

Human Rights Council Resolution A/HRC/RES/35/17 on Protection of the human rights of migrants: the global compact for safe, orderly and regular migration – contribution by SLOVENIA

Slovenia would like to share the following examples of good practices in promoting and protecting the human rights of migrants. Government Office for the Support and Integration of Migrants, Ministry of Health, Ministry of Labour, Family, Social Affairs and Equal Opportunities and Ministry of Education, Science and Sport contributed to the present response.

I. Education

The key element for successful integration of immigrant children into the Slovenian society is education, which most effectively contributes to the provision of equal opportunities for a successful personal development, labour market entry and social life for all, regardless of origin, gender identity, personal beliefs or other characteristics. **Through planned integration** in kindergartens, schools and residence halls and through procedures designed for their effective integration the Ministry of Education, Science and Sport wishes to help immigrant children to successfully overcome learning difficulties related to their lack of language skills, differences between family culture and prevailing culture of their environment, as well as partial integration in the society and the differences between the education systems and programmes in their country of origin and Slovenia. As specified by international treaties, the Constitution of the Republic of Slovenia [*Ustava Republike Slovenije*] **grants all immigrants in Slovenia all rights**, except for those, which are reserved only for Slovenian citizens pursuant to the Constitution or law. A specially safeguarded right is the right to express one's belonging to one's own nation or ethnic community, including the fostering and expressing of one's own culture as well as the use of one's own language and script. Everyone is also entitled to use their own language and script in proceedings before the state and other authorities providing public services, i.e. in a manner as provided by the law.

Guidelines for integration of immigrant children lay down measures for integration of immigrants in education. The document was developed in pursuit of the Strategy for Integration of Immigrant Children, Pupils and Upper-secondary Students in the education system of the Republic of Slovenia (adopted by the college of Minister in May 2007) as an integral part of the national strategy for integration of immigrant children. The guidelines take into account **an inclusive approach** to the integration of immigrant children, basic school and upper secondary students or second or third generation immigrants whose parents moved from abroad during their integration in the Slovenian education system. The guidelines further serve as an incentive for the creation of an **effective learning environment** for all participants, regardless of potential differences in their psychophysical ability, language, family's socio-economic status, etc.

In education of immigrant children in the Republic of Slovenia one upholds the principle of the UN Declaration of the Rights of the Child¹ and the right to education pursuant to the UN Convention on the Rights of a Child². One plans the education of immigrant children in line with regulations of the European community and other international organisations.

According to the provisions of Slovenian education legislation, children of foreign nationals who live in Slovenia have the right to enrol in primary and secondary school under the same conditions as the children of Slovenian citizens.

Citizens of other EU member states, Slovenes without Slovenian citizenship and refugees can obtain education under the same conditions as Slovenian citizens, and other foreign nationals can do so under the principle of reciprocity (the minister of education determines the number of enrolment spaces for these secondary school students on the basis of international agreements). The Pre-School

¹ Principle 7 of the UN Declaration of the Rights of the Child

² Articles 28 and 29 of the UN Convention on the Rights of the Child

Institutions Act does not specifically mention foreign nationals, but does state that preschool education is conducted according to the principles of equal opportunity for children and parents, taking account of differences among children and the right to choose and the right to be different.

In order to ensure the continued acquisition and development of teaching materials and other tools for teaching and learning Slovene as a second/foreign language, and the development of specialised teaching and learning of Slovene as a second/foreign language, which should include all difficulty levels and modules by target group, in November 2014 the ministry issued a call for applications, co-financed by the European Social Fund, titled Development of Teaching Materials for Slovene as a Second/ Foreign Language through the holding of Classes for Various Target Groups and Seminars for Teachers. The objective of this call for applications was the priority **provision of the necessary teaching materials and other tools for teaching and learning Slovene as a second/foreign language.**

These grants represent the realisation of various measures in the Strategy, and at the same time they have developed mechanisms that are contributing to the more efficient integration of children of immigrants into the education system, with the goal of improving their integration into society and improving their position on the labour market.

Slovenia's commitment to multicultural education is also set out in the White Paper (2011, p. 13), which states that human rights "oblige us to respect the dignity of every individual and to respect the plurality of cultures, and thus to promote understanding, tolerance and friendship among all nations, races, creeds and other groups. Respect for the right to non-discrimination imposes the duty not to discriminate in our actions, and particularly not to discriminate against people and/or children from culturally and socially less supportive environments and immigrants, not to engage in sexual discrimination and not to discriminate against people with special needs."

