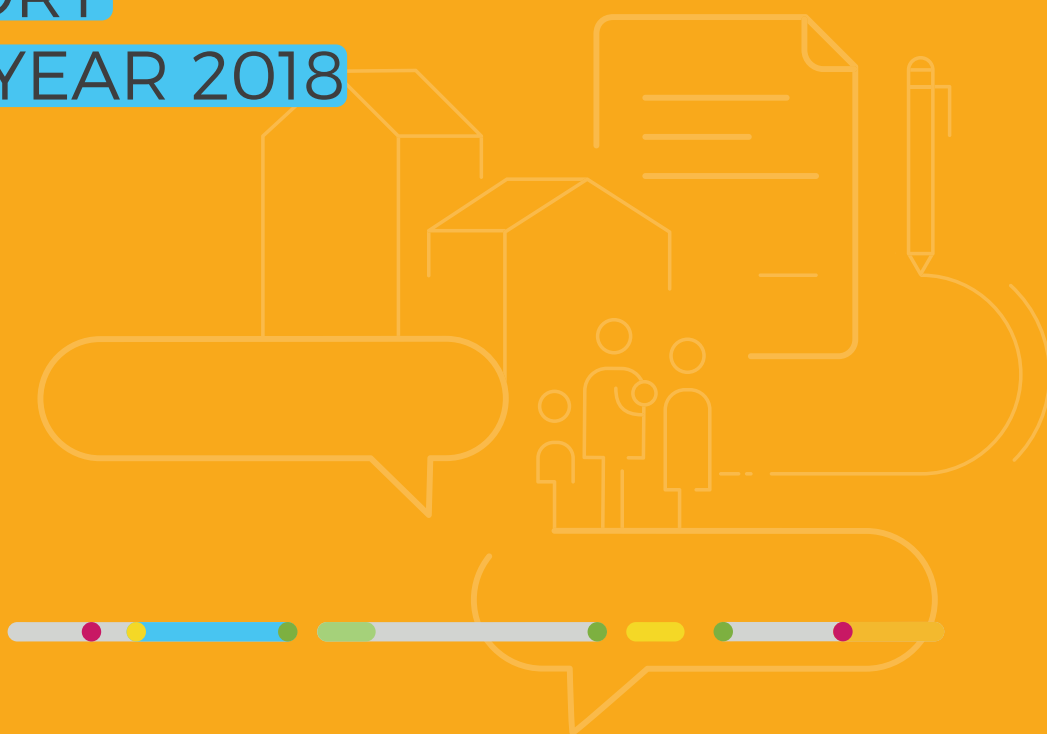


Maja Ladić, Veronika Bajt, Vlasta Jalušič

NATIONAL INTEGRATION EVALUATION MECHANISM SLOVENIA

REPORT
FOR YEAR 2018



Maja Ladić, Veronika Bajt, Vlasta Jalušič

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National integration evaluation mechanism. Slovenia: Report for year 2018

Maja Ladić, Veronika Bajt, Vlasta Jalušič

Design: Rafał Załęski

Proof-reading: Mišo Mičič

Mirovni inštitut, Metelkova 6, 1000 Ljubljana, Slovenia

2020 *

Publication is free of charge.

Publication supported by AMIF fund



EUROPEAN UNION
Asylum, Migration
and Integration Fund

The content of this publication does not reflect the official opinion of the European Commission and Polish Ministry of Interior and Administration.

Responsibility for the information and views expressed in the publication lies entirely with the The Peace Institute – Institute for Contemporary Social and Political Studies

CIP - Kataložni zapis o publikaciji

Narodna in univerzitetna knjižnica, Ljubljana

314.15(497.4)

LADIĆ, Maja

National integration evaluation mechanism. Slovenia : report for year 2018 / Maja Ladić, Veronika Bajt, Vlasta Jalušič. - Ljubljana : Mirovni inštitut, 2020

ISBN 978-961-6455-90-9

1. Bajt, Veronika 2. Jalušič, Vlasta

COBISS.SI-ID 21488387

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1 INTRODUCTION TO THE SECOND ROUND OF NIEM EVALUATION

This is the second National Report on Slovenia implemented as part of the project “The National Integration Evaluation Mechanism (NIEM)” on the implementation of various areas of integration policy towards beneficiaries of international protection. The first report focused on the time period from 1st January 2016 until 31st December 2016 and was the first ever comprehensive evaluation of migration and integration policies in Slovenia (see Ladić et al., 2018). Following this ground-breaking publication, compiled based on indicators that were completed in 2017, the present report completes the second evaluation round which was implemented in 2019 and consisted of 186 indicators aimed at diagnosing of the existing situation in Slovenia. It follows the time period between 1st January 2018 and 31st December 2018.

Rather than describing all the various areas of integration policy towards beneficiaries of international protection in Slovenia, the present report aims to highlight three selected fields that most significantly affect the life trajectories and living situations of persons with international protection, but also migrant men and women more generally. Supported by our own research findings and also drawing from other existing research and data (Ladić et al., 2018; Medvešek & Bešter, 2010; Medica & Lukić, 2011; Pajnik & Bajt, 2011; Zavratnik & Cukut Krilić, 2018), three key areas of integration have been selected as the most pertinent in this regard:

- a. accommodation/housing,
- b. recognition of education and possibilities for further schooling and vocational training, and
- c. employment.

A discussion on access to various policy and law provisions and the factual implementation of integration practices in these three fields therefore represent the focal point of the present report and are discussed in detail in its second half. At the same time, a brief overview of other areas is also provided (i.e. mechanisms of integration) that have also been reviewed for change since 2017. Where necessary, we also provide further explanations and note interconnections that often ensue from the complexity involved in evaluating the existing mechanisms of integration in Slovenia. Also, even though the report has a strict timeframe that ends after 31st December 2018, the most current available data is included where it merits a timely update.¹

¹ Readers should note that the report was completed in January 2020.

1.1 REPORT STRUCTURE

The report begins with a discussion of migration management in Slovenia, arguing that no factual migration policy has been in place before 2019, which is in consequence also reflected in integration measures that often lack a successful implementation. The Government of the Republic of Slovenia adopted the Government Strategy in the Field of Migration (Sl. Strategija vlade RS na področju migracij) in July 2019. The document is composed of six pillars: economic migration as part of legal migration, international protection, irregular migration and return (in Slovenian language the term used is “nezakonite migracije in vračanje”), security dimension, integration and external migration dimension. This is the first such strategy and in one part it includes also integration (of migrants in general, including also beneficiaries of international protection). A brief overview of areas where no significant legal or policy changes were applied since the last monitoring in 2016 then follows (see Ladić et al., 2018). Where changes were adapted in the last couple of years (i.e. in the period between 1st January 2017 until 31st December 2018), we briefly summarize the relevant indicators of migrant integration. However, since at least some minor changes or additions were made in practically every area under review, the report focuses on selected three areas that we consider to be most significant for Slovenia: housing, recognition of and access to education, and employment. Supported by existing research and drawing on the most recent NIEM mechanism of migrant integration evaluation, we conclude that significant change is necessary in order to ensure the proclaimed integrational goals and acclamations.

2 BENEFICIARIES OF INTERNATIONAL PROTECTION IN SLOVENIA

In the Republic of Slovenia, **international protection** refers to the refugee status and the subsidiary form of protection. Temporary protection refers to people who would receive this status in case of mass influx, provided that Directive 2001/55/EK was applied on the EU level, which has not happened until now. **Refugee status** can be granted to a third country national (i.e. any person who is not a citizen of the European Union) who, owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his or her nationality and is unable or, owing to such fear, is unwilling to avail himself/herself of the protection of that country, or a stateless person, who is outside the country of his/her former habitual residence as a result of such events and is unable or, owing to such fear, unwilling to return to it. Persons with international protection have certain rights and are under the jurisdiction of the Government Office for the Support and Integration of Migrants (*Urad Vlade Republike Slovenije za oskrbo in*

integracija migrantov – UOIM) for the first three years upon status recognition. They are assigned a so-called Consultant/Adviser for Integration, who – in cooperation with them – prepares an individualized integration plan. They are also included in orientation programme in a form of short-term projects implemented by NGOs, as well as in Slovenian language classes.

The status of subsidiary form of protection can be granted to a third country national or a stateless person, who does not qualify for a refugee status, when substantive grounds exist to suspect that upon his/her return to the country of origin, or in case of a stateless person, the country of last residence, the person would face real risk of being subject to serious harm as stipulated in the Law on International Protection. They only get a temporary residence status, which they can prolong (however not automatically; the authorities decide upon each individual case if there is still a need for subsidiary protection).

On 1st January 2019 there were 539 beneficiaries of international protection in Slovenia. From these, 492 received refugee status and 47 received subsidiary protection. Among those with refugee status, 150 were women and 342 were men, while among those with subsidiary protection, 9 were women and 38 were men. Among those with refugee status 128 were under 18 years old, while among those with subsidiary protection 17 were under 18 years old. In July 2019, there were 679 persons with international protection, 115 living abroad and the rest living in Slovenia.² There are no persons under temporary protection nor any persons under humanitarian protection in Slovenia.

In 2018 there were 40 refugees, who arrived to Slovenia through the resettlement programme (from Turkey), and 21 refugees that came through the relocation (quota) scheme (from Italy and Greece). The agreed relocation quota for Slovenia (since 2016) was 567 persons in total, 218 from Italy and 349 from Greece. In 2016 there were 124 persons, in 2017 there were 108 persons, and in 2018 there were 21 persons, who arrived to Slovenia through relocation (quota) scheme. The relocation stopped at 253 persons that were transferred to Slovenia, the rest is currently pending due to backlogs in Greece and Italy according to the inter-ministerial working group coordinating the relocation and resettlement. All those arriving to Slovenia through resettlement programme (from Turkey) receive refugee status. State officials take their documents issued by Slovenia to Turkey and they can subsequently travel to Slovenia with these documents. On the other hand, all those arriving to Slovenia through relocation (quota) system (from Italy and Greece), must yet submit their asylum applications in Slovenia and the outcome is unsure. From those 253 arriving through the relocation system, 233 received refugee status (141 citizens of Syria, 74 citizens of Eritrea, 12 citizens of Iraq and

² Data received from the representative of the UOIM on 13 June 2019 and data received during an interview with representatives of the UOIM on 4 July 2019.

