wrong assumption is that unemployed are inactive. This is a false conclusion because unemployment is not the result of passivity or inactivity of the unemployed but is a result of not getting a job. The notion on passivity and inactivity is a typical neo-liberal argument of blaming the person for his/her own position. In this sense this is highly ideological argument. The second false assumption is that with lower social benefits people will be more willing to work. Social benefits are already lower than the poverty threshold in Slovenia and do not ensure decent living, which actually shows that there

is no connection between social benefits and unemployment. The underlying assumption is that people who receive social benefits abuse the state and do not want to work, which is again a typical neo-liberal ideological argument. Lowering the level of social benefits will lead to even greater poverty and exclusion. It could also lead to abuse because people will be forced to accept any work regardless of how much it is paid and what are the working conditions.

There is a plan to provide financial incentives for employers offering practical training to students at all levels of secondary and tertiary education. There is also a plan to increase employment incentives within social protection system.

- Are there any plans made to increase adaptability of labor markets? Is employment flexibility combined with security? In what way? Which measures guarantee this?

This is one of the major problems of the plan. Measures refer to flexibility without any references to security. For example there is no use of the term “flexicurity”. There is a session on “introducing friendly forms of flexible labor market and employment” (III.D.2.1.) where such employment is reduced to the non-profit sector. Security will be provided by creating new jobs (under the title Linking the Reform Program with the Cohesion Policy). No other references could be found.

- Does the NRP refer to any measures to make ICT use, and the information society in general, fully inclusive?

The NRP refers to ICT in relation to the reduction of the drop-out. There is a separate set of measures to increase the access to ICT (III.B.1.2 Promoting the use of information and communication technology and the transition to the information society). Although the plan is good, it provides no information on what measures will be introduced to include vulnerable groups into the use of ICT. For example there is a plan to “bring a computer to every house”. We know that a lot of Roma live in poor settlements without electricity, and there are no plans to improve their living conditions first.

*GLs23-24 Expand and improve investment in human capital, Adapt education and training systems*

- Are education and training policies inclusive? Is access to all ensured?

There is a strong emphasis on education and training, but it is impossible to make the assessment of how inclusive the education and training will be for different vulnerable groups. In the NRP measures are targeting young people in general (operational plan should be focused on different groups of youth, like the disabled, Roma, ethnic minorities, immigrants, etc.), men and women (to fight discrimination), for the unemployed and seniors. We can not assess to which extent the access is assured.

- Is the policy response towards reducing significantly the number of early school leavers sufficient and in line with SI/SP National Strategy Reports?

There is one reference to early school leavers. The following activities are planned:

- a. educational process in formal and informal education with ICT support
- b. expanding a quality assurance system with special emphasis on self-assessment in adult education organizations
- c. development, updating and implementation of educational programs for expert workers in adult education
- d. the implementation of special measures in schools aimed for greater individualization and support of individual students when learning and acquiring new skills

These measures can contribute to reducing the drop-out but the problem itself is insufficiently recognised. The drop-out is a complex problem connected to different causes of social exclusion, like poverty, discrimination and similar. Complex and comprehensive measures are needed to prevent it.

## 2. Integration of immigrants

### 2.1 General background information

Slovenia first accepted the immigration policy in 1999 by adopting a Resolution on Migration Policy of the Republic of Slovenia (Official Gazette No. 40/99, No. 106/02). However the Resolution does not give a clear definition on who is included in the category. The Survey on the School-Based Measures for Immigrant Children<sup>17</sup> states the following categories of immigrants:

- The Slovene citizens who immigrated to Slovenia due to the disintegration of the former Yugoslavia (e.g. officers in the Yugoslav Army and their family members)
- The Slovene citizens who immigrated to Slovenia after having temporarily lived abroad (e.g. due to reasons related to work or family) or after having lived abroad for a longer period of time (e.g. people who emigrated to European countries and countries of other continents before and after the World War II; many of them were born and had their first residence abroad)
- Former refugees from the Yugoslavian territory who have remained in Slovenia because they cannot return to their place of origin. Compliant with the legislation in force, these persons are further classified into those having been granted temporary asylum (until 2002); the asylum seekers (applicants for asylum from 1999) and persons who have been granted asylum and thus the permanent residence permit.
- Modern economic migrants who are still coming to Slovenia mostly from countries of the former Yugoslavia.

<sup>17</sup> Eurydice 2003/04: <http://www.mszs.si/eurydice/pub/eurydice/migranti/Slovenia.pdf> 21. 10. 2006

In the National Report on Strategies of Social Protection and Social Inclusion 2006-2008 (NRSSPSI\_SI) we can find the following groups defined as immigrants (item 51):

- The group of migrants who were granted Slovenian citizenship and are now on an equal footing with other citizens of the RS in terms of rights and duties.
- Migrants with the foreigner status – as on 31 December 2005 there were 48,968 of them in Slovenia, accounting for 2.4% of the population, 45% of them were granted permanent residence permit, and 55% temporary residence permit. About 97% of all permits were issued to the citizens of the former Yugoslav states. Refugees with residence permit (120 on 31.8.2006) also have to be mentioned.
- The group of 'the erased': (We extensively presented the group in our first 2004 Report and in the first 2006 Report)
- The group of economic migrants which – after Slovenia's accession to the EU – has become more important and is increasing in number. Presently, 42,967 foreign workers are working in the Slovenian market with various kinds of work permits, and 2,482 EU workers not requiring work visas in accordance with the enforced free movement of labour force. Economic migrants account for 4.5% of the active population of the RS. The key problem in employing migrants is their low level of education, as only 5% of them hold university degrees. Therefore, a major challenge in employment within the ALMP measures is to raise the level of education and training of migrants.

