**Hate Crime and Bias Discrimination in Slovenia: National Report Highlights from the migration perspective**

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Based on the ‘National Report on Hate Crime in Slovenia: A Comprehensive Examination’ by Iza Thaler, Katarina Vučko and Maja Ladić.[[1]](#footnote-1)

The influx of migration toward the European continent demonstrates a continual rises each year. In 2022, the European Union recorded 962,000 applications for asylum, reflecting a notable increase of 52% in comparison to the preceding year.[[2]](#footnote-2) Some European countries try to welcome migrants and integrate them to the society; nonetheless, an overarching phenomenon of discrimination and hate directed toward migrant populations pervades most European societies.

The Counter-Hate project partners from selected European countries (Slovenia, Hungary, Lithuania, Italy, and Spain) worked on national reports tackling hate crime and bias discrimination[[3]](#footnote-3) and on a transnational report[[4]](#footnote-4) about ‘The crucial role of intersectional and victim-centered approaches to confronting bias-motivated violence*.*’.

This article will concentrate on the examination of the Slovenian context, through testimonies gathered in the Slovene national report, focusing especially on the migration aspect.

### In Slovenia, criminal law expressly prohibits discrimination *(Article 131 of the Criminal Code of the Republic of Slovenia[[5]](#footnote-5))*; however, it is noteworthy that hate crimes were not explicitly addressed until November 2022 when an amendment of the *Article 49 of the Criminal Code of the Republic of Slovenia*[[6]](#footnote-6) was introduced. However, this amendment only incorporated hate crime as an aggravating circumstance that should be considered when determining the sentence, within the legal framework; notwithstanding that hate crimes inherently represent a conspicuous infringement upon fundamental human rights.

This report gives the profiles of the various categories of people that tends to be more vulnerable to discrimination and hate crimes. In this list there are members of the LGBTQ+ community, migrants and refugees, Muslims (especially veiled women), the Roma community, sex workers etc. However, it is important to underscore the intersectionality inherent in the discrimination faced by individuals, as exemplified by the potential for simultaneous experiences of multiple forms of discrimination. For instance, being both a transgender person and a migrant may compound the vulnerability of an individual to instances of discrimination and hate crimes.

Discrimination manifests across diverse sectors, constraining access to specific resources. Testimonies from this report show various domains where such discrimination is discernible. Primarily, the housing sector in Slovenia, Ljubljana included epitomizes the formidable challenges encountered by vulnerable populations in securing accommodation. This difficulty is notably exacerbated when the visibility of vulnerability, such as skin color, becomes a salient factor, thereby intensifying the impediments faced by marginalized individuals in this context.

*“****The darker the person is, the harder it is to get an apartment.*** *[...] One guy already went to see 20 rooms! He speaks Slovenian, has a regular job, he has been here for seven years, does not drink, does not smoke, does not party... he is such a good boy and even cute. And he does not get a room because he is African. Because he is black.” (p.17)*

Evident within the societal fabric is the discernible manifestation of discrimination against vulnerable populations, particularly in economic participation and employment access. A conspicuous place of such discrimination is encountered in the professional engagement, notably during the recruitment process. Findings from a recent study indicate that a substantial proportion, specifically 67.6% of respondents, perceive a bias wherein migrants are purportedly perceived as acquiring job opportunities declined by native Slovenians. Consequently, a significant portion of vulnerable individuals finds themselves relegated to physical and difficult occupations. Notably, despite possessing qualifications, the preponderance is compelled to engage in occupations misaligned with their expertise, thereby deviating from their professional pursuits in their countries of origin.

*“migrants... whether you have a university degree or something,* ***everyone ends up working in warehouses, delivery, factories, and kitchens****. These are the four and you get jobs there, there is no discrimination there, because those are such hard jobs for so little money that employers don't have that many other workers to choose from anyway.” (p.18)*

Other numerous sectors within society, including health sector, justice, and public institutions, are discernibly impacted by instances of discrimination directed at vulnerable populations. The deleterious repercussions of such discriminatory practices extend significantly into the lives of migrants, precipitating a gradual erosion of their trust in Slovenia and its institutional frameworks. This erosion of trust assumes a critical dimension, rendering it difficult for certain individuals to feel safe or to repose confidence in law enforcement agencies like the police and the justice system to address the consequences resulting from these discriminatory acts.