6 stateless persons), 11 received subsidiary protection (10 citizens of Syria and 1 citizen of Yemen), 5 of them (all citizens of Iraq) did not receive any protection, and 2 persons (from Syria and Eritrea) left Slovenia during their asylum procedure.

3 MIGRATION “MANAGEMENT”

The wider EU framework is essential for understanding the current state of affairs in Slovenia, as well as the best predictor of future trends. Studies problematizing asylum and deportation policies, integration, social and labour market policies, attest to the constriction and discriminatory effects of migration policies in Slovenia (e.g. Kogovšek Šalamon, 2011; Zorn, 2014; Pajnik & Bajt, 2011; Bajt & Frelih, 2019). In the period under review (i.e. 2017-2018), there was still no strategy for the integration of beneficiaries of international protection in Slovenia. There was also no national strategy for the integration of migrants. There was only Strategy for economic migration for the period 2010-2020 focusing on migrant workers.

However, on 10th June 2019, the Ministry of the Interior published a draft document “Strategy of the Republic of Slovenia in the Field of Migration” on its website and launched a 15-day consultation process with civil society. The government awarded the coordination of the drafting of the strategy to the Ministry of the Interior, which is reflected in the content of the document. It heavily emphasizes irregular migration, security issues, border protection and asylum procedures, while the majority of migration in Slovenia is in fact represented by documented economic migration (i.e. migrant workers, not asylum seekers or irregular migrants). Despite a very proactive group of NGOs, which put a lot of effort in advocacy and strived to convince the intersectoral governmental working group (consisting of all ministries) to take more time and prepare a better comprehensive migration strategy, the Government rushed to adopt this strategy on 18th July 2019.

In terms of regular immigration, economic migration can be recognized as Slovenia’s priority in respect of the need for a migrant workforce in certain sectors due to labour demand, most notably in construction (Medica & Lukić, 2011; Pajnik & Bajt, 2011; Bajt & Pajnik, 2014). The number of new work and residence permits issued is high every year, especially among citizens of the former Yugoslav republics. Slovenia hence remains a country of immigration primarily for reasons of employment and family reunification. The number of work permits valid on 31st December 2018 was 148,014 for third country and 28,029 for EU nationals, most issued to citizens of former Yugoslav republics (i.e. Bosnia and Herzegovina, Kosovo, Macedonia and Croatia). 9,025 residence permits were issued to EU and 65,211 to third country nationals in 2018 (MNZ 2019). In comparison, asylum is a minor issue. According to data from the Government Office for the Support

and Integration of Migrants, on 7th July 2019 there were 679 people with recognised international protection status (however, not even all of them live in Slovenia), 312 asylum seekers (most of whom were housed at the Asylum home), and 107 persons were waiting to file an application (UOIM 2019). According to the statistics, only approximately 10% of filed asylum applications are solved, while large majority of them are dismissed due to applicants leaving Slovenia soon after filing their application. In 2018 there were 2875 application filed, 2348 of those were dismissed, 135 were rejected, 99 received a refugee status (and in this number there are also 40 people who arrived to Slovenia through resettlement scheme from Turkey and 21 people who arrived to Slovenia through relocation scheme from Italy and Greece), 3 received a subsidiary protection and 290 cases were still pending at the end of 2018 (PIC 2019).

In Slovenia, migration policy is centralized, since most of the measures are implemented at the level of the Ministry of the Interior, which is responsible for asylum and migration. A significant change occurred in July 2017, when a special Government Office for the Support and Integration of Migrants (*Urad vlade za oskrbo in integracijo migrantov – UOIM*) was established, taking over part of responsibilities that were previously under the authority of the ministry. Devising policies and administrative procedures for obtaining the status of international protection remain under the jurisdiction of the Ministry of the Interior. Despite its broad name, the UOIM with its a) Reception and Support Division and b) Integration Division is only responsible for asylum seekers and people with recognised status of international (refugee or subsidiary) protection. As already mentioned, in July 2019 this number was around 1000 persons in total. The vast majority of foreigners in Slovenia, however, are not asylum seekers and beneficiaries of international protection and integration measures in this regard remain without a public body that would be responsible for their implementation.

A number of ministries are also involved in integration, each in the implementation of individual procedures related to its departmental jurisdiction (e.g. Ministry of Education, Science and Sport, Ministry of Economic Development and Technology, Ministry of Labour, Family, Social Affairs and Equal Opportunities, Ministry of Public Administration, etc.). Local communities, however, do not have formal power to implement asylum and migration measures, though integration is in actuality conducted at the local community level and sustained by various non-governmental sector programmes or rather short term projects (mostly funded nationally or by the European Union).

3.1 A SHIFT TOWARDS CRIMINALIZATION OF MIGRATION

Migrants, who may have the right to international protection from persecution and serious human rights violations, are prevented by the so-called pushbacks from seeking protection and enjoying their right to an individual assessment of their claims. Pushbacks are happening in various ways and engender a climate of fear and mistrust amongst people on the move. Brutality, intimidation and devious tactics by authorities have been widely documented (Jones, 2017; Regvar, 2018; Galijaš, 2019; Info Kolpa, 2019). In 2018, reports about pushbacks in Slovenia also appeared (Amnesty International Slovenije, 2018; Regvar, 2018). The Human Rights Ombudsman's office noted cases where personal circumstances of migrants who might be able to apply for asylum were ignored or not seriously considered by the police in the process of apprehending irregular border crossers. Human rights NGOs (e.g. Amnesty International of Slovenia and Legal-Informational Centre for NGOs – PIC) reported that in June 2018 the Slovenian authorities restricted access to asylum and forced the “return” of several migrants. In a detailed report, prepared by PIC, we read about data obtained in Velika Kladuša and Bihać in Bosnia and Herzegovina from witnesses who, although they wanted to claim asylum in Slovenia, were returned to the Croatian authorities (Regvar, 2018). Unlike the Slovenian police, the Croatian authorities do not enact a formal return to Bosnia and Herzegovina but simply drive the migrants to the vicinity of the border and leave them there; reports indicate that they are then forced to cross the border, also reported are systematic destruction of their documents and mobile phones. Moreover, various reports on pushbacks also mention beatings, threats and humiliation (Galijaš, 2019). Official Slovenian police statistics confirm a change in practice in June 2018: despite the fact that the number of people who crossed the border in an illicit manner decreased, returns to Croatia increased markedly (Policija, 2018). At the same time, the number of people who were recorded by the police as having expressed the intention to apply for asylum fell drastically (Be. B., 2018). Since the situation for refugees in Bosnia is worrisome, the watchdog organisations concluded that Slovenia is in breach of the *non-refoulement* principle (Amnesty International Slovenije, 2018; Regvar, 2018).

The Foreigners Act and its amendments (last changed in 2017) refer to removal of a foreigner, seizure of a foreigner's travel document, irregular border crossing, assistance in irregular border crossing, irregular retention in the country and identification.³ Irregular border crossing and assistance with irregular border crossing are also covered by the State Border Control Act and some aggravated forms also by the Penal Code and its amendments, where the severity of the punishments for these criminal offenses was increased in the most recent changes that were made in 2017.

³ Foreigners Act (official consolidated text) (ZTuj-2-UPB6), Uradni list RS, št. 1/18 in 9/18 – popr., SOP 2018-01-0001, 2018.

According to the Minister of the Interior, some of these changes were made in response to the European Commission's initiative that Slovenia would become a new hotspot.⁴ Hotspot means that all the responsible EU agencies (e.g. Frontex, Europol, Eurojust) work on the ground with the authorities of frontline member states facing disproportionate migratory pressures along the EU's external borders. The idea is to help them fulfil their obligations under EU law and swiftly identify, register and fingerprint incoming migrants. Faced with this prospect, Slovenia's authorities described the situation from 2015 onward as a "full red alert", and have in recent years adopted several legal measures that would safeguard Slovenia from becoming a hotspot (Bajt and Frelih, 2019). Mirroring measures adopted over the past few years by neighbouring Hungary and Austria, in January 2017 Slovenia also approved a bill (amended Foreigners Act, Articles 10a and 10b) that allows police to seal the border with Croatia.⁵ Under the new legislation, in case of a new influx of migrants which could "threaten public order or internal security of the Republic of Slovenia" the Slovenian authorities could reject asylum seekers directly at the border with non-Schengen member Croatia. Advocacy and human rights organizations have warned the authorities (even before the amendments were adopted) about the two controversial articles (10a and 10b) being unconstitutional, however the authorities completely ignored NGOs' arguments.

Thus on 19 April 2017, the Human Rights Ombudsman submitted to the Constitutional Court of the Republic of Slovenia a request for the review of the constitutionality of Article 10b (responding to the changed situation in the field of migration) of the Foreigners Act, due to a conflict with Articles 2, 14, 18, 22, 25 and 34 of the Constitution of the Republic of Slovenia. The Ombudsman considered that Article 10b inadmissibly interfered with human rights or fundamental freedoms.⁶ On 18th September 2019 the Slovenian Constitutional Court ruled that Article 10b of the Foreigners Act, setting out measures of temporary suspension of the right to asylum, was contrary to the principle of *non-refoulement*. The problematic provision, introduced in 2017, allowed for the suspension of the right to asylum upon parliamentary order. Though never activated, the measures would require the Police to reject all intentions to apply for asylum as inadmissible as long as the persons wishing to apply entered Slovenia from a neighbouring EU Member State in which there are no systemic deficiencies of asylum procedure and reception conditions which could lead to torture, inhuman or degrading

⁴ MMC, Zakon o tujcih ob podpori opozicijskih SDS-a in NSi-ja sprejet s 47 glasovi, 26 January 2017, <https://www.rtvsllo.si/slovenija/zakon-o-tujcih-ob-podpori-opozicijskih-sds-a-in-nsi-ja-sprejet-s-47-glasovi/413420>.