Preschool education

The Guidelines for Integration of Children of Immigrants into Preschools and Schools also charge preschools to implement the principle of "an inclusive approach to the exercising of the rights of children of immigrants to education for their efficient integration into and formation of a multicultural society". One of the planned proposals and ideas for preschools is the teaching of Slovene, but it has not received more detailed elaboration than is prescribed for primary and secondary schools and secondary student dormitories. Consequently, additional professional assistance for teaching Slovene is planned only for children already enrolled in schools.

Primary school

The Ministry of Education, Science and Sport **offers additional hours of professional assistance for teaching Slovene to schools** at which immigrant students are enrolled in the first and second years. **The current legislation lays down a normative basis for the provision of funds from the state budget** for both teaching Slovene and teaching the mother tongue to immigrant primary and secondary school students, as part of the regular primary and secondary school curricula. The Ministry arrives at the framework number of these students attending the first and second year of school in Slovenia indirectly, on the basis of applications received from schools for financing hours of additional professional assistance for teaching Slovene. **Additional professional assistance for learning Slovene has been provided to immigrant students in the first year of school in Slovenia** since the end of the nineties, and since the 2011/12 school year has also been provided to immigrant students in the second year. On the basis of applications received for approval of APA hours we can see that round one thousand children enrol in the first year of primary school annually, and from 500 to 800 immigrant children remain in the second year, with a rising trend.

Alongside the provision of funds for teaching Slovene, **the Ministry provides for and supports the teaching of classes on the mother tongues and cultures of immigrant students.** Classes have been held for several years at various primary schools for immigrant students in Albanian, Bosnian, Croatian, Dutch, Finnish, German, Macedonian, Russian, Serbian, and Ukrainian. **In 2008, a provision was added to the Rules on testing and assessing the knowledge and progress of pupils in elementary schools** which provides for the possibility of adjusting the assessment of immigrant students.

In accordance with the Rules on testing and assessing the knowledge and progress of pupils in elementary schools, the methods and deadlines for assessment of knowledge, the number of assessments etc. of students who are foreign nationals or are without statehood and reside in Slovenia can be adjusted in agreement with the parents. The knowledge of immigrant students can also be assessed with regard to their progress in achieving goals or meeting standards of knowledge defined in the curricula. The Teachers' Council decides on the adjustments. **Adjustments to knowledge assessment are made for a maximum of two school years.** It is possible that, at the end of their first year of primary school in Slovenia, children of immigrants do not receive marks in individual subjects and they nevertheless progress to the next year. Progress to the next year is decided upon by the Teachers' Council on the basis of a proposal by the class teacher. **Children of immigrants whose mother tongue is not Slovene and are enrolled in their first year of primary school in Slovenia in the 6th and the 9th year sit the national test of knowledge at the end of the year on a voluntary basis.** Secondary school Article 16 of the Rules on Norms and Standards for Implementation of Educational Programmes and a Schooling Programme in Secondary Education **lays down the obligation to offer classes in Slovene for secondary-school students who need and desire assistance** owing to their lack or insufficient knowledge of Slovene, where the teacher's professional assessment of their level of knowledge and comprehension of Slovene is taken into account.

Schools offer these classes for secondary-school students only for the first two years they attend school in Slovenia. Friendly reception eases social inclusion. In view of a special aspect present in including the children of international protection seekers and children placed under international protection, **the ministry recommends a two-tier integration model.** In this respect, we took into consideration the results of a project from the field of including migrant children in the education and schooling process as well as a project from the field of interculturality as a new form of co-existence, both financed by the European Social Fund.

The integration of children is divided into an introductory and advanced course. Before they are included in regular classes, there is an introductory course organised for migrant children, which lasts for 20 hours. After this, the children are enrolled in regular classes, whereby they are entitled to receive additional support for lessons from the Slovenian language. After entering the school, immigrant pupils receive additional professional help in learning Slovene but during the day they are integrated, together with their peers, into the regular school program. It is of crucial importance to enable pupils to participate and play an active role in the educational process. In school, there are many opportunities for informal socializing with their classmates, which also contributes to good mutual relations between pupils and staff and to the social and linguistic integration of children.

The Ministry of Education, Science and Sport as described above implements and plans several measures for special vulnerable groups, such as:

- **Strategy for integration of migrant children, basic school and upper secondary students in the education system of the Republic of Slovenia** [*Strategija vključevanja otrok, učencev in dijakov migrantov v sistem vzgoje in izobraževanja v Republiki Sloveniji*] (2007) which analyses the situation in Slovenia and – besides examples from other countries – **also includes the goals, principles and actions to improve integration of migrant students in the Slovenian education system.** Moreover, it is important to highlight the Guidelines for intergration of migrant children in kindergarten and schools [*Smernice za vključevanje otrok priseljencev v vrtce in šole, 2012*] and the guidelines specified by the White Paper [*Bela knjiga, 2011*]

- **“Development of learning materials for Slovenian as a second/foreign language through the implementation of language courses for various target groups, and seminars for language course providers”** [*Razvoj učnih gradiv na področju slovenščine kot drugega tujega jezika skozi izvedbo tečajev za različne ciljne skupine in seminarjev za njihove izvajalce*].