There is a difference between the groups in the first and the second document. In the first we can mostly find Slovenes that returned to Slovenia after its independence, and also asylum seekers. Both groups are excluded from the group stated in the second document which refers mostly to people with different statuses from former Yugoslavia and does not include asylum seekers.

It is obvious that there is a lack of a unified definition of immigrants which could offer enough ground for comparative research (and for a consistent policy). It can be assumed that different Ministries or other state institutions use different definitions of immigrants. One of the obstacles for accurate and precise reporting is also the frequently changing legislation regulating the field of immigration. The field became an issue for the state in the last years, which means that the policy is still being developed. In this respect it is difficult to find research or surveys that provide accurate and prompt data.

Another issue which until now was not addressed at all is a difference between the ethnic minority status and the immigrant status. As we can see most of the people from former Yugoslavia are still regarded immigrants although a lot of them came to Slovenia decades ago and there is the second or the third generation living in Slovenia which was born here and are Slovene citizens. Due to many immigrants of the first generation having been erased from the permanent residency register after Slovenia gained independence, and had to apply for it again it now looks as if they have immigrated to Slovenia only in the last decade, which is a false impression. The same applies to Roma. Both groups are not officially recognised as ethnic minorities but are often excluded from the category of immigrants. (According to the Article 65 of the Constitution of the Republic of Slovenia, the Roma in Slovenia are recognized as an ethnic community.) Because the problem is not recognised and not

addressed with special measures or policy, no detailed insight information on that is available. The issue can only be recognised as a problem that needs to be taken into account in the future.

Another issue which is often neglected is the fact that the majority of immigrants are coming from former common state of Yugoslavia, and live in Slovenia together with their families. New immigrants from the EU, especially from Slovakia are mostly seasonal workers and their working and living conditions are not investigated enough to prevent possible abuse, like bad living conditions, low wages, maltreatment and similar. We have no information on that. On the other hand there is information on almost inhuman treatment of seasonal workers in some other countries.

In February 2006 Slovenia adopted a very restrictive legislation on asylum (Act Amending and Supplementing the Act on Asylum, Official Gazette RS 17/2006, 17. 2. 2006) which was strongly criticised by the Slovene Ombudsman, Amnesty International and many other civil society organisations and groups<sup>18</sup>. The most controversial is the right of the police that decides whether someone can ask for asylum or not. In case they decide that the reasons for receiving asylum are insufficient, they have the right to refuse a person to enter the state. There are several NGOs and groups which are regularly protesting against the treatment of immigrants in the Asylum Centre in Ljubljana and in the Centre for foreigners in Postojna<sup>19</sup>. Just a month before the new law was adopted several letters were written by the asylum seekers to the Minister of Interior. In the one that was published we can find the following demands<sup>20</sup>:

- To immediately stop violence against and maltreatment of the asylum seekers by the police and employees,
- To receive enough food for themselves and their children,
- Free access to the Asylum Centre for media and NGOs
- To cancel all disciplinary procedures (for example: every morning at 10 a.m. the asylum seekers are counted; in case someone is missing, he/she receives a minus – three minuses is enough for the person to be considered as no longer asking for the asylum ),
- To receive basic hygiene items like toothpaste, soap, facial cream and similar,
- Access to health care,
- Pocket money (the sum of less than 10 EURO per month is insufficient)
- Access to employment etc.

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<sup>18</sup> 9 NGOs which are working with the asylum seekers signed the letter of protest against lowering the level of the rights of the group (not having the right to legal aid, to labour and to independent living). <http://www.krtaca.si/aktualno/novice/azil> 24. 10. 2006

<sup>19</sup> There is a network of regular visitors created to be permanently present in the Centre for Foreigners in Postojna. The need for that was expressed by people living there. They report on abuses and inhuman treatment, racism and religious intolerance in the centre and on bad access to basic health care and other necessary services. <http://www.ssfv.org/fdvjevka/viewtopic.php?t=3670> 24. 10. 2006  
During the protest (July 2006) against the maltreatment of people in the detention centre, police violently intervened. Many of the protestors were injured, amongst them also journalists and one disabled protestor. [http://24ur.com/bin/article.php?article\\_id=3077791](http://24ur.com/bin/article.php?article_id=3077791) 24. 10. 2006

<sup>20</sup> <http://www.krtaca.si/aktualno/novice/drugo-pismo-prosilce> 23. 10. 2006

The list is much longer but the first few lines are illustrative and give us some information on the living conditions in the asylum centre. There are no plans on how to improve the living conditions and prevent abuse of the police and staff in the Asylum Centre and in the Centre for foreigners in Postojna available.