⁵ Foreigners Act, Article 10a (the changed situation in the field of migration) and 10b (responding to the changing migration situation): <http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO5761>.

⁶ Human Rights Ombudsman website: <http://www.varuh-rs.si/medijsko-sredisce/sporocila-za-javnosti/novice/detajl/varuh-na-ustavno-sodisce-vlozil-zahtevo-za-oceno-ustavnosti-10b-clena-ztuj-2/?cHash=6baeae79937d7cdd5a58ee199e7713fc>.

treatment. The Police would then be able to return the persons back to the neighbouring countries in question. The Constitutional Court annulled the provision on the ground that it was contrary to the principle of *non-refoulement*, enshrined in Article 18 of the Constitution, insofar as the measures would not guarantee individuals a fair and efficient process determining whether their removal would amount to torture, inhuman or degrading treatment. The Court also highlighted that the determination of “a threat to public order and internal safety in the Republic of Slovenia” under the Foreigners Act did not imply the existence of a state of emergency pursuant to Article 92 of the Constitution, which could justify the limitation of certain rights (AIDA 2019).

4 OVERVIEW OF INTEGRATION AREAS WITH NO SIGNIFICANT CHANGES SINCE 2016

In Slovenia, refugees receive **permanent residence permit** upon status recognition (and status of a long-term resident after five years). Beneficiaries of subsidiary protection receive **temporary residence permit** upon status recognition and can apply for permanent residence permit after five years (they can also obtain a long-term resident status after five years). But because they have to prolong their status, beneficiaries of subsidiary protection find themselves in a position of uncertainty. Namely, there is a possibility that their status may not be prolonged if the Slovenian authorities decide that the reasons for international protection no longer exist. Beneficiaries of international protection (both, those with refugee status and those with subsidiary protection) can become long-term residents after five years of legally residing in Slovenia but only if they meet all the conditions. A condition that is most difficult for them to meet remains securing sufficient financial means.

After living in Slovenia uninterrupted for five years, a person with refugee status may be granted **citizenship** if they meet all the set conditions (e.g. language proficiency, temporary job contract for at least 2 years or permanent job contract for at least 6 months). In 2018, 12 beneficiaries with a refugee status and 3 beneficiaries with subsidiary protection applied for Slovenian citizenship. Only 3 with refugee status and only 1 with subsidiary protection were accepted into Slovenian citizenship and according to the Ministry of the Interior, the average waiting time in the naturalization procedures in 2018 was 230 days.

Refugees can submit application for **family reunification** immediately upon status recognition. Likewise, beneficiaries of subsidiary protection who are granted the status for more than one year can immediately apply for family reunification. However, a common obstacle is that they only have 90 days upon their status recognition to prepare all the needed documentation if they want to apply under reduced conditions. Once the 90 days term is up they need to meet all the conditions which all third country

nationals must meet. The most important reduced condition is to prove sufficient financial means to support all family members, which a large majority of beneficiaries are not able to prove. Still, all beneficiaries have to cover the entire travel costs for their family members, which is also impossible for a large majority of them, and they usually ask humanitarian organizations to help them raise funds. Furthermore, family reunification procedure can only start when a beneficiary of international protection knows the exact location of their family members and has the required documentation (especially proof of family ties), which is frequently too difficult to provide (especially from some countries, for example Eritrea). The practice shows that documents beneficiaries do manage to provide are often not accepted as adequate and that the Slovenian authorities do not respect the principle of family unity (e.g. unaccompanied minors can enact family reunification procedure only for their parents but not their (minor) siblings).

Whereas the level of **social benefits** for persons with international protection (not including persons under temporary protection) is formally equal to nationals, they frequently experience delays and long waiting periods in accessing these resources. In the first two months after gaining their status, most refugees face severe financial distress, for they are without any financial means while waiting to receive regular social welfare. They often continue life in poverty long afterwards as well. Since finding a job is very difficult for beneficiaries of international protection, most of them are forced to rely on social welfare, which is often not enough to cover all monthly costs. Also later on, when they do manage to find employment, they are mostly working as unqualified or low-skilled physical workers, receiving a minimum salary, which keeps them living in poverty.

While asylum seekers in Slovenia only have access to urgent medical care which leaves irreversible negative effects on their **health**, refugees and beneficiaries of subsidiary protection have the right to be included into mandatory health insurance scheme. Still, it is very difficult for beneficiaries of international protection to find personal physicians, since some still tend to reject refugees as their patients (on account of not being able to communicate with them due to language barriers).⁷ Language barrier is certainly one of the biggest challenges, especially because beneficiaries of international protection do not have access to (publicly financed) translators and health institutions do not provide them either.

⁷ The system in Slovenia relies on each patient selecting a personal physician (or a family practice doctor), which represents a growing problem for an expanding group of people, not only beneficiaries but nationals as well. What is formally an option to select one's doctor freely is factually a flawed system where finding ANY physician able to accept new patients is becoming ever more impossible. This reflects a wider complex problem of dissolution of public healthcare system in Slovenia and the resulting lack of cadre among crucial medical personnel (e.g. nurses, family medicine doctors).

One of the issues which might put children born in Slovenia to parents with international protection (or asylum seekers) **at risk of becoming stateless** actually goes beyond health sector (maternity hospitals). The evidence shows that when a child is born in Slovenia to refugees or asylum seekers, the officials request a marriage certificate of parents in order to write the name of the father in the child's birth certificate. In case the couple does not have their marriage certificate with them, or in case the couple is not married, or in case the father is not present, the name of the father is not written in the birth certificate. This might put children at risk of becoming stateless if the national legislation of the country of origin/citizenship of the mother does not enable her to pass her citizenship on to the child – and such example is Syria. Twenty-five countries⁸ retain nationality laws that deny women the right to pass their nationality to their children on an equal basis with men. The problem seems to be multi-layered, from the lack of a translator present in maternity hospitals (during child birth and later when naming the child and arranging birth certificate), lack of involvement of the Asylum home (especially social and medical staff) and social centers, and also unawareness of the officials at the administrative units (or perhaps, rather internal instructions on what to do passed down to the officials at administrative units). Statelessness is still not taken seriously in Slovenia, however issues from practice show that there is need for awareness raising among officials from various sectors.

5 HOUSING

The first round of NIEM evaluation mechanism for integration indicators concluded that in terms of access to housing in Slovenia beneficiaries of international protection are either dependent on integration houses or left to their own devices in the open market (Ladić et al., 2018). There is no “public housing” scheme for beneficiaries of international protection and the only public housing available for them are integration houses owned by the state and managed by the UOIM (previously by the Ministry of the Interior). No other public housing for beneficiaries exists. In the free housing market, namely, they are supposed to compete on equal footing with nationals, additionally burdened by prejudice and racism of potential landlords who do not wish to rent their property to refugees (or any foreigners for that matter). There are no publicly financed campaigns to sensitize private housing owners and the housing market in Slovenia is notoriously brutal in terms of high prices and the demand always surpassing the offer. It is therefore not surprising that beneficiaries in majority cannot afford the high housing

⁸ List of countries by UNHCR: Brunei Darussalam, Iran, Kuwait, Lebanon, Qatar, Somalia, Eswatini, Bahrain, Burundi, Iraq, Jordan, Kiribati, Liberia, Libya, Nepal, Oman, Saudi Arabia, Sudan, Syria, Togo, United Arab Emirates, The Bahamas, Barbados, Malaysia, Mauritania (Gender Discrimination and Childhood Statelessness report, UNHCR 2019).

prices because only with their allocated subsidies (which they are only eligible to claim for a limited time period) they cannot cover the rent costs and the requested security deposits.

According to the law, they can freely choose the housing, city or region of residence. Yet in practice, the majority of beneficiaries of international protection live in Ljubljana and Maribor (two biggest cities in Slovenia). Only recently a trend has been observed of them moving also to the outskirts or neighbouring villages outside of these two cities, which is a result of very high prices of housing. It is understandable that refugees strive to live in Ljubljana or Maribor where the support system and infrastructure is more readily available. At the same time, their financial means are severely limited and as a consequence they cannot afford to live wherever they want. Many flat owners in Slovenia do not write the exact price of rent in the contract (to avoid paying taxes or wanting to pay less taxes). However beneficiaries of international protection need renting contracts with the exact amount they pay because this is the only way they can then receive this money as in-cash housing support by the state. This is one of the additional reasons why many owners do not want to let to refugees. Or, in other cases, the owners increase the prices after learning that it is refugees who want to rent from them.

Recognized refugees, beneficiaries of subsidiary protection, resettled refugees, and persons under temporary protection do not have access to non-profit housing which is accessible only to Slovenian nationals. However, beneficiaries of international protection do have certain “housing benefits”, such as the right to monthly financial allowance for rent costs for the period of 18 months (which can be prolonged up to 18 more months, thus up to 3 years in total). There are no special policies for vulnerable groups regarding their access to housing. However, in practice unaccompanied minors (especially those younger than 15 years of age) are ensured accommodation in a boarding school in Postojna, which is the only one available since 2017. This is a significant change from the last reporting period when two such facilities were available (one in Postojna and one in Nova Gorica).

There are two integration houses in Slovenia, one in Ljubljana and one in Maribor, with capacities for around 60 people.⁹ Once these two houses are full, there is no other public housing available for beneficiaries of international protection. Public housing is available either only to Slovenian citizens or in some cases to permanent residents in certain municipalities. Only beneficiaries of international protection with permanent residence have access to certain public housing, however, they have to compete with all other permanent residents and Slovene citizens who apply for the same public housing.