- **The Ministry of Education, science and sport, alongside financing the learning of Slovenian by migrant students,** braces and makes provisions for lessons in mother tongue and culture. At several basic schools, there have been lessons in Albanian, Bosnian, Finnish, Croatian, Macedonian, German, Dutch, Serbian, Russian and Ukrainian available to migrant students.

- **Rules on knowledge assessment and grading and pupils' progression in basic schools** [*Pravilnik o preverjanju in ocenjevanju znanja ter napredovanju učencev v osnovni šoli*], warranting the **possibility for an adapted assessment of migrant students.**

- As specified by Article 16 Rules on Norms and Standards for Implementation of Educational Programs and a Schooling Program in Upper Secondary Education [*Pravilnik o normativih in standardih za izvajanje izobraževalnih programov in vzgojnega programa na področju srednjega šolstva*] [*Uradni list RS*], Nos. 62/10 and 99/10) **courses of Slovenian languages shall be organised for students who so need or request because of their lack of or insufficient command of Slovenian**, whereby the teacher's professional assessment of the student's command of Slovenian.

- **The two-stage integration model**, namely in view of the special intergration of children asylum seekers and children under international protection whose basic needs must be met primarily, and the fact that these children come from non-Slavic language-speaking areas and it involves a more challenging dimension of learning Slovenian. **The presumption is based on the results of the projects: "Integration of migrant children in education 2008-2011"** [*Vključevanje otrok migrantov v vzgojo in izobraževanje 2008–2011*] and "Developing inter-culturalism as a new form of co-existence 2013-2015" [*Razvijamo medkulturnost kot novo obliko sobivanja 2013–2015*] co-funded by the European Social Fund. The model includes various activities that can be pursued with migrant children and their parents during the inclusion in the environment of unfamiliar language, culture and society.

- **The integration into two periods**, the so-called PREP course [*UVAJALNICA*] and FOLLOW-UP course [*NADALJEVALNICA*]. Prior to integration in mainstream classes one organises the Prep course of total 20 hours. Upon its completion, children start mainstream classes whereby they are entitled to Slovenian language learning support. One recommends a consolidated provision (Follow-up).

- **Children are invited to attend the 20-hour PREP course** on enrolment in school. We are talking about learning of Slovenian and integration in the new environment, thus we have in mind both linguistic as well as social inclusion. In the week prior to joining mainstream classes, children become familiar with school premises, education staff, school surroundings, they spend time with their peers, and make new contacts and friends. The Prep course can be set up and organised at a school or at one school for a group of students from different schools within municipality or region.

- Upon completion of the Prep course pupils begin attending the **FOLLOW-UP course**, which provides them with additional support for two school years, since the course includes activities offered by both the school and the local environment (learning Slovenian as a second language, learning support, individual programmes for the pupil, adjusted methods and forms of teaching, and the adjusted assessment during the school year, support for inclusion in extra-curricular activities inside and outside the school, different holiday opportunities and activities in the local environment, advanced language courses, and support for the organisation of supplementary classes of mother tongue and culture for migrants).

In view of the arrival of particularly vulnerable groups in 2016/2017 and alongside the recommended model used for integration of asylum seekers' children and children under international protection, the Ministry developed and introduced the following measures:

- **Recommendations** were developed and a dedicated website (http://www.mizs.gov.si/si/vkljucevanje_priseljencev_v_sistem_vzgoje_in_izobrazevanja/) was set up for school management, teachers, parents and interested public;
- The education programme Instruction of Literacy in Slovenian for Adult Speakers of Other Languages [*Opismenjevanje v slovenščini za odrasle govorce drugih jezikov*] (including add-on for minors – asylum seekers), aged 15–18 was adopted to facilitate inclusion in the programme of basic school for adults.
- Learning and teaching materials were developed for learning Slovenian as a second language. <http://www.zrss.si/objava/vkljucevanje-otrok-beguncev>
- **Call for proposals was issued: "Improving social and civic competencies of education staff (2016–2021)"** [*Krepitev socialnih in državljskih kompetenc strokovnih delavcev (2016–2021)*], which aims to empower education staff for a successful integration of children, pupils, upper secondary students and higher education students migrants, as well as children of the

culture of majority, namely in the scope of professional development programmes. The goal of the project is to promote intercultural dialogue and consider diversity, as well as to develop a programme for working with migrant children that will include a substantiated number of lessons of Slovenian per migrant child in pre-school education, per educational period in basic education, and upper secondary education.