There are also some additional explanation on the topic from the Ministry of Interior<sup>21</sup>:

“Persons coming from the territory of former Yugoslavia and who have remained in Slovenia due to the fact that they cannot return to their place of origin can be classified into asylum seekers (but not only from 1999 – first asylum was granted to a person coming from the territory of former Yugoslavia in 1995), persons who have been granted asylum (refugees) and thus permanent residence (but not the permit) and persons, who have been granted temporary refuge (not the temporary asylum) in 1997 and have been subsequently in 2002 issued permanent residence permits.

It needs to be pointed out that around 87% of all residence permits were issued to the citizens of the former Yugoslav states and not 97% as stated in the text.

Regarding the amendments to the Asylum Act, asylum procedure and the accommodation of asylum-seekers in the Asylum Home we believe that the following needs to be emphasised in relation to the statements in the text.

The main purpose of the amendments to the Asylum Act is the transposition of the European asylum legislation into the national legislation, inclusion of administrative and Court practice, created in five years since its adoption and the introduction of certain measures to prevent abuses of the asylum procedure.

Ministry of the Interior has taken into account the international law concerning asylum with the emphasis on the European asylum legislation and the specificity of the Republic of Slovenia. With the amendments, we are gradually introducing the Common European Asylum System.

In introducing the pre-procedure in the asylum procedure, the Ministry of the Interior has taken into account Article 31 of the Geneva Convention and of course, the most important principle of the asylum law: the non-refoulement. The provision is not being implemented because it is temporary withheld by the Constitutional court.

As regards legal counselling in the asylum procedure, the amendment to the law deregulates legal aid in the first instance procedure which does not mean that it is not assured. Legal representation in the first instance procedure is assured through the Administrative Procedure Act which is used subsidiary according to the Asylum Act.

The main purpose of the asylum procedure is the legal stay of the asylum seekers until the final decision. In the meantime, asylum seekers enjoy the rights deriving from Article 43 of the Asylum Act. The Ministry of the Interior will certainly endeavour to make the asylum procedures as efficient as possible and also include more psycho-social aid into the daily schedule. In the meantime, the amendments introduce a possibility to work in the Asylum home and receive a financial remuneration. The work of asylum seekers is possible after one year which is the period determined by the Directive

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<sup>21</sup> Following text was sent as a comment on the expert report on 12. 3. 2007. Expert decided to include it into the report because it offers some additional explanation but also a good overview of Slovene policy and ideology behind it.

on minimum standards on the reception of asylum seekers. Some of the EU countries have not yet introduced the possibility of work for asylum seekers. A person granted asylum in the Republic of Slovenia has the full right to work.

In principle asylum seekers are housed in the Asylum home where they have the complete care and accommodation. Under certain circumstances, asylum seekers can be housed in private accommodation. The amendment includes the definition of vulnerable groups of asylum seekers and refugees as well as the measures of a "positive discrimination" regarding the accommodation, supplies, health care and psychological care.

Allegations of asylum applicants in the letters addressed to the Ministry of the Interior of the Republic of Slovenia are untrue and deceptive. This has been also confirmed by a recent very positive UNHCR report regarding the situation in Asylum Home with respect to supplies and accommodation of asylum applicants in 2006.

The rights and obligations of asylum applicants, accommodated in Asylum Home, are set out in the Regulation on manners and conditions for exercising the rights of asylum applicants and the Asylum Home's House Rules.

The staff in Asylum Home are highly professionally qualified and dedicated to their work. During last year we did not receive any complaints by asylum applicants against the performance of the staff. All asylum applicants, accommodated in Asylum Home, enjoy three meals a day the total nutrition value of which amounts from 8.800 to 9.700 KJ by virtue of existing standards. Children under 14 years of age are besides these meals entitled also to a snack, one in the morning as well as one in the afternoon.

Non governmental organisations and media have free access to Asylum Home. This has been shown lately by frequent media coverage and numerous projects implemented in Asylum Home by non governmental organisations. The applicants have also unlimited access at any time to these organisations.

In case an asylum applicant leaves Asylum Home and does not return there in three days, his or her asylum procedure is discontinued by decision. To implement this legal provision it is necessary to check the presence of asylum applicants in Asylum Home. The House Rules furthermore provide that asylum applicants must allow the staff to control their presence.

On arrival in Asylum Home all applicants receive the accommodation package containing all necessary basic hygiene utensils (for example soap, shampoo, toothpaste, shaving foam, razor blades, napkin).