⁹ For a very short period of time in 2018 there was the third integration house located in Velenje, where up to 30 beneficiaries could be placed, however only families. It is not clear why this integration house was in use only for a short time.

This inevitably makes it very difficult or almost impossible to actually access public housing.

Beneficiaries of international protection who are unemployed or without their own financial means are entitled to receive financial help from the state for the rent of private housing for up to 18 months and under certain conditions for additional 18 months. This condition is new since 2016 and requires from the applicant at least 80% attendance at a Slovenian language course. Prior to this change, beneficiaries were automatically entitled to three years of financial help for private housing rent.

In 2018, there were 21 beneficiaries of international protection in integration house in Ljubljana and 49 beneficiaries of international protection in integration house in Maribor, 70 persons in total. The majority lived in integration houses for one year (which is the maximum possible duration of time, only in exceptional cases they could stay up to one year and a half). Most beneficiaries therefore have to rent an apartment on open real-estate market which also means regular market prices. These are often too high for beneficiaries, especially in Ljubljana, because they exceed the in-cash housing support they receive by the state. Also, when renting an apartment, it is expected by the owners that they would pay a security deposit plus at least one rent in advance. Yet beneficiaries are usually waiting to receive financial help for accommodation and social welfare for more than one month or up to two months after the recognition of their status. In this time period, most do not have any financial means, not even for sustenance, and certainly not enough for one whole rent, let alone two or more. This financial situation has become much worse since the *International Protection Act* has been changed in 2016 and the one-time financial help upon status recognition was abolished.

Another problem is that beneficiaries of international protection are facing a lot of discrimination and racism when searching for housing. Many owners are not willing to rent their real estate to refugees, especially not to larger families (families having more than two children). Beneficiaries of international protection who do not get a place in the integration house and are also unable to find private housing are then allowed to stay in the Asylum home also after they receive their status. There have been several cases like this. Another major concern is that beneficiaries do not receive any targeted housing advice or counselling or representation by housing experts. They only get support for searching for apartments by a specialized NGO which is helping refugees with integration in the first three years upon status recognition.

Beneficiaries of international protection can obtain financial help for renting private housing for maximum three years (18 months automatically if they are unemployed, while additional 18 months only if they attend Slovenian language course at least 80%), however this is still considered as a short-term support. After these three years, if

beneficiaries of international protection are still unemployed and without their own financial means, they have access to further (limited) financial support to pay the rent. However, this measure is the same for all permanent residents in Slovenia, it is not specifically targeting this group.

The authorities are too slow to address the lack of proper housing concerns and this is actually a pressing general problem in Slovenia. There is neither integration strategy nor any specific strategy on housing of beneficiaries of international protection. Even though the Ministry of Public Administration published a call for owners of private housing to rent to beneficiaries of international protection,¹⁰ the call did not specify any criteria for what would be considered appropriate housing. It is hence not uncommon for beneficiaries to be offered accommodation in unacceptably poor condition for unreasonably high price.

Most beneficiaries in Slovenia therefore struggle to find a place to live. Potential landlords are reluctant, even unwilling to rent to refugees. This is so also because they worry about the fact that the beneficiaries require a written lease that has to include the real price. In practice many owners let on the black market and do not provide lease agreements or put a lower rent price in the contract to avoid paying taxes. Moreover, refugees have to register their permanent residence address and thus owners worry they will not be able to throw them out if refugees will not be able to pay the rent (owners in general prefer renting to tourists and students); there are also language barriers, since owners worry about communication. At the same time, some owners are aware of the fact that it is difficult for refugees to even find accommodation, so they take advantage of their precarious situation and rent apartments in poor condition for a high price. Often they actually increase the price upon hearing that it is refugees who would be renting. A growing number of refugees is hence moving to the outskirts of Ljubljana or to nearby villages, because they simply cannot afford to rent an apartment big enough for the whole family (often families have three or four children) in Ljubljana.

¹⁰ Available here: <https://e-uprava.gov.si/podrocja/nepremicnine-in-okolje/nepremicnine-stavbe/oddaja-stanovanj-beguncem.html>

5.1 MAIN CHALLENGES

To conclude, three main challenges have been identified in the area of access to housing:

5.1.1 Integration houses' capacity is not sufficient

This is factually the only publicly owned housing option for beneficiaries of international protection and since the capacities of the existing houses in Ljubljana and Maribor are too small, the majority of beneficiaries of international protection cannot access them. This type of housing option is only available at two¹¹ locations: in Ljubljana for around 15 people (at the time of updating integration mechanism indicators in period March-July 2019, nobody actually resided there) and in Maribor for around 45 people (at the time of updating integration mechanism indicators in period March-July 2019, only 25 people resided there). Combined, this means that Slovenia has the capacity for only 60 people. The results listed above for 2018 hence show that when integration houses actually do fill up, they are overpopulated as they exceed their capacity. In addition to integration houses, there are also some government-owned apartments, where 18 people resided at the time of updating integration mechanism indicators in March-July 2019. In consequence, the majority of beneficiaries have to rent accommodation in “open real-estate market” which means regular market prices. These are often too high for beneficiaries, especially in Ljubljana; the rent is habitually higher than the in-cash housing support they receive from the state. It should also be noted here again that Slovenia agreed to accept 567 refugees through the relocation (quota) program, however the relevant authorities did not ensure sufficient housing capacities for them. This is despite the fact that there are several publicly owned buildings in different cities across Slovenia that are owned either by the state or the municipalities and the problem with insufficient housing options could therefore be resolved rather quickly. We here wish to highlight that affordable housing for all should be the obligation of the state.

5.1.2 Many beneficiaries of international protection are facing financial problems

When renting an apartment it is expected by the owners that the renter would pay security deposit plus at least one rent in advance. However, beneficiaries are usually waiting to receive financial help for more than one month or up to two months after the recognition of their status. In this period most of them do not have any financial means, not even for food and certainly not for two or more rents. Owners of the apartments

¹¹ For a brief period of time in 2018, it was available in three locations.

rarely agree to wait and give them a renting contract without first receiving the payment. This financial situation has become much worse since the International Protection Act has been changed in 2016 and the one-time financial help upon status recognition was abolished. It is therefore our recommendation for the state authorities to ensure that financial help, to which beneficiaries are entitled, is allocated in a timely manner and without delays.

5.1.3 Discrimination and racism negatively affect access to housing

When searching for accommodation, beneficiaries of international protection frequently encounter discriminatory treatment and racist prejudice. Often owners are not willing to rent to refugees, especially not to larger families (especially three children or more seem to be an issue for owners). On the one hand, many landlords simply do not want to rent to refugees; on the other hand, some owners let inappropriate housing for unreasonably high price specifically to refugees because they are aware of the fact that it is very difficult for refugees to even get accommodation and that at some point they will inevitably be forced to accept whatever they can get. It is hence imperative for the state to intervene and implement strict criteria for what is appropriate housing, enacting this rule with appropriate stipulations in open public calls and with on-the-ground inspection of for-hire accommodation.

6 EDUCATION

Persons with international protection share the same rights regarding pre-school, elementary, secondary, higher and adult and university education as Slovenian nationals. They have the right to scholarships and accommodation in student housing under the same conditions as Slovenian nationals. Funding for education and training of refugees is provided by the Ministry of Education and Sport.

Children of asylum seekers and unaccompanied minors have the right to elementary school education, however, only until the age of 15, which is the age of legal majority in Slovenia. They have to start attending elementary school in three months after lodging asylum application at the latest. In practice, they mostly start attending very soon, within a few weeks. All asylum seekers have the possibility, while minor asylum seekers have the right to education in vocational and secondary schools under the same conditions as citizens of Slovenia. Asylum seekers are also granted access to higher and university education under the same conditions as Slovenian citizens. This may sound ideal in theory, however in practice there are several obstacles and barriers asylum seekers face in Slovenia.

Even though beneficiaries of international protection have equal access to education as nationals by law and in theory, in practice they are facing several barriers. Since primary school is obligatory, enrolment is not a problem for primary school children. But it can be an issue for secondary school students because they cannot choose school they would like to attend (vocational or high school) or schools are not willing to accept them because of the language barrier or because they do not have documents to prove their previous education (completed primary school). Also, enrolment in universities can be difficult if a person does not have documents to prove previous education (completed high school). In fact, it is difficult for all groups to obtain required documentation to prove their already accomplished level of education or training, whereas the burden of proving the level of education obtained in the country of origin is entirely on asylum seekers and beneficiaries of international protection (with a few minor differences between these groups). Without these documents it is difficult to get access to any vocational training (not only secondary vocational schools but also to other vocational trainings). One of the biggest challenges is the lack of knowledge of Slovenian language – exams for enrolling in some vocational or employment-related education are in Slovenian language, so if beneficiaries don't speak the language they can't even take these exams.

As a new development worth mentioning two exams have been introduced recently which beneficiaries of international protection can take (while asylum seekers cannot). One is for those beneficiaries who cannot prove they have completed primary school in their country of origin or in any other country. They can apply to take an exam at the National Education Institute Slovenia (NEIS) and if they pass the exam they receive a certificate which they can use instead of their original primary school certificates to enrol in secondary education. The exam is oral and in Slovenian language (beneficiaries have the right to a translator, if they need one), takes a few hours, and the commission examines the knowledge of a person in all areas the curriculum in primary school covers. There are no deadlines, the beneficiaries can apply any time.

According to the information we received from the representatives of the NEIS, only two beneficiaries of international protection have applied since the “Decree on the methods and conditions for ensuring the rights of persons with international protection” has been adopted on 30th December 2017, and both of them passed. We asked several beneficiaries of international protection in first half of year 2019 if they knew about this possibility, and they didn't. We also asked several representatives of NGOs working with refugees if they knew about this possibility, and they said they've heard in practice this “does not work”. When we asked a representative of NEIS how come people do not even know about this option or they believe it “does not work”, she replied they haven't really thought about it, but that the Ministry of Education should be the one promoting this exam not NEIS. What NEIS assured is that secondary schools will accept their certificate

instead of the original certificate proving someone has completed primary school, which is a condition when enrolling into secondary education. However, it is not clear whether or not the employers will also accept this certificate when people will apply for job which require completed primary school. At the moment it seems this is entirely up to each individual employer.

