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**THE PROCESS OF PREPARATION OF SLOVENIAN  
NAP/incl 2004-2006**

First report

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## SUMMARY

Slovenian NAP/incl. will be submitted to the European Commission at the end of July 2004. This is also the final date to submit this report, therefore the main focus couldn't be on the NAP/incl. itself. Because of the time limit and timing itself (middle of the summer when many people are already on holidays), it was also difficult to examine more carefully the preparation process. These two reasons led to a more extended study of the current situation in the country. The study focused on public discourse on some of the groups that reflects the prevailing attitude and also gives legitimacy to further exclusion of those groups.

The main frame of the current situation is parliamentary elections in the autumn. Some of the political parties already started with the campaign for the votes and the predominant issues of their activities are some of the most excluded groups like Roma, ethnic minorities, people without the papers, homosexuals etc. Public speech of the representatives of the political parties in this report serves as an illustration of the extent and content of exclusion and also gives some insights into the mentality that lies in the basis of exclusion. Namely most of the public speech is oriented against the rights of the minorities, and moreover, political parties use such speeches to win the sympathy of the voters. On the other hand, such public speech of the political parties can give legitimacy to some direct actions against the minority groups in society (actions against Roma, gay and lesbian etc.).

The described attitude proves that the inclusion of the excluded groups is not a simple task that can be fulfilled through a few measures, but a complex process that requires deep and overall social change towards an inclusive and open society that will have a great respect for some of the basic principles of humanity, like human dignity, social justice, equality, solidarity and human rights. These are also the principles that can be found in the fundamentals of the welfare state that gained the great consensus after the Second World War in Europe and has been seriously questioned in the last decade or two. The inclusion requires commitment that has very practical and concrete form, therefore the consensus on the welfare state has to be reconsidered and reached on the level of the European Community that will then set standards, compulsory for all member states.

In the report we focused on following groups that experience exclusion: people erased from the register of permanent residents, Muslims, Roma, homosexuals (GLTB), older people, people with disability, learning difficulties and mental health problems, women and single mothers, asylum seekers, migrants, people without papers, children and youth. We also looked at some aspects of Slovenian policy in housing, health care, and employment with the focus on precarious work and education. There is also a short introduction to the level of social inequalities in Slovenia. There is also the need to examine more carefully access of the rural habitants to their rights, especially health care, employment and education.

Slovenian NAP/incl. was written within a broad and well-represented circle of professionals with a good coordination from the Ministry of Labour, Family and Social Affairs. There was insufficient representation of the representatives of some of the excluded groups, especially Roma that did not have any role in the process.

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## I. INTRODUCTION

Slovenian NAP/incl 2004-2006 will be submitted at the end of July and this report concentrates on the preparation process, because any kind of assessment or analyses of the document is not yet possible. The report will focus mainly on recent developments in the field of poverty and social exclusion in Slovenia and the national preparations for the first NAP/incl 2004-2006.

Poverty and social exclusion in this report will be understood according to Katherine Duffy's definition from 1998, written in the European Commission document *OPPORTUNITY AND RISKS: Trends of social exclusion in Europe*:

“Poverty implies exclusion from goods and services; social exclusion goes beyond exclusion from the consumer society, to encompass exclusion from a place in society. It is possible to be either relatively, or absolutely, poor or excluded. It is possible to be poor but not excluded, and vice versa, though mainly disadvantaged people will experience both simultaneously.”<sup>1</sup>

Duffy also defines social exclusion as the lack of the opportunity to participate in one or more dimensions of the welfare triangle: state, civil society or market.

The report was written in 16 days between July 15<sup>th</sup> and 31<sup>st</sup>, when most of the people from the organisations that could be a source of information were on holidays. Therefore, the main sources for the report were different reports, articles and analyses and the material the Peace Institute systematically collects. The report focuses on general issues in the country regarding social exclusion and less on the government politics that will be analysed in the second report when the NAP/inclusion will be assessed.

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<sup>1</sup> Katherine Duffy (1998), *Opportunity and Risk: Trends of social exclusion in Europe*. Council of Europe, Project on Human Dignity and Social Exclusion (HDSE), pg. 3.