As regards the applicants' access to employment the Ministry of the Interior notes that by virtue of the relevant Slovene laws, an asylum applicant is allowed to start working one year after filing the asylum application if during this time no decision has been issued by the competent authority and the applicant cannot be held responsible for the delay. This provision of the Slovene Asylum Act is in line with the Council Directive 2004/83/EC. It should also be underlined that during the asylum procedure the applicants are provided with supplies and accommodation (this is the reason why they receive no pocket allowance). It is assumed that they do not seek refuge in Slovenia to find a job but because they were forced to leave their country of origin owing to a well founded fear of being persecuted. In

the same way as the right to work, the right to medical care has also been harmonised with the above Directive.”

## 2.2 Employment issues

### *2.2.1 Measures to fill the gap between evolving legislation and policy in the field and practice*

No such measures are yet performed in practice. The NRP mentions immigrants twice, together with other vulnerable groups that should have equal opportunities in employment. There are no programmes funded (or co-funded) by the Ministry of Labour, Family and Social Affairs that address the issue of the employment of immigrants (also not in the NRSSPSI\_SI). There is one EQUAL project that is covering the asylum seekers.

In September 2006 Ministry of Labour, Family and Social Affairs organised a round table as an event inside the European Year of Workers Mobility (2006)<sup>22</sup>. One of the speakers presented data on the number of immigrants. On the 31. 8. 2006 there were 3,061 foreigners from the European Union countries working in Slovenia: 1,182 from EU-15 (old member states) and 1,879 from the EU-10 (most of them from Slovakia – 1,435). There were also 49,566 foreigners from the third countries working in Slovenia: 46,766 from previous Yugoslav countries. Foreigners from the third countries are working mostly in construction, forestry, agriculture, and foreigners from EU-15 in real-estate, trading, education. There is a significant difference between these two groups. Foreigners from the first group are included in production and manual labour and from the second into services and intellectual activities. We can assume that there is also a difference in social statuses and the level of support they need from the state.

### *2.2.2 Measures to monitor the application of the Directives concerning discrimination in employment*

In the NRSSPSI\_SI (point 70) we can find information on the “Council for the Implementation of the Principle of Equal Treatment that was established in spring 2005 and is functioning as an expert and advisory body on the basis of the IPETA. Social partners and non-governmental organisations dealing with equal treatment are participating in the formulation of solutions and proposals aimed at implementing the provisions of the IPETA, which is in compliance with the Council Directive 2000/43 EC”. The Council has 24 members and is responsible for:

- Implementation of the Act on Equal Treatment
- Monitoring and assessing the conditions of vulnerable groups in respect to the equal treatment
- Providing the Government with suggestions and recommendations on legislation and regulations needed for the implementation of the principle of equal treatment
- Giving the recommendations for the education, awareness raising and research programs in the field of equal treatment

<sup>22</sup> [http://www.mddsz.gov.si/fileadmin/mddsz.gov.si/pageuploads/dokumenti\\_pdf/elmd06\\_om4\\_ekonomske\\_migracije.pdf](http://www.mddsz.gov.si/fileadmin/mddsz.gov.si/pageuploads/dokumenti_pdf/elmd06_om4_ekonomske_migracije.pdf)  
21. 10. 2006

- Getting information from the Advocate for equal treatment.

Immigration was not a topic which the Council would address so far.

### *2.2.3 Extent to which employment opportunities are open to immigrants*

As is known the immigration is not a term that refers to one group of people but to different groups that also have different employment opportunities. Foreigners with Slovene citizenship have equal access to employment as all other citizens. Migrants with the foreigner status can receive permanent residency or permit for temporary residency. The third category includes foreigners that are employed temporarily, for seasonal, short-term work. The field is regulated by the Employment and Work of Aliens Act that also introduces quotas that apply to the citizens from the third countries in Slovenia. The Act relates to foreigners without Slovene citizenship. The Act also regulates the labour of refugees, asylum seekers and stateless persons. Not all of these groups enjoy equal employment opportunities.<sup>23</sup> There is also a difference between foreigners from the EU and foreigners from the third countries that do not enjoy the freedoms of the internal EU market. Foreigners from EU do not need to obtain the work permit, they have to be registered at the Slovenian employment service just for the monitoring purposes<sup>24</sup>.

It is not possible to assess the extent to which employment opportunities are open to immigrants because no studies on the topic can be found and also opportunities are different for different groups of migrants.

### *2.2.4 Governmental programmes linked with corporate social responsibility*

No governmental programmes linked to the issue of corporate social responsibility could be found. But there is quite an extensive debate going on on that within the Slovene Chamber of Commerce and Industry and the Chamber of Craft. In 2005 the Slovene Chamber of Commerce and Industry organised a national conference on corporate responsibility that had an impact on many of the Slovene companies – or at least on their presentations in public. No references were found, though, on their relation to the issue of immigration.