The second exam is for beneficiaries who cannot prove they have completed secondary school or high school but would like to enrol in tertiary education. They can apply at the National Examinations Center (NEC) only twice a year, and also take the exam twice a year (in February and June). The exam consists of two parts: a written exam in mathematics which is either in Slovenian or in English (beneficiaries have the right to a translator, if they need one), and written and oral exam in English. In case an applicant fails one of the two exams, she/he can repeat only that one.

According to the information we received from the representative of NEC, only one beneficiary of international protection applied and took the exam since the “Decree on the methods and conditions for ensuring the rights of persons with international protection” has been adopted, and he failed. We asked several beneficiaries of international protection in first half of year 2019 if they knew about this possibility, and they didn’t. We also asked several representatives of NGOs working with refugees if they knew about this possibility, and they said they’d heard in practice this “does not work”. When we asked a representative of NEC how come people do not even know about this option or they believe it “does not work”, she replied it’s not their duty to promote this exam, their duty is only to implement it. All tertiary level institutions should accept the certificate issued by NEC to a beneficiary who’d pass the exam, however when it comes to employers, the situation seems to be the same as described already, up to each individual employer.

We requested the data on how many beneficiaries of international protection were enrolled in primary, secondary and tertiary level from Ministry of Education, however they said they could only provide data for the primary school. Even this data they did provide was not accurate, since we received different data from the Government Office for Support and Integration of Migrants (about asylum seekers and beneficiaries of international protection together). According to them for school year 2017/18 the numbers were the following: 0 in pre-school, 61 in primary school, 16 in secondary schools, and 15 in tertiary education; and for school year 2018/19 following: 0 in pre-school, 75 in primary school, 22 in secondary school, and 17 in tertiary education. However, these numbers do not include youth enrolled in primary school for adults which are directed by the Employment Service, and the data for pre-school is not

correct, because we know for sure there are children with international protection in kindergartens in Slovenia.¹²

Language barrier is a big challenge since education in Slovenia is at all levels in Slovenian, even at tertiary level (the only exception is one program at the Faculty of Economics of University of Ljubljana, which is entirely in English). Children enrolling in primary school get a set of introductory language classes first (at least 20 hours), however this is a challenge especially for older children wanting to attend secondary schools or high schools, and for adults.

Beneficiaries of international protection are entitled to 300 hours Slovenian language course, plus additionally they can attend 100 more hours. Those registered at Employment Service as job seekers can get access also to additional Slovenian language classes; however this is not organized within the official Slovenian language course for foreigners. For families with small children it is often the case that only one parent attends the course and it is usually the man. Since there is no parallel childcare organized, women often stay home with children, which hinders their integration.

There is no adequate Slovenian language course for illiterate persons (or illiterate in Latin handwriting). They attend the same classes as others and teachers try to work individually with them, however this is very difficult in a mixed group. More individualized approaches are needed and also more than 400 hours of free language course are needed. Also, family members of refugees, who come to Slovenia through family reunification, should have access to the same number of language hours (however, now they have a lot fewer hours).

For enrolment in secondary schools or high schools (vocational, technical or general upper secondary) beneficiaries of international protection would need to meet the same conditions as other residents of Slovenia, however this is often very difficult or even impossible (especially if there are limited free places at a certain school and not everybody who applies gets accepted). Needless to say, in war zones or in refugee camps educational procedures are normally interrupted, so many refugees who come to Slovenia have lost some years of education in the recent years, meaning they have limited options as adults. Beneficiaries of international protection are often facing a problem of obtaining their documents / education certificates from their country of origin, which they need to enrol in secondary and tertiary level education in Slovenia. Since they often cannot provide requested documents, they can only enrol in primary school program for adults for example, where they can learn basic Slovenian, but that is pretty much all. Also, adult refugees would like to continue education in Slovenia,

¹² The Ministry of Education was reluctant to respond to several requests for data, apart from the ENIC-NARIC centre, whose representative even attended one of our coalition meetings and presented procedures regarding the recognition of original documents to beneficiaries of international protection.

however once they realize how long educational programmes are, many get discouraged, because they would like to get employed as soon as possible and not “waste” another 3 to 4 years on going to school. There are no special vocational trainings or employment-related education programmes for refugees, therefore they need to meet the same conditions as everyone else, which is often extremely difficult.

We conducted several interviews with beneficiaries of international protection and while they all agreed the orientation programme is very important for them, only a few of them thought the support they got was sufficient, especially in term of education and employment. Orientation programme is very much needed, and should be implemented systematically, not through short-term projects (with limited duration, financial and human resources). NGOs receive limited financial means to implement projects (social orientation & assistance with integration), therefore only a certain number of people (staff and translators) can be employed, certainly not enough to be able to deliver intense quality programme plus attend to all the specific needs of the beneficiaries and to consider also all vulnerable groups. Also, even after a few months, beneficiaries are often still not completely independent, self-reliable and confident to communicate with state institutions. They often need further support and assistance. However, there is an initiative from the Government to even reduce the time devoted to social orientation.

6.1 MAIN CHALLENGES

To conclude, three main challenges have been identified in the area of education:

6.1.1 Lack of requested documentation

As already mentioned, it is difficult for all groups to obtain required documentation to prove their already accomplished level of education or training, whereas the burden of proving the level of education obtained in the country of origin is entirely on asylum seekers and beneficiaries of international protection. Without these documents it is difficult to enrol in education institutions especially at secondary and tertiary level or to get access to any vocational training.

6.1.2 Language barrier

Language barrier is a big challenge since education in Slovenia is at all levels in Slovenian, even at tertiary level, with only a few exceptions. Children enrolling in primary school get a set of introductory language classes first (at least 20 hours), however this is a challenge especially for older children wanting to attend secondary schools or high schools and of course for adults. Exams for enrolling in some vocational

or employment-related education are in Slovenian , so if beneficiaries don't speak the language, they can't even take these exams.

6.1.3 Free language course

There is no adequate Slovenian language course for illiterate persons. They attend the same classes as others and teachers try to work individually with them, however this is very difficult in a mixed group. More individualized approaches are needed and also more than 400 hours of free language course are needed. Also, family members of refugees, who come to Slovenia through family reunification, should have access to the same number of language hours.

7 EMPLOYMENT

In 2016 62 recognized refugees (10 female, 52 male) and 13 beneficiaries of subsidiary protection (all male) were employed (based on data from Government Office for Support and Integration of Migrants). In the current round of updating integration mechanisms, however, we were informed that the Government Office for the Support and Integration of Migrants does not keep data on the beneficiaries' documented employment and self-employment. They noted, however, that they assume 122 are employed (in June 2019). The Employment Service of Slovenia could not provide us with this information either. In their case, it is due to protection of personal data, since in general they are not allowed to collect any data other than on the persons registered at the Employment Service as unemployed. Once a person becomes employed, the Employment Service can no longer keep track of that person (which means they have no data about the type of employment, the contract, etc.). The Employment Service only has contacts with those beneficiaries of international protection who are registered as unemployed, but no general data on beneficiaries. They also do not have any data on specific vocational trainings or education for better employment opportunities devoted specifically to beneficiaries of international protection.

According to the representatives of the Employment Service, language is the main barrier, since for the majority of jobs in Slovenia language proficiency is required. However, we cannot agree with this approach "language first, job later", especially after seeing that the best and quickest way to learn a language is through work, studying and social interactions with locals. Moreover, many (or most) employers are not keen on employing refugees. Beneficiaries are facing a lot of discrimination and racism when searching for a job, sometimes employers do not know anything about their status and are unwilling to learn, sometimes they think it would take them a lot of time to arrange all administrative matters to employ a refugee (even though this is not the case), and

sometimes they think that refugees will eventually leave Slovenia, thus it is not worth investing in them. Asylum seekers are even in a worse situation, they have access to employment only after nine months and only if they did not receive a negative decision.

Formally, beneficiaries of international protection have equal access to employment as nationals, but they do not have equal access to each position or vocation (for example some vocations are reserved for nationals). It is also a question what kind of jobs are they able to obtain: jobs related to their own profession/skills/education or mainly unqualified physical work? Very often they do not have documents to prove their profession, skills or even official education/training for a certain profession (despite the fact that they have been doing a certain profession for many years). It is also difficult and sometimes even impossible for them to obtain these documents from the country of origin. To describe one concrete example: someone working as a hairdresser in Syria cannot continue working as a hairdresser in Slovenia if she/he does not have documents to prove the completed education for this profession. Such a person should enrol in hairdressing vocational school in Slovenia, the programme takes three years, and only after the completion this person could start working as hairdresser. There is one more option for such cases: National Vocational Qualifications. However, even for the procedure of examining the specific vocational qualification, the person needs at least some documents.

The only policy adopted regarding the employment of beneficiaries of international protection is "on-the-job" training for persons with international protection for six months; the idea behind it was that employers could train the person within six months and then employ the person, however, this does not happen always (or not even in the majority of cases).

In 2019 we conducted interviews with 60 beneficiaries of international protection who live in Slovenia (Ljubljana, Postojna and Maribor), seven of them were female, the rest were all male, and among those, eight were unaccompanied minors (who also work through Students' Service). Large majority of them said it took them between nine months and two years to find employment in Slovenia (from the day they arrived). Actually, all of them needed to wait at least nine months while they were in the asylum procedure due to Slovenian legislation (unless they found occasional work on the black market). After that some managed to find employment quickly, while others struggled especially due to the lack of language skills. All those without formal employment are/were registered at the Employment Service as unemployed and job-seekers. The position of the representatives of Employment Service is that beneficiaries should first complete the Slovenian language course before they search for employment. Most of the interviewees already did some kind of training programme (either on-the-job

training or welding course or some other vocational course organized by the Employment Service) in duration of 3–6 months. Among all interviewees 38 people already had at least two or three formal employments, while the rest of them mainly worked on the black market and had short term jobs, mainly in factories or restaurants.