*“In short, why don't people go to the police? Because* ***nothing happens****. Let's say refugees ... a lot of them go to the police to report something and nothing has ever happened, so they just don't go anymore the next time it happens. [...] they are basically* ***not taken seriously, not treated seriously, let alone*** *that police would be paying special attention to the elements of hatred.” (p.62)*

It is imperative to underscore the multifaceted nature of discrimination, where the vulnerability inherent in the status of being a migrant intersects with additional dimensions such as gender, religious affiliation (particularly in the context of Islam), transgender identity, among others. Each facet of vulnerability is inherently multidimensional, thereby compounding the discrimination experienced by the affected individual. Regrettably, the legal framework often fails to adequately acknowledge this intersectionality. For instance, a Muslim migrant woman wearing a headscarf may encounter heightened susceptibility to discrimination across the aforementioned sectors. These discriminatory incidents may manifest as verbal or physical assaults, or alternatively, materialize as reducing access to essential resources and services. In each instance, such discriminatory acts contravene the Slovene and European law, necessitating legal recourse, contingent upon the discriminated party's willingness and confidence in pursuing such action within the Slovenian legal system.

Nevertheless, it is essential to acknowledge the psychological consequences inherent in experiences of discrimination, as the legal and judicial processes have no power in ameliorating the mental damages incurred. The aftermath for victims is frequently characterized by a spectrum of adverse psychological conditions, encompassing anxiety, depression, post-traumatic stress disorder (PTSD), or a proclivity towards voluntary social isolation. Navigating through what often constitute traumatic episodes, the endeavour to restore a sense of tranquillity and trust in societal structures becomes a difficult challenge. Regrettably, the enduring impact of these consequences can have a long-term perspective, exerting a potentially enduring influence on the victims' integration into the Slovenian society.

Slovenia extends support mechanisms for individuals grappling with the psychological repercussions ensuing from hate crimes or discrimination. Numerous assistance centres, predominantly situated in Ljubljana, and to a lesser extent in other cities or towns, are instrumental in this initiative. Analogous to trends observed in various public sectors, these centres confront the escalating imperative for financial resources, personnel, and healthcare professionals. An additional issue underscored by the present report pertains to the operational hours of these facilities. The contention posits that assistance should be accessible 24 hours a day, as opposed to the current temporal confines of 8 am to 4 pm, acknowledging the continuous nature of mental health challenges and the need for unrestrained access to support services.

In conclusion, Slovenia, same as numerous European counterparts, grapples with a substantial prevalence of bias discrimination and hate crimes. Nevertheless, considerable strides remain imperative in the realms of legal acknowledgment of the issue and provision of support for victims, which currently remains inadequately addressed. Moreover, the government faces a challenge in addressing this issue as, despite exhibiting a comparatively progressive stance, the deficiency in comprehensive data impedes the formulation of sufficiently tailored policies.

1. #  *National report on hate crime in Slovenia.* Mirovni Inštitut. March 2023. Available at: <https://www.mirovni-institut.si/en/national-report-on-hate-crime-in-slovenia/>

 [↑](#footnote-ref-1)
2. ##  *Overall figures of immigrants in European society.* European Commission. May 2023. Available at: <https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/promoting-our-european-way-life/statistics-migration-europe_en#seeking-asylum-in-europe>

 [↑](#footnote-ref-2)
3. *The crucial role of intersectional and victim-centred approaches to confronting bias-motivated violence.* Counter-hate. 2023. Available at: <https://www.mirovni-institut.si/wp-content/uploads/2022/06/NationalReportsCounterHate2023_Report_REV-21-3-2023.pdf> [↑](#footnote-ref-3)
4. *Transnational report: The crucial role of intersectional and victim-centred approaches to confronting bias-motivated violence. .* Counter-hate. 2023. Available at: <https://zenodo.org/records/7885567#.ZFiTIHZBybh> [↑](#footnote-ref-4)
5. *Criminal Code (Kazenski zakonik; KZ-1),* *Chapter 16, Criminal Offences against human rights and liberties, Violation of rights to equality, Article 131*§1. Policija, ministrstvo za notranje zadeve. 2009. Available at: <https://www.policija.si/images/stories/Legislation/pdf/CriminalCode2009.pdf> [↑](#footnote-ref-5)
6. *Criminal Code (Kazenski zakonik; KZ-1),* *Chapter 4, General rules on sentencing , Article 49*§2. Policija, ministrstvo za notranje zadeve. 2009. Available at: <https://www.policija.si/images/stories/Legislation/pdf/CriminalCode2009.pdf> [↑](#footnote-ref-6)