## **2.3 Education and training issues**

### *2.3.1 Measures to promote the role of education and training as means of integrating immigrants*

No such measures are known. Immigrants have the opportunity to learn the Slovene language, Slovene culture, history and the Constitution. Immigrants that are registered at the employment

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<sup>23</sup> The English version of the Act is available on the internet site:

[http://www.mddsz.gov.si/fileadmin/mddsz.gov.si/pageuploads/dokumenti\\_pdf/zzdt\\_upb1\\_en.pdf](http://www.mddsz.gov.si/fileadmin/mddsz.gov.si/pageuploads/dokumenti_pdf/zzdt_upb1_en.pdf) 21. 10. 2006

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[http://www.mddsz.gov.si/en/areas\\_of\\_work/labour\\_market\\_and\\_employment/free\\_movement\\_of\\_persons/employment\\_of\\_eu\\_and\\_eea\\_citizens\\_in\\_slovenia/](http://www.mddsz.gov.si/en/areas_of_work/labour_market_and_employment/free_movement_of_persons/employment_of_eu_and_eea_citizens_in_slovenia/) 21. 10. 2006

service also have access to training and education (only in Slovene language). There are no measures to promote education and training as a means of integrating immigrants.

The lack of such measures is due to the fact that there is no systematic approach to the integration of aliens in general yet in place, but the Ministry of the Interior is currently preparing the Decree on integration of aliens in the Republic of Slovenia, which will regulate this field. Currently only the field of the integration of refugees is systematically dealt with. It is regulated by the Decree on the Rights and Duties of Refugees in the Republic of Slovenia, which covers a variety of issues ranging from Slovene language learning, course for studying the culture, history and constitutional system of the Republic of Slovenia, nostrifications and examinations, additional professional training, provision of information, financial assistance and the possibility of accommodation. In the field of healthcare, schooling and education, employment and work refugees enjoy same rights as Slovene citizens. Ministry of the Interior with its own means and the financial help of The European Refugee Fund finances the activities of various NGOs promoting the integration of refugees into the Slovene society<sup>25</sup>.

### *2.3.2 Measures to assess, validate and certify qualifications, training and work experience previously acquired, notably in the country of origin*

For immigrants from the EU the principle of mutual recognition of professional qualifications to enable free movement of people applies. One of the obstacles that still exist is the system of regulated professions which defines the title and level of vocational or professional education while not defining the minimum standards for acquiring education<sup>26</sup>.

The Ministry of Labour, Family and Social Affairs (MLFSA) includes the Department for National Professional Qualifications which is responsible for the implementation of the Act on Professional Qualifications, and also for the mutual recognition of professional qualifications in the EU. There are two systems of recognitions: automatic (applies to common curriculum to obtain a certain level of education: medical doctors, dental doctors, nurses, mid-wives, veterinarians, architects, pharmaceuticals) and the system of general recognitions which applies to the assessment of diplomas, degrees or other documents on the acquired education or training. It has been known to happen that the Ministry did not recognise the qualification because it did not meet the required standards. In that case additional documentation can be submitted or a practical test of skills is required<sup>27</sup>.

Applications are submitted to the MLFSA which checks their completeness and sends them to the Ministry responsible for a certain qualification. The documentation has to be translated into Slovene language and submitted together with the copy of original documents.

Also the National Information Centre for Professional Qualifications was established and is connected with other similar centres in the EU. The service only applies to vocational and professional undergraduate levels of qualifications and not to university or college degrees.

<sup>25</sup> Ministry of Interior: comments to the report, 13. 3. 2007.

<sup>26</sup> [http://www.mdds.gov.si/fileadmin/mdds.gov.si/pageuploads/dokumenti\\_pdf/elmd06\\_om1\\_vpk.pdf](http://www.mdds.gov.si/fileadmin/mdds.gov.si/pageuploads/dokumenti_pdf/elmd06_om1_vpk.pdf) 23. 10. 2006

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[http://www.mdds.gov.si/si/delovna\\_podrocja/trg\\_dela\\_in\\_zaposlovanje/vzajemno\\_priznavanje\\_kvalifikacij/sistem\\_vzajemnega\\_priznavanja\\_kvalifikacij/](http://www.mdds.gov.si/si/delovna_podrocja/trg_dela_in_zaposlovanje/vzajemno_priznavanje_kvalifikacij/sistem_vzajemnega_priznavanja_kvalifikacij/) 24. 10. 2006

*2.3.3 Measures that were taken to value diverse background of immigrants and to make use of immigrant specific informal skills such as intercultural competencies or multilingualism*

No such measures are known.

## 2.4 Housing and related issues

*2.4.1 Measures to promote access to decent housing with necessary infrastructure and to improve urban environment and to promote the sense of belonging*

No such measures are known to exist. There is a plan to open three integration houses.

*2.4.2 Concentration of immigrants in particular geographical area*

Traditionally, the group of immigrants in Slovenia are people from the former Yugoslav countries who have been living in Slovenia for decades. In different parts of Slovenia many of them acquired social housing in blocks of flats together with other people entitled to such type of housing in previous political system. Since the political changes in Slovenia the state has no longer provided such type of housing which used to be built for mixed population including people who owned their apartments which efficiently prevented the concentration of a certain social group in one place. These housing complexes were known to have good infrastructure including schools, child daycare centres, a bank, a post office etc., so the access to services was good. In this sense these were not segregated and isolated communities of immigrants in poor housing. Some of these communities with a big number of immigrant families are seen as dangerous and are labelled as ghettos by the media. One of them is Nove Fužine, a local community in the capital city of Ljubljana<sup>28</sup>.