Majority of interviewees said they did have assistance/support from either Employment Service (especially those living in Maribor), where two persons were employed specifically to work with unemployed beneficiaries of international protection, NGOs, activists or their friends, while 9 people said they did everything on their own, from searching for a job to signing the contract. Majority of interviewees said they are skilled to do at least two professions, among the most common ones are cook, hairdresser, carpenter, painter, electrician, mechanic. Majority of people said they worked in their profession in the country of origin, while in Slovenia majority of people do not work in their profession – they take whatever job they can get, many in restaurants or fast-food restaurants or in manufacturing plants. Some beneficiaries of international protection work for small companies or self-employed entrepreneurs. Only two became self-employed entrepreneurs themselves. During the interviews we learned also that while majority of male beneficiaries of international protection living in Ljubljana do not mind their wives working, this is not the case in Maribor, where majority of men was not keen on the idea of their wives getting employed. They didn't explicitly say this, but they found various reasons and obstacles why they don't think their wives could work (such as taking care of children, home, etc.).

Another thing we've already assumed and which we could confirm after conducting numerous interviews, is that beneficiaries of international protection in most cases only get jobs which pay minimum salary. In cases of families, especially with more than two children, people have learnt they do not really benefit financially compared to being unemployed and receiving social transfers (social welfare and child benefits). They could be even better off working on the black market. This goes for all living in Slovenia not only for beneficiaries. The main problem is that salaries are too low, especially the minimum salary. The communication between beneficiaries of international protection and the social centres seems to be insufficient, since many beneficiaries do not understand all their rights, for example majority of interviewed beneficiaries did not know that even if they are employed but receive minimum salary, they can still get certain social benefits/transfers from the social centre.

7.1 ADMINISTRATIVE BARRIERS TO ACCESSING EMPLOYMENT

Formally, beneficiaries of international protection have free access to labour market (according to the *Employment, Self-employment and Work of Aliens Act*).¹³ This applies to all employment positions apart from those for which Slovenian citizenship is specifically required, which is determined by sectoral laws. Beneficiaries of international protection do have equal access to employment, but they do not have equal access to each position or vocation. Despite formally free labour market access, it is questionable what kind of jobs beneficiaries are actually able to obtain. Rather than jobs related to their skills, educational level and profession, they may settle for any kind of job, which mainly means low skilled physical labour. This happens because they often do not have documents to prove their profession or official education and it is difficult (or impossible) for them to obtain these documents.

In comparison, the rights of asylum seekers regarding access to the labour market are severely limited. After nine months upon lodging a claim for asylum, those who have not yet been issued a first instance negative decision (if the delay was not caused by them), have the right to free access to the labour market.¹⁴ Free access to the labour market means that the asylum seeker may conclude an employment contract or may become self-employed solely on the basis of their legal status of an asylum seeker, without asking the Employment Office of the Republic of Slovenia for consent and without a work permit. Before the nine month period asylum seekers can, if they wish to do so, undertake various maintenance and interpretation tasks at the Asylum Home, for which they get compensated. In practice many of them try to find occasional jobs on the black market, since as asylum seekers in Slovenia they only receive 18 eur of allowance per month.

Beneficiaries with specific qualifications and skills may find employment faster than those without any specific knowledge or expertise or any education at all. Some find work at different NGOs dealing with refugees. Yet the majority of offers that beneficiaries get from the Employment Office are for assistance in the kitchen of restaurants or other physical work. Most beneficiaries are therefore struggling to find employment in Slovenia.

The procedure for recognition of skills/education in Slovenia is the same for everyone (so beneficiaries are treated the same as nationals). The data available is hence limited, since applicants are not required to state their official status (e.g. that they are a

¹³ The right to free access to the labour market means that foreigners in Slovenia can be employed, self-employed, or performing work without the consent to the single permit or the EU Blue Card or without the seasonal work permit.

¹⁴ Until the year 2010 the waiting period was one year.

refugee). In 2017 ENIC/NARIC centre that is responsible for skills/education evaluation received 12 applications from beneficiaries of international protection who applied for education/skills recognition (one from Iraq, five from Iran and six from Syria). Ten of them presented all the necessary documents, one could not produce all the necessary documents and in one case the documentation was not about the formal education. In 2018 only four beneficiaries applied, one from Iran, one from Syria and two from Cameroon; one person had all the required documents, two did not have documents, and in one case it was not about the formal education. In 2019 (until June) they received seven applications, six from beneficiaries and one from an asylum seeker, four persons were from Syria, one from Iraq, one from Eritrea and one from Rwanda. Three were able to submit all the required documents, two were unable to do so and two were still in the procedure at the time of our research.

In cases when people do not have all the required documents, the ENIC-NARIC centre collects all information that is available (without putting asylum seekers or beneficiaries at risk in their countries of origin) and they issue an “opinion” which could perhaps be helpful when searching for employment, if the employers chose to consider such information. When applicants have all the required documents, the procedure for asylum seekers and beneficiaries is the same. When they do not have all the documents, beneficiaries can get a “background paper” which is the recommendation from the Lisbon Treaty, whereas asylum seekers can only get an “opinion” of the ENIC-NARIC centre.

However, the ENIC-NARIC is not the only institution in Slovenia where people can apply for recognition of their education. In fact, any educational institution (i.e. school, faculty, university) can do that, but it is not known how many people have so far applied for recognition of their education at various educational institutions in Slovenia. Also, each ministry is responsible for the recognition of a profession which falls under its relevant sector (for example the Ministry of Health is responsible for any professions related to medical care, or the Ministry of Infrastructure for professions in construction, etc.). And it should be reiterated that for all the groups, the Slovenian language represents an additional barrier because for majority of jobs language proficiency in Slovenian is requested.

7.2 NEW DEVELOPMENTS

Since 2017 the Employment Service of Slovenia employs two persons as specialised staff for working specifically with unemployed beneficiaries of international protection; one person is based in Ljubljana and one person in Maribor (large majority of refugees live in these two cities). These two public administrators are dealing exclusively with unemployed beneficiaries of international protection and their job is to support them in searching for employment, trainings, etc. Also in 2017, a new “on-the-job” training for a period of six months became available: it entailed employers receiving some state funds for implementing the training, while beneficiary received transportation and food allowance and payment in the amount of three euros per hour. Because enrolling in this programme meant that beneficiaries lost their social benefits (social welfare, allowance for housing rent, child benefits), they were expectedly not motivated for participation – until the legislation changed at the end of 2017. Consequently, in 2018 a total of 32 people (four of them women) were involved in the programme and in 2019 a total of 31 people (five of them women) have been enrolled.

Other than that, there is no formal strategy and no mechanisms to mainstream the integration of beneficiaries of international protection into employment policies in Slovenia.¹⁵ While other measures in addition to Slovenian language courses exist, such as trainings for kitchen aides, computer literacy training, a course for welders, and a drywall construction course, the Employment Service strives to include beneficiaries of international protection into its mainstream programmes. However, a proficiency in Slovenian language is a precondition for participation.

The role of NGOs is immensely important because another problem to be addressed is a lack of social networks which could help beneficiaries search for employment (consequently, beneficiaries often go to different employment agencies and find jobs through them, which means also a certain percentage of their salaries then goes to the agency). Refugees are not familiar with the labour market system in Slovenia, many refugees are facing problems when wanting to open a bank account etc., and NGOs and volunteers play a pivotal role in the first years of beneficiaries’ lives in the new country. Yet outside of its formal obligations, the state does not provide any means for NGOs to continuously assist beneficiaries of international protection in searching for employment. Even though there are projects implemented by various NGOs, this is not implemented systematically and is not nation-wide.¹⁶

¹⁵ Certain measures have apparently been adopted by the Employment Service of Slovenia at the moment of concluding the second round of integration indicators evaluation.

¹⁶ For instance, Association Odnos runs a project financed by AMIF and the Slovenian government to assist beneficiaries of international protection with integration in general within the first three

Another issue beneficiaries of international protection (and asylum seekers) are facing in Slovenia is reluctance of banks when it comes to opening bank accounts, which can, in extreme cases, hinder their access to employment and payment. We have heard many times that banks refused to open bank accounts to asylum seekers in Slovenia, however lately it seems also beneficiaries of international protection (with status and residence permit in Slovenia) are facing these problems. We interviewed 30 persons (asylum seekers and beneficiaries of international protection) and all of them said they had to visit several banks before they managed to open a bank account, and in most cases they were successful only after someone speaking fluent Slovenian accompanied them (either someone from NGOs or local activists). Arguments of banks were/are different, however most often they referred to the Prevention of Money Laundering and Terrorist Financing Act. People in the interviews said the banks stated it's their nationality that is problematic and that they come from "dangerous or risky countries". In one case, a person with refugee status also had a status of self-employed person in Slovenia and had a bank account for legal entities on which he was receiving payments. When this person stopped being self-employed and wanted to change his bank account (at the same bank) to the one for physical persons, the bank refused to do so, arguing that this person is from a "risky country". In another case, a beneficiary of international protection found employment for one month. When this person wanted to open a bank account the bank refused to do so with an argument that he should have a longer working contract. One month passed, this person finished the work, and the employer could not pay him because he did not manage to persuade the bank to open an account.