## II. RECENT DEVELOPMENTS IN THE FIELD OF POVERTY AND SOCIAL EXCLUSION

Slovenia will have parliamentary elections in the autumn and recent debates can already be placed inside the “battle” for the votes and “struggle” to come to power for the next four years. Several processes can be identified in these debates that can have major impact on the status of marginal groups and on the level of poverty in the country.

(1) The right wing political parties are gaining sympathy mostly with the negative campaign against some groups of people that were denied rights in the past or are living on the margins of society. Those groups are the so called “erased”, the Roma, same sex couples and Muslims. We will give details further on in the text.

(2) The second significant feature of the recent development is the activation of civil society to support either one or the other political option or political party. Different groups, more or less supported by various political parties, were petitioning for the referendums that aimed at denying the rights to the “erased” citizens and Muslims, at encouraging the negative attitude towards same sex couples and single mothers, and particularly at encouraging intolerance and hatred towards the Roma population.

(3) Two civil society groups were established to influence future developments in the country. One is called Forum 21 and was founded by the former president of Slovenia, Milan Kučan. The other is called the Assembly for the Republic and was founded in close connection with the right wing political party, the Slovenian Democratic Party. These two forums are political opponents: the former is left-centred and the latter is a right wing group. Both are important for our topic because they are powerful enough to influence public opinion.

(4) The fourth process is the inflation of developmental strategies for the future of the country. At least four different places can be identified where the strategy is prepared: Forum 21, Assembly for the Republic, Slovenian Government and Slovenian Presidency. They should all be taken into consideration in the future, especially because some of them include in their strategies cuts in welfare expenditure and can have some serious impacts on the place and the voice of excluded groups in society. None of these groups refers to the NAP/incl.

In the last ten years the level of intolerance towards certain groups of people increased. Some civil society groups were founded to oppose the rights or even settlement of the certain de-privileged people, like the Roma, migrants, asylum seekers and single mothers. These civil society groups worked in cooperation with some of the parliamentary political parties. The point at issue now is who is “worthy” of being supported by the state and who is not. In the report we will describe different groups of people that were the target of different sort of discrimination that influenced their economic and public status, the level of exclusion and also mentality of the majority.

## 2. 1. Erased (Ex-Yugoslavs and Roma)

Erased is the term that is used to denote 18,305 people that were erased from the register of permanent residents of Slovenia in 1992, because they did not apply for Slovenian citizenship. Almost all of them were from the former Yugoslavia. They should have the right to continue living in the country as foreigners with all the rights that arise from the permanent resident status. But they were erased without any official notice or legal document, without any information on that act, and without any legal ground for such an act. They lost all of their rights literary overnight; many of them lost jobs, pensions and other allowances; their documents were destroyed and many of them remained in Slovenia without any legal document, because they couldn't return to their county of origins either because of the war or other reasons.<sup>2</sup>

The Slovene Constitutional Court brought two decisions in 1999 and in 2003 in which it was stated that the act of erasing people from the register of permanent residence was illegal, had no ground in Slovenian legislation and was unconstitutional. Therefore all the erased residents should be recognized their rights in retrospect, from the date the illegal act of erasure took place. In the 1995 report, the Slovene Ombudsman wrote that the act was illegal and caused injustices that had to be repaired immediately because the consequences were fatal for most of the erased residents. The erased residents were included in all subsequent reports as well. In 2002 the Association of the Erased Residents was founded and since then hundreds of stories have been told about their lives after 1992 when they lost all their rights. They started to raise awareness and claimed their rights back. With their voice now heard in the public sphere, they also provoked a broad and vigorous campaign against them that was again run by some right wing political parties and some civil society groups. These groups collected a sufficient number of signatures to achieve the referendum<sup>3</sup> on the rights of the erased residents, and they won. The vast majority of people voted against recognizing the rights of the erased people. 31.45% of residents voted and 94.68% were against the rights of the erased<sup>4</sup>.