The entire neighborhood of Nove Fužine has been proclaimed a ghetto and associated with poverty and crime simply because the majority of residents come from the former Yugoslavia. In fact the statistical data show that the crime rate in this neighborhood is lower than in other urban neighborhoods. There are 20,000 registered residents in Nove Fužine, but according to police sources, this number is higher by several thousand owing to unregistered inhabitants. In 2001 there were 769 criminal offences altogether in Nove Fužine; approximately 400 were property related offences like damage to cars (theft of car parts) with the offenders coming from other neighborhoods or towns. There were only 6 burglaries compared to more than 150 in the inner city. Nove Fužine is comparable to the town of Nova Gorica in terms of the population size, but the number of criminal offenses in the latter is twice as great. As regards poverty, the story is similar. Poverty is greater in Trnovo than in Nove Fužine, the information being indirectly supported by the Red Cross data about the number of food rations distributed. In Nove Fužine approximately 200 rations per month are handed out, compared to 100 in Trnovo, even though Trnovo's population is three times smaller. The association of Nove Fužine with crime and poverty is obviously not related to the official records on criminal offenses or poverty, but to the prejudice about people coming from the south who allegedly commit crimes. In other words, according to popular belief there are more criminal offenders in Nove Fužine than actual criminal offences. This prejudice has nothing to do with facts. The neighborhood has a very good infrastructure. It has a medical center, several schools, a bank, a post office, a library, a number of stores, bars and craftsmen's shops, and neat common areas with paths along the banks

<sup>28</sup> Srečo Dragoš, Vesna Leskošek (2003), *Social Capital and Social Inequalities*. Ljubljana: Peace Institute.

of the Ljubljanica river; apartments are solidly built and relatively new. This tells us that the quality of life by no means lags behind that in other similar neighborhoods in Ljubljana, since accessibility to basic common resources is rather high. The conviction that Nove Fužine is a dangerous and poor neighborhood is hence a result of prejudices. The fact that these were initially social apartments (subsequently privatized), media stigmatization and the once dominant share of non-Slovene residents gave rise to such a conviction. Its actual state is quite different, even better than in other Ljubljana neighborhoods, but definitely far from being critical.

Typically, some groups of immigrants live in different kinds of centres – i.e. a single building occupied only by immigrants. Like the asylum seekers live in the asylum centre, illegal or other foreigners waiting to be removed from the country live in Centres for foreigners, while the foreigners who are employed in construction or other kind of manual labour are settled in the so called “homes for single workers” (because they have families in the country of origin).

Another type of such settlement is planned in the NRSSPSI\_SI (point 77). Three integration houses where a foreign citizen would be able to stay for the period of one year and the right to money compensation for private accommodation for the period of three years after having acquired the status are planned by the Ministry of the Interior. For this purpose the Ministry of the Interior classified the project of purchasing three integration houses with separate housing units for minor refugees and particularly vulnerable groups among the priorities within the disbursement of funds of the European Refugee Fund in the 2005-2007 period.

Refugees they have the right to be accommodated in the capacities of the Ministry of the Interior for the period up to one year after they are granted the status. If they live in the private accommodation they are also entitled to the financial compensation paid by the Ministry for the period of three years. Regarding the integration house the Ministry of the Interior has already purchased two buildings which will serve as the integration houses, but it needs to be emphasized that the integration houses will accommodate only the refugees and no other category of aliens<sup>29</sup>.

## 2.5 Social services

### *2.5.1 Access to social services in particular to health services – tailored to the needs of immigrants*

Ministry of Labour, Family and Social Affairs is funding a program of the NGO called Slovene Philanthropy that is offering counselling, advocacy and psycho-social service to refugees, asylum seekers and foreigners living in Slovenia. Foreigners with permanent residency in Slovenia are also eligible to social benefits and other social (and health) services under the same terms as citizens<sup>30</sup>.

Health care for asylum seekers is organized within the framework of the public health network. In the event of sickness, the asylum seeker may receive treatment in the nearest health care centre upon presenting a valid asylum-seeker identity card<sup>31</sup>.

<sup>29</sup> Ministry of Interior: comments to the report, 13. 3. 2007.