7.3 MAIN CHALLENGES

To sum up, these main challenges have been identified in the area of access to employment:

7.3.1 Language proficiency

One of the biggest obstacles when searching for employment in Slovenia is the requirement for Slovenian language proficiency. If beneficiaries of international protection do not speak Slovenian, their chances of finding a regular job are very small. The language barrier seems to be one of the key obstacles even for refugees with higher level of education, who complain that the Employment Service is only offering them low-skilled physical work. In other words, the jobs that are offered seem to be the same for all unemployed refugees, regardless of their education, the argument for such

years after their status recognition, part of which could also include assistance with searching for employment. Another example is Slovene Philanthropy, a NGO which runs a three-month orientation programme for relocated refugees, supporting beneficiaries with integration in general, and also with searching for jobs. Other NGOs and international organizations (i.e. IOM, Red Cross) also run projects that address employment of refugees, but none of these activities are implemented systematically and their execution depends on project funding.

practice being that they have to fluently speak the language first to be able to obtain any other type of work. This is in fact discriminatory, since it is absolutely no problem for certain type of work to be performed also without Slovenian language, and in fact nationals from Western countries habitually get by simply using English in their work interactions.

7.3.2 Recognition of skills and qualifications

It is difficult to obtain education/profession/skills/qualifications that would be officially and formally recognized in Slovenia if beneficiaries do not have all the required documents to submit as proof. Consequently, this often means that they have to take on low-paid physical work, even if they have a profession and are highly educated. The majority of asylum seekers and beneficiaries of international protection that are employed (formally or those who work on the black market) are performing low-skill physical labour for which they do not need any education or qualifications.

7.3.3 Reluctance to employ refugees

Many employers are not keen to employ refugees. Beneficiaries are hence facing discrimination and racism when searching for a job. Sometimes the prospective employers do not know anything about the status of international protection or what it means to be a refugee and are unwilling to educate and inform themselves on the matter. They may also think it would take them a lot of time to arrange all the administrative matters to employ a refugee, and sometimes they may think that refugees will eventually leave Slovenia so it is not worth investing time and resources in them.

7.3.4 Low salaries

Beneficiaries of international protection in most cases only get jobs which pay minimum salary. In cases of families, especially with more than two children, people have learnt they do not really benefit financially compared to being unemployed and receiving social transfers (social welfare and child benefits). They could be even better off working on the black market. This goes for all living in Slovenia, not only for beneficiaries of international protection. The main problem is that salaries are too low, especially the minimum salary. The communication between beneficiaries of international protection and the social centres seems to be insufficient, since many beneficiaries do not understand all their rights, for example majority of interviewed beneficiaries did not know that even if they are employed but receive minimum salary, they can still get certain social benefits/transfers from the social center. This issue is especially visible in the first three years after the beneficiaries receive their status, since

this is the period when – apart from the social transfers if they are unemployed – they can receive also financial support for rent (which is a big cost, especially in Ljubljana).

8 REFLECTION AND CONCLUSION

According to many researchers, integration in itself represents a contested concept (Penninx & Garcés-Masareñas, 2016: 12–13). Moreover, policies that are pertinent to the integration process embody much more than just explicit integration measures. These mainly formulate the problem of integration in a normative way which is then the basic frame for the concrete policies and procedures and their implementation (ibid.: 19–20). Integration is a complex process that includes many stakeholders and involves the life process of individuals and groups that are newcomers as well as the whole reception society. Penninx and Garcés-Masareñas caught the meaning of the integration in the broadest sense as “the process of becoming an accepted part of society” (ibid.: 14). Successful integration would therefore simply mean that one becomes a full member of the reception community.

Yet there is a long way to such result for refugees and asylum seekers in Slovenia, as the facts from our second NIEM report show. While from the last report for 2016, which critically addressed the situation without a comprehensive integration strategy, steps were made to improve such situation, this only happened very recently. The new Strategy in the field of migration addresses immigrant integration in Slovenia as a whole among others as well. It was adopted in 2019 and it underlines the importance of a holistic approach to integration: cooperation and complementarity of all actors in the formulation and implementation of policies and practices. Integration is therefore formally recognized as a complex process involving various fields, including the protection against all forms of discrimination. This most likely mirrors the influence of the EU policy framework. One of the most important features of this framework is in addressing integration as a two way process, which involves both, immigrants – refugees and persons with subsidiary protection, as well as the reception society, its members and institutions. The mentioned strategy takes over and at the end repeats the Common Basic Principles of the Council of EU as the basis for integration strategy in Slovenia, among them also the seventh principle, which promotes interaction between immigrants and Member State citizens: intercultural dialogue, education about cultures and creating stimulating living conditions in urban environments. Yet there are questionable aspects of this strategy, which are addressed in this report.

There are also some other areas, where steps were made to abolish some of the barriers to integration and introduce new measures for improving the situation of refugees, persons with subsidiary protection and asylum seekers, like for example in the

field of employment and skills. Apart from some special programmes for education and skills development, the Employment Service increasingly strives to include beneficiaries of international protection into its mainstream programmes while involving specialised staff to work with unemployed beneficiaries of international protection. However, outside of its formal obligations, the state does not provide any means for NGOs to continuously assist beneficiaries of international protection in searching for employment. Systematic and comprehensive solutions are still missing: there are no efficient programmes nation-wide, even though various NGOs do several projects for and with the beneficiaries. The role of NGOs as professional and voluntary organizations is therefore still immensely important: they often serve as the replacement for the lack of social networks to help the beneficiaries for example in their search for employment, but also other important issues, such as arranging documents, searching for housing, assisting with medical appointments, etc.

There are some critical issues representing discrimination to be mentioned. One is the continuing omission to guarantee the asylum seekers on the territory of Slovenia the right to obtain the needed health care and not only urgent medical care. This represents a form of worrying discrimination which leaves irreversible negative effects on the health of this group. Moreover, even mandatory health insurance scheme for the beneficiaries of international protection does not suffice for the guaranteed medical care. It does not ensure that they will find personal physicians, who sometimes reject refugees to become their patients.

Rejection is a constantly repeated form of institutional discrimination in other areas as well, while there is obviously no form of control or supervision regarding the access to those services that are taken for granted for the majority of the population. Today, without a bank account, a person can hardly exist in the sense of economic and social rights. The newly discovered reluctance of banks to open the bank accounts for beneficiaries of international protection (and asylum seekers) with various excuses but most often referring to the Prevention of Money Laundering and Terrorist Financing Act is in fact the discrimination on the basis of nationality (bank employees are stating that the potential customers are coming from “dangerous or risky countries”).

There is a constant problem with the duration of procedures and administrative barriers that the beneficiaries are faced with, which only accumulate their problems. The recognition of their skills and education usually takes a long time while they are usually not informed enough about how and where to apply. While they might be issued a recognition, they face the problem with the language. The fact that the employers are on the one hand ready to give jobs to the non-Slovenian speaking EU or other “Western” immigrants with certain skills, who can simply use English in their work interactions,

but not to the persons with international protection (third country nationals), who have the same skills and are not fluent in Slovenian, shows discrimination as well.

However, instead of repeating the findings and conclusions of which some were already pointed out in the previous report (Ladić et al., 2018) and the ones explicated in the present one, we want to offer some additional reflections. These mainly address the fact that the problems the beneficiaries face in the process of integration and the phenomena of long procedures, administrative barriers and discrimination evidently indicate that the integration importantly depends on the two (unequal) sides. These phenomena testify about the developments that the reception community itself should face up to. They are also connected to certain trends existing not solely in Slovenia but also in other EU countries which increasingly push for assimilationist model of integration and therefore undermine precisely the important feature of the agreed EU policy framework, which is in the recognition of the integration as a two way process.

First and foremost, in the last decade, and particularly after 2015 an increased securitization of the field is present. We were faced with categorizations of the immigrant population which changes the traditional perception of refugees as those who are fleeing from war and violence to the perception of “migrants” who only search for “benefits”. Central debates about the migration and also about the asylum seekers in Slovenia in the last years were framed in terms of a crisis: they pointed to migration as a crisis that needs to be managed, while the so-called migration “flow” should be limited, contained and kept away to preserve safety, well-being and the whole culture of the reception state. A strong security discourse that emerged enabled immigration to be overall presented as a primary national security issue, which affected both public opinion and policy and legislation changes. Moral panic was instigated by several actors, from political and government to various media, and depictions of immigrants started to be more negative and aggressive than ever before, especially in the social media. Immigrants are often presented as “lazy” and refugees and asylum seekers did not appear as “real” but as those who only search for social benefits and tend to misuse welfare regimes in the Western countries. This representation, especially after the 2015 “refugee crisis”, was getting the European-wide support in the public debates and in the media (see more on this in Jalušič & Bajt, 2019).

This is also the background on which the drafting of the strategy migration and integration strategy in Slovenia was left to the Ministry of the Interior. The fact that integration as a process remains under the authority of the Ministry of interior only strengthens the described representations. Moreover, this is also reflected in the content of the document: security issues, border protection and irregular migration are emphasised while the majority of immigrants in Slovenia are in fact the documented economic migrants (i.e. migrant workers, not asylum seekers or irregular migrants). As

noted in the report, despite a very proactive group of NGOs to convince the intersectoral government working group (consisting of all ministries) to take more time and prepare a more comprehensive migration strategy, this did not take place.

The framing of the increase in migration as “crisis” in 2015 and also later greatly affected the public perception of migration and immigrants. The results of the 2017 European Barometer survey on attitudes to immigration and integration suggest that the perception of a positive or negative impact of immigrants on society seems to correlate with the actual share of immigrants in a country’s total population and that the higher the actual share, the more positive impact is noticed, and vice versa, the lower, the more negative impact is perceived (European Commission, 2018: 10). Importantly, only 37 per cent of Europeans consider themselves to be well informed about migration and integration, which might explain why there is rather poor and biased public understanding of impacts of migration on the reception communities, and why, despite evidence, opinion exists that immigrants are causing crisis and not contributing to the economies (Jalušič & Bajt, 2019).