- **A coordination group** was set up to deal with the so-called refugee problem; it is led by representatives of the Ministry of the Interior and includes representatives of the Ministry of Education, Science and Sport.
- The **Consultative group for addressing the issues** of intergration of migrants and asylum seekers' children in the Slovenian education system has been meeting regularly.
- The Ministry of Education, Science and Sport has been participating actively in the **process of placing unescorted minors** in residence halls for upper secondary students, in cooperation with the Ministry of the Interior and the Ministry of Labour, Family, Social Affairs and Equal Opportunities.
- Two documents were adopted, namely the Forms and content of professional work with unescorted minors in residence halls for upper secondary students [*Oblike in vsebine strokovnega dela z mladoletniki brez spremstva v dijaškem domu*] and the Protocol and rules of procedure for the residence of unescorted minors in residence halls for upper secondary students [*Protokol in postopkovnik bivanja mladoletnikov brez spremstva v dijaških domovih*].
- A final phase of **setting up a protocol used to assess the knowledge of young migrants without any proof of educational qualification**, namely as a condition for admission to upper secondary, short-cycle higher vocational and higher education programmes.

II. Healthcare

In Slovenia, applicants for international protection to have the right to: emergency medical aid and emergency transport upon a physician's decision and the right to emergency dental care; emergency medical treatment upon a physician's decision; women have the right to contraception, pregnancy termination, health care during pregnancy and labour. Applicants for international protection are provided with medical treatment at the nearest medical institution in the location where they are accommodated.

Vulnerable persons with special needs, and in exceptional cases other applicants, are entitled to additional health-care services, including psychotherapy.

Minors who are victims of abuse of any kind, neglect, exploitation, torture or inhumane or humiliating treatment or who suffered in armed conflicts are provided access to rehabilitation and, if necessary, adequate psychological treatment and expert counseling. Applicants who are minors are entitled to healthcare to the same extent as children who are covered by mandatory health insurance as family members.

Students aged 18 or older are entitled to health care to the same extent until they complete their studies, but not after they reach the age of 26. Services are provided by healthcare service providers (public, concessionaires, private).

If an applicant for international protection requires additional healthcare services, these services must be assessed by an interministerial expert committee for ensuring the rights of applicants.

By October 2017, the Government of Slovenia paid €241,577.85 to healthcare service providers for the treatment of applicants for international protection.

The Ministry of Health has been also cooperating with international organizations in the field of health throughout the massive arrival of migrants in 2015/2016, assisting them in successfully performing their activities.

The Government also financially supports the non-governmental organizations who carry out projects in the field of health, the objectives of which are: the empowerment of applicants for international protection by informing them of the scope of their rights to health-care services and raising their awareness of medical prevention, establishing and maintaining cooperation with local health-care centers and other institutions and organizations in locations where applicants for international protection are accommodated.

III. Employment

Once migrants are granted status of international protection, they acquire also the right to access to the labour market. The Ministry of Labour, Family, Social Affairs and Equal Opportunity, has, in cooperation with Employment Service of Slovenia, developed two measures, adjusted specially for persons with international protection: "**On the job training for migrants**" and a workshop "**Integration for persons with international protection**". Both measures are adopted with the aim to ease the integration of migrants to the labor market.

IV. Human trafficking, Sexual Violence and Gender Equality

In 2016, a formal agreement between the Ministry of Labour, Family, Social Affairs and Equal Opportunities and an NGO, Slovene Philanthropy, was signed. The agreement enabled the Ministry to finance various activities in the field of gender equality and migration, aiming at the protection of human rights of migrant women and girls, in particular those suffering from different forms of violence.

To ensure that the professionals working in the field of immigration are better equipped with the knowledge, and to improve their ability to respond urgently and properly, special training /seminar was organized on the issue of gender-based violence and violence against women and girls, aimed at creating awareness and understanding of harmful practices amongst professionals so that they are able to identify and respond effectively in order to ensure safety of women and girls who have been and/or at risk of honor killings, forced marriages etc.

To inform migrant men and women about the cultural standards, societal values and legislation on gender equality in Slovenia, including on domestic violence and gender-based violence, seminars were organized and informative material, such as a special handbook for migrants, has been designed and distributed.