<sup>30</sup> [http://www.mddsz.gov.si/fileadmin/mddsz.gov.si/pageuploads/dokumenti\\_pdf/elmd06\\_om4\\_migranti\\_soc\\_vkljuc.pdf](http://www.mddsz.gov.si/fileadmin/mddsz.gov.si/pageuploads/dokumenti_pdf/elmd06_om4_migranti_soc_vkljuc.pdf) 21. 10. 2006

<sup>31</sup>

[http://www.mnz.gov.si/en/splosno/vstopna\\_stran/for\\_foreigners/upravne\\_notranje\\_zadeve/applicants\\_for\\_asylum/health\\_care/#c5554](http://www.mnz.gov.si/en/splosno/vstopna_stran/for_foreigners/upravne_notranje_zadeve/applicants_for_asylum/health_care/#c5554) 24. 10. 2006

The asylum seeker is guaranteed the following health care services:

- the right to urgent medical assistance and emergency transportation on the basis of a doctor's decision and the right to urgent dental treatment,
- the right to urgent medical treatment, which includes the following:
  - maintaining vital life functions, stopping serious bleeding and preventing bleeding to death,
  - preventing sudden deterioration of the health condition that could cause permanent damage to individual organs or life functions,
  - treating shock,
  - treatment of chronic diseases and conditions the abandonment of which would directly and within a short period of time cause invalidity, other permanent damage to health, or death,
  - treating high temperature conditions and preventing the spread of infection that could lead to a septic condition,
  - treating and preventing poisoning,
  - treating breakages of bones and twists and other damages that require urgent medical attendance.

Asylum seekers are entitled solely to medication specified on the positive list that is prescribed for the treatment of the above diseases and conditions. In case the asylum seeker wishes to use the prescribed medication from the negative or intermediate drugs list, they must cover the cost of such medication by themselves.

The right to health care for female asylum seekers also includes contraceptive means, termination of pregnancy and health care during pregnancy and childbirth.

## 2.6 Target groups issue

### *2.6.1 Measures to facilitate the integration of immigrant women*

No measures to facilitate integration of immigrant women are known. We can not find any document, program, project or similar on the issue.

### *2.6.2 How the problems of immigrants with disabilities or mental health problems are addressed?*

There is no special policy on the issue of disability or mental health of immigrant.

### *2.6.3 How issues of discrimination of second and third generation of immigrants are tackled?*

The issue is not tackled.

#### 2.6.4 *How the problems of multiple exclusion faced by young immigrants living in poor neighborhoods are addressed?*

The problem is not addressed.

## 2.7 Information, communication and cultural issues

### 2.7.1 *In which way are the religious and cultural values of immigrants addressed?*

Regarding the largest group of people from former Yugoslavia, most of them are Christians (Catholics and Orthodox). There is one Orthodox Church in Ljubljana.

The minority that experiences the most problems concerning religious and cultural values, are Muslims. There are 2.4 % of people who declare themselves Muslims.<sup>32</sup> It is also very rare to see a Muslim woman dressed according to Muslim religious rules. Muslims were in the past an invisible ethnic group with no voice heard in the public arena. In Slovenia they do not have any religious building. When they celebrate the important religious days, they have to hire a place large enough for the ritual and usually that is a sports centre. The struggle for the mosque is 30 years old and has been intensified in the last two years. If we take a look at the history of the efforts to build the mosque we can see that the major argument against it was the city planning of Ljubljana, the capital of Slovenia. During the 30 years there were at least 6 locations in the city designated for the building of the mosque, but all were eventually ruled out as improper for such a building. In 2001 the debate was restarted, because a new location was found but the decision had to be taken by the city council. Despite strong opposition, the plan was adopted. As a result, some of the city councillors together with civil society groups organised the collection of signatures for a referendum. They collected over 11,898 signatures in a very short time and the prevailing public opinion was against the mosque. The referendum, however, did not take place because the Constitutional Court in 2004 decided that it was unconstitutional.

But the debate influenced the attitude towards the Muslims that is now very negative and denies them equality with the Catholic majority.<sup>33</sup> The most common argument in the debate was that the mosque will spoil the beautiful Slovenian landscape. "In the plan for the mosque there are also two 30m high minarets (...) that will stick out of this small Slovene country, which is totally different by its nature from the places that minarets are coming from." (Transcription of the 27th session of the City Council of Ljubljana, May 2001). Islam was presented as the most aggressive and savage ideology in the world, that majority of the states are afraid of it and: "A minaret also means to have the Balkans in Slovenia. (...) The Balkans in the political sense of the word is connected with violence, with resistance and with human victims." (ibid.) and: "We have to be careful, because we are in danger of becoming a branch of the Islamic world and then we will have to accept their way of behaving, clothing and believing." (ibid.) The participants of the debate also recalled historical wars that took place centuries ago: "For hundreds of years in the past Slovenia was being attacked by the Turks who came with sabres and swords. Now they are no longer coming with fire and sword but with the book, with Koran" (Mladina, 26. 1. 2004). The last citation proves that a certain mentality produces the other. In the city council debate someone also said: "Not just Muslims but also gays and lesbians are demanding human rights."

<sup>32</sup> [www.stat.si/popis2002/gradivo/2-169.pdf](http://www.stat.si/popis2002/gradivo/2-169.pdf) 23. 8. 2004

<sup>33</sup> The debate took place before 9/11. These facts prove that islamophobia is not a product of Islamic terrorism.

Muslims are one of the groups that are denied the place and voice in the public arena.

### *2.7.2 Measures of awareness raising targeting the host society to strengthen capacity to cope with diversity offered by the presence of immigrants*

No such measures are known as yet (with the exception of certain activities inside the European Mobility Year). There is a plan to create a comprehensive policy in the field but it has not been introduced yet. Most of the awareness raising campaigns and programs are run by NGOs and minority organisations. Some of them are partly funded and supported by the state.