While there is a general trend in policymaking, public debates and media representations, which are straining the relations concerning receiving of newcomers, the results of EU Special barometer show that the public opinion did not change so much in regards to the negative opinions regarding integration of newcomers. The attitude toward integration did not change so much, it is rather the perception of the number of immigrants that is distorted. The perception of the share of immigrants present in the EU (both regular and irregular) is in many countries exaggerated by several times more than the actual number. People seem to greatly overestimate the number of immigrants in their countries: the proportion of immigrants is overstated by 2.3 to 1 on average in the EU and an exaggeration of numbers exists in 19 out of 28 Member States. In Slovakia, this ratio is the highest: 14 to 1; in Poland, the perceived proportion of immigrants is over nine times greater than the actual figure; while in Slovenia, the ratio is the same as the EU average (European Commission, 2018: 162). This is a worrying feature which shows how easy some political forces can misuse the issue of immigration for their own purposes. Moreover, studies reveal that in the EU as a whole, in those areas with diversity, people are least likely to want to reduce immigration; and in regions with low migration levels, they want to see it reduced (Duffy & Frere-Smith, 2014).

As this report shows, Slovenia has a low number of persons with international protection, in spite of taking over certain quota of asylum seekers from other EU countries. Their integration therefore should not represent a great difficulty. Yet the reality is not showing such results. In the last NIEM report we mentioned that one of the biggest challenges concerning integration, especially if we acknowledge that it requires

a two way process, represent prejudice and scarce knowledge about newcomers, especially asylum applicants and refugees. This helps to create what is called a “hostile environment” where not only inadequate measures, but effectively the attitudes of the environment are slowing down the process of integration. In such situation the integration is increasingly understood as a responsibility of the newcomer only and the failure is seen not as a societal letdown but as “one’s own fault”.

While the knowledge of language still represents the greatest barrier to integration and the state has taken care to increase the number of Slovenian language lessons available for refugees, the evidence shows that the achieved knowledge of language in these courses is by far not sufficient to be able to use it in everyday life, not to mention the capability to competently work with it, such as in filling in the documents or in exchange with officials or medical staff in the health facilities etc. The knowledge of official language greatly depends on the possibility of its use in everyday life and communication. This, in turn, depends on how much the person is already included into her/his environment and has the daily opportunities to speak the language of this environment. The language issue in the process of integration can therefore become a vicious circle problem, especially for the adult persons with international protection and asylum seekers, who are not, like children and young people, a part of educational processes.

Despite the formal possibility to equally access the labour market, it is questionable what kind of employment beneficiaries are actually able to obtain. There has been progress made in this area regarding understanding that the newcomers might help to fill in the gaps in the labour force and that they could contribute to the national economy and the Employment Service of Slovenia started to pay additional attention to unemployed beneficiaries of international protection. This might be a sign that in Slovenia too, the employers and authorities understand the fact that was pointed out in An Economic Take on the Refugee Crisis, a document by the European Commission Directorate-General for Economic and Financial Affairs: that “[f]ailure to release the potential of third-country nationals in the EU would represent a massive waste of resources, both for the individuals concerned themselves and more generally for our economy and society” (ibid.). “Investing in lifelong learning opportunities costs considerably less than dealing with a wide range of problems linked to poverty, social exclusion, hate crimes and violent behaviours” (LLL, 2016: 4). The cost of non-integration could therefore be higher than the cost of investment in integration policies’ (European Commission 2016: 4).

However, this does not mean that the beneficiaries are treated equally as other foreigners. Without the proficiency in Slovenian language even refugees with higher level of education cannot get better offers from the Employment Service than low-

skilled physical work. Rather than jobs related to their skills, educational level and profession, they may settle for any kind of job, which mainly means low-skilled physical labour. They often do not have documents to prove their profession or official education and it is difficult (or impossible) for them to obtain these documents. While being pushed to work into the certain basin of professions (low skilled and physical work) they – as we noted in previous reports – are additionally culturally stigmatized.

The fact is that most of the integration problems are filtered through the language deficiency of the beneficiaries. On the other hand, as studies show, the focus on language also produces a kind of stigmatization of those individuals who are not capable as quickly to get the command of the native language through some kind of discourse of “deficiency”. Therefore, while language is an important, if not the most important dimension of integration, we need to understand that the language knowledge acquisition is closely dependent on other integration measures that are in place, such as employment, involvement of the local community, inclusion of parents into school activities and integration plans, availability of counselling and practical advice to the newcomers etc.

The nexus of language and housing issue is an important illustration of this. The report mentions housing as an important dimension and challenge of integration. To get the proper place to live is one of the most important moves in the process of settling down, the place of one’s own to live is connected to the feeling of being at home. For the refugees particularly it is important to stop being “on the move” all the time and getting settled, not to be in the situation of “temporariness” anymore. While it is extremely difficult for foreigners from “third countries” to search for and find accommodation in Slovenia, both due to insufficient language knowledge and also due to the racist discrimination on the housing market, there are also other major problems. There were several stories from our respondents and also from the participants of the round table we organized with refugees about how difficult it was to find a place, about the improper flats that they were offered for high prices, about humiliations they were exposed to and how they had to move from one place to another every few months. In addition to this, as this report notes, due to the high prices in the cities people had to move to the countryside or to the settlements around the cities where the lack of knowledge about immigration is even greater and people show less tolerance to foreigners, not to mention visible cultural differences. The result is less or zero communication with the surrounding, the feeling of exclusion and therefore not enough interaction to really master the language. One of the participants at the round table we organized as a part of the NIEM project also reported about constant bullying of their child at the local school.

It is important to notice that the result of the EU Special Eurobarometer data for Europe and Slovenia show that the individual attitudes towards integration differ considerably according to socio-demographic characteristics. The findings clearly indicate that those who have lower levels of education and respondents living in rural areas and in smaller places are less likely to report higher levels of contact with immigrants or to feel comfortable around them than younger, better-educated respondents and those living in large towns. Also, those with higher levels of education are more likely to think that integration is a two-way process between the host society and the immigrant and less likely to believe that immigrants themselves should be mostly responsible for their integration (ibid.: 163–164). Age, class and education levels equally play an important role in how perceptions of immigrants are shaped. Education is therefore particularly important and as Eurobarometer results show the most substantial and most consistent differences regarding negative or positive attitudes towards integration can be observed in the case of education: those with higher education show less negative attitudes toward integration (European Commission, 2018: 130).

Only 31 per cent of those interviewed in Slovenia believe that limited access to education, healthcare and social protection presents a major obstacle to the successful integration of immigrants (in Portugal 71 per cent, in Denmark 54 per cent, in Poland, Spain and the UK 50 or 49 per cent and in Austria 43 per cent). The proportion of respondents stating that negative portrayals of immigrants in the media may be a significant obstacle to integration is among the highest in Denmark (65 per cent) and the lowest in Slovenia – 38 per cent (European Commission, 2018: 103). Furthermore, Denmark is among the countries with the lowest proportion of respondents agreeing that the media should present matters concerning immigrants objectively (26 per cent) (ibid.: 158).

When addressing integration, therefore, one should pay attention to preparing the reception community for the newcomers and also to understand what integration as a two way process means. The issue of education particularly has to be understood as a complex process in which one has to take care both of the educational needs and social inclusion of beneficiaries and of the mindsets of society as a whole and not only address the education of immigrants (who are regarded as dysfunctional regarding knowledge).

In our report for 2016 we noted the many challenges and problems the asylum seekers and persons with granted international protection face while attempting to integrate into the reception society. These of course do not stop after acquiring the protection – they might even increase while attempting the family reunion, finding housing and a job. This report has focused in depth on some of the areas that represent particular difficulties. While in some of the areas we have noted some improvements, there still

remain many challenges and additional problems, which are not directly connected to legal regulations but rather reside in the wider social settings and interconnected barriers to integration.

For example, we pointed out the possibility for the refugees and persons with subsidiary protection to become long-term residents after five years of legally residing in Slovenia – if they meet all the conditions. As a rule, a condition that is most difficult for them to meet remains to earn enough to be considered as eligible. This shows that the nexus of discrimination they face is in fact multiple: in addition to the discrimination which affects the foreigners from certain countries that are categorized as “third countries” they are punished if they do not meet the demands of neoliberal economics. The researchers of integration Huttova, Kalaycioglu and Molokotos-Liederman (2010: 16) define ‘social exclusion’ in the EU as the isolation of certain groups from opportunities for employment, income and education and training, as well as from ‘social and community networks and activities’. This exclusion arises from ‘a combination of poverty, unemployment, discrimination, ghettoization, racism and xenophobia, and lack of civic participation (ibid.)’. In the case of unsuccessful integration of the beneficiaries of international protection (as well as other immigrants) we can therefore speak about problems of social exclusion, which cannot be addressed by single or set of measures which are not coordinated and understood as comprehensive approach to integration. While the initiative of beneficiaries of course needs to be present, one should to the same extent take into account the complex conditions and attitudes of the reception society.

In order to avoid exclusion and ghettoization, the integration policies therefore need to foster social inclusion (and thus combat social exclusion) both by ‘increasing employment’ and ‘eradicating poverty’, in order to enable at-risk persons and groups to have greater agency and ‘access to fundamental rights’ (ibid.). This is in fact what the seventh principle of the EU common integration principle is pointing to.

All the indicators in our report also point to the fact that integration is by far not understood as a two-way process in practice, but rather as a process of assimilation of the individual beneficiary. We can conclude with underlining once more that the majority of the integration legislation, policies and measures have not been changed in the period under revision. The main problems that the groups in question are facing therefore still remain the same. Broad social and political integration as a two-way process should be the leitmotif of the comprehensive integration policies. Unfortunately, this is not the case. While formally present in the strategy, such approach is still not recognized as the practical principle in the reception community as a whole. The members of the reception community are not informed enough, and it seems that the problems of immigrants and refugees are not seen as those that should

be addressed by the native population. The institutions don't do enough to inform them about the facts, therefore false information can circulate and increase the feeling of insecurity. This, in turn, influences the public debates and the work of institutions, not only those that are directly responsible for integration.

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