In order to strengthen institutions in incorporating gender perspective into their daily work with migrants, **a learning seminar with a focus on care and integration of migrant men from gender perspective** was organized by the Ministry of Labour, Family, Social Affairs and Equal Opportunities in 2017. National and foreign experts shared their experience, urging public authorities working with migrants to pay special attention to the difficult situation of migrants when implementing various integration measures, their precarious conditions, lack of information, language and societal skills, agreeing that cooperation of (inter)national governmental and non-governmental institutions is the key towards efficient migrant policy-making. Measures aimed at promoting the human rights of migrants were proposed, among them the following:

- Information campaigns challenging gender stereotypes with a focus on migrant men who face changed gender roles and loss of status in the destination country;
- Research, studies and promotion of projects with partnership involving migrants;
- Dialogue meetings with migrant men on self-care, fatherhood, physical and mental health etc.;
- Seminars for migrant men on un/acceptable behavior in the destination country and the consequences they might face in case of breaking the rules, regarding cultural codes, sexual violence and rape, while still letting them keep their own cultural identity;
- Acknowledging that men and boys can also be victims of violence; designing preventive and response measures to protect them from further stigmatization, violence and exploitation.

In 2015, Ministry of the Interior, United Nations High Commissioner for Refugees (UNHCR), and different non-governmental organizations signed a new revised agreement "**Standard operating procedures to prevent and intervene in the cases of sexual violence and gender violence (SGBV).**" An expert working group was formed on the basis of the agreement, with a view of planning and implementing necessary assistance for persons, who are victims of sexual and gender violence. When the member of working group receives the information on SGBV he/she presents the case to other group members. This is followed by a discussion and the preparation of an action plan for assistance, counseling and treatment. The plan contains: risk assessment, security plan, finding safe accommodation, advocacy plan, legal aid and other forms of assistance such as: psychotherapeutic assistance, professional and psychosocial counseling, participation in workshops for personal growth and empowerment, partnership, leisure time activities, individual help and referral of the beneficiary to relevant institutions for assistance and support.

Identification of potential victims of violence is carried out through **Project »Preventing Human Trafficking, Sexual Violence and Gender-Based Violence«**, which conducts informative interviews with all vulnerable categories of applicants, who are potential victims of trafficking in human beings, sexual violence and gender violence. Information is provided to all women (including accompanied girls from 14 to 18 years old) and unaccompanied minors, and also to every applicant on the basis of a proposal of a public official, which, in contact with the applicant, recognizes the potential elements of trafficking or violence. Prior to lodging an application for international protection, a doctor reviews each applicant and provides an opinion on vulnerability. The doctor's opinion is given to psychosocial service, which adequately reacts according to *Standard operating procedures to prevent and intervene in the cases of sexual violence and gender violence (SOPS SNNS)*. Prior to lodging an application for international protection, representatives of a non-governmental organization *Legal information center (PIC)* inform aliens about their rights and obligations, and on the procedure for granting international protection. If any sign of vulnerability is revealed during the information interview, public official in the process of lodging an application is informed about it. If necessary, the public official alerts medical and psychosocial services and fills out a form, stating the peculiarities of accommodation and health issues. Prior to lodging an application, applicants in reception areas receive leaflets with information and contact points for assistance to persons who are subjected to any kind of violence. Most of the steps for identifying and dealing with vulnerable applicants are therefore introduced already in the process of accommodation and thus prior to lodging an application. Identification continues through the entire process of obtaining international protection.

V. Accommodation of unaccompanied minors

At the end of June 2016 the Government took the decision that unaccompanied minors (UAMs) as the most vulnerable category of persons would be provided with separate and therefore safe accommodation in student halls of residence in Postojna and Nova Gorica as a pilot project for the period between 1 August 2016 and 31 July 2017. The project of accommodating unaccompanied minors in the student hall of residence in Postojna was recognized as an example of good practice and was extended until the establishment of a new institutional arrangement with a separate center for early treatment (of unaccompanied minors). The date is set for the end of 2018. In this way, the principle of the Best Interest of a Child and care for the special needs of unaccompanied minors can be respected and implemented in accordance with the Reception Conditions Directive and international legislation. The UAMs also benefit from a 24 hour professional care.

A good practice is also the four hour presence of a psychiatrist in Asylum Centre once a week. An efficient system was also established for integrating the children in primary school where they benefit from study help and a 3 hour preparation course of the Slovenian language for all the enrolled pupils. Another example of good practice is the provision of free public transport for all the pupils enrolled in schools. Applicants have also the possibility to do different kinds of jobs against financial remuneration under a tariff determined in advance published on notice boards in all the accommodation facilities.