### *2.7.3 Role of local communities in the integration of immigrants*

We were not able to find any documents that define the role of the local communities in the integration of immigrants.

### *2.7.4 Extent of civic, cultural and political participation of immigrants – also participation in the formulation of integration policies at national, regional and local level*

There is a difference between different groups of immigrants in relation to civic, cultural and political participation. Immigrants that are well organised are certainly those from the former Yugoslav countries. There are numerous NGOs that were established by the Croats, Bosnians, Serbs and Macedonians. 26 organisations also received funding for the year 2006 from the Ministry of Culture which is also developing the policy that aims at enabling cultural activities of ethnic minorities to preserve their cultural identity; enabling cultural development of these minorities; enabling research that will focus on cultural diversity and offer better understanding for cooperation between different cultures in Slovenia; to support activities that include languages of minorities, and to include local authorities into supporting cultural activities of minorities<sup>34</sup>. The policy applies to traditional ethnic minorities in Slovenia – Italians and Hungarians, immigrants from former Yugoslavia and the Roma.

The immigrants with permanent residence in Slovenia have the right to participate in local elections for the members of the municipal council<sup>35</sup>.

There is no available information on the participation of immigrants in the formulation of policies.

### *2.7.5 Availability of official documentation in language format of the immigrants*

Documentation is available in the Slovene language, information is also available in English<sup>36</sup>. In the Asylum Centre some information on procedures is also available in other languages.

<sup>34</sup> <http://www.kultura.gov.si/index.php?id=9696> 24. 10. 2006

<sup>35</sup> Act Amending and Supplementing the Local Elections Act (official Gazette RS, No. 51/2002

<sup>36</sup> See the internet page of the Ministry of the Interior.

[http://www.mnz.gov.si/en/splosno/vstopna\\_stran/useful\\_information/entrance/](http://www.mnz.gov.si/en/splosno/vstopna_stran/useful_information/entrance/) 24. 10. 2006

### *2.7.6 Visibility of immigrants in mainstream media and how they are portrayed? Do immigrants have any specific TV/radio programmes in their own language?*

There is more than enough evidence of a very negative image of immigrants in media. The Peace Institute regularly publishes reports on nationalism, racism and other sorts of hatred towards foreigners<sup>37</sup>. The media discourse is one of the area in which apparently homogeneous majority population, on the one hand, and the apparently homogeneous immigrants on the other, is established<sup>38</sup>. Drolc continues: "An attitude which excludes immigrants operates inwardly as a cohesive force that strengthens and homogenizes one's representations about one's own identity and culture. (...) In the early 1990s, there was a general consensus among the public that refugees from Bosnia and Herzegovina were increasingly causing disturbances, that they disrupted the habits of the local population, increased tensions between nations, were potential criminal offenders and, most notably, that their civilizational and cultural level and behavioral patterns were different." Since the mid 1990s other immigrants were included in the same discourse on "the dangerous foreigner". Immigrants are still portrayed in the media as a threat to the economic system and national security.

What needs to be emphasized is that there is a difference between immigrants from the West and those from the East. Immigrants from the West are not seen as immigrants at all. There are no media reports on them. The target are people from former Yugoslavia (they form the vast majority of immigrants in Slovenia). There is, for example, a growing negative image of Muslims in media and at the same time the majority of immigrants come from Bosnia and Herzegovina.

Immigrants have no TV/radio programs in their own language.

## 2.8 Emigration

### *2.8.1 The effects of emigration – how do the country adopt to this changes*

Slovenia does not face the problem of emigration to a greater extent. The great emigration process went on between the two wars and soon after the World War II when the majority of people leaving Slovenia were political emigrants. Economic emigration was quite extensive during the Seventies and Eighties and a lot of Slovenes returned when Slovenia gained independence.

Some of the major surveys (Slovene Public Opinion) show a very low level of mobility of Slovenes. They even do not move from the village they live in and have difficulties to change the environment, even when the employment opportunities are in question. It is different with younger generations that enjoy the travelling opportunities and are prepared to look for a job in the EU or elsewhere. Most of them are well educated and consider themselves "nomadic" individuals that are not bound with traditions.

What also shows a weak understanding of modern concept of mobility is a discourse on "brain drain" that does not apply just to the emigration from the country but also from smaller towns to the cities within Slovenia. Regional disparities are indeed a problem but not because well educated people do

<sup>37</sup> They publish reports on intolerance and monitor the media discourse – among others also on foreigners. They also organised a set of round tables, one of them on immigrants.

<sup>38</sup> Aleš Drolc (2003), Immigrants between the common European migration policy and local peculiarities. In: Mojca Pajnik, Simona Zavratnik Zimic, *Migrations – Globalisation – European Union*. Ljubljana: Peace Institute, p. 323-346.

not return to their home towns but because of the underdevelopment and lack of good employment opportunities.

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