The whole campaign drew on nationalism and on the equation of the whole group of erased residents with the Yugoslav army that attacked Slovenia in 1991. In the campaign we could hear that erased: "(...) abused benevolence of the state, which took him under the roof and tolerated his stupid and dishonest attack (...)"(Dedić et al. 2003: 18); that: "Slovenia suddenly became attractive for all those that rejected generous offer of our citizenship in 1991"<sup>5</sup> (Delo, 8. 11. 2003); that: "Maybe there were some injustices done to illiterate cleaning women" (Mladina, 15. 3. 2004) and that this category appeared when it was clear that: "there were going to be wars in the Balkans and that Slovenia was going to be accepted into EU. It was then that Slovenian citizenship gained importance." (Trenja, 13. 11. 2003). There was also a strong believe that: "No one who was not loyal to the new state should get the status back" (ibid.) The campaign was at its lowest level with the next citation that came from the Parliamentary debate:

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<sup>2</sup> Krivic M. "Post scriptum". In: Dedić J., Jalušič V., Zorn J. (2003) *Erased: organised innocence and the politics of exclusion*. Ljubljana: Peace Institute.

<sup>3</sup> To organise a referendum in Slovenia 40 000 signatures have to be collected. At the municipality level 5% of the residents with the right to vote have to sign the demand for a referendum. Also 30 signatures of the members of the parliament are enough for to convene a referendum.

<sup>4</sup> [www.rvk.si](http://www.rvk.si) 23. 8. 2004

<sup>5</sup> In this article, the writer used the term »gift« instead of right.

- (1) “Each state has their scum of society. Unfortunately. But all societies tend to minimize their quota. With this law you will enlarge the quota of these scumbags. (...) In the Slovene National Party we certainly have a different solution for these items.” (Trplan 2004: 58)

Because all citations are the words of the members of the Parliament there is a raising belief that Slovenia belongs to the Slovenes what provides fertile ground for the exclusion of different groups of people. The lives of the erased residents were very difficult. This was the group that was exposed to precarious work because they didn't have the right to social benefits, they lost pensions, they could not participate in the non-profit housing schemes etc. There is no research on their social and economic status and they are not included in the statistics on poverty, because many of them still don't have any status or have the status of foreigners with permanent residence.

But the referendum did not have the desirable effect on the status of the erased because of the decision of the Constitutional Court. The Court proclaimed the referendum question being contrary to the Constitution for the violation of the human rights. Until now the Government returned the rights to more than 4000 erased.

## 2. 2. Muslims

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

But the debate influenced the attitude towards the Muslims that is now very negative and denies them equality with the Catholic majority.<sup>7</sup> The most common argument in the debate was that the mosque will spoil Slovenian landscape. “In the plan for the mosque there are also two 30m high minarets (...) that will stick out of this small Slovene country, which is totally different by its nature from the places that minarets are coming from.” (Transcription of the 27th session of the city council of Ljubljana, May 2001). Islam was presented as the most aggressive and savage ideology in the world, that most of the states are afraid of and: “Minaret also means to have the Balkans in Slovenia. (...) The Balkans in the political

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<sup>6</sup> [www.stat.si/popis2002/gradivo/2-169.pdf](http://www.stat.si/popis2002/gradivo/2-169.pdf) 23. 8. 2004

<sup>7</sup> The debate took place before 9/11. These facts prove that islamophobia is not a product of Islamic terrorism.

sense of the word is connected with violence, with resistance and with human victims.” (ibid.) and: “We have to be careful, because we are in danger of becoming a branch of the Islamic world and then we will have to accept their way of behaving, clothing and believing.” (ibid.) In the debate they also remembered historical wars that took place centuries ago: “In the past Slovenia was for hundreds of years attacked by the Turks who came with sabres and swords. Now they are no more coming with fire and sword but with the book, with Koran” (Mladina, 26. 1. 2004). The last citation proves that a certain mentality produces the other. In the city council debate someone also said: “Not just Muslims but also gay and lesbian are demanding human rights.”

Muslims are one of the groups that are denied the place and voice in the public arena. They experience exclusion not just because they are denied the right to exercise their religion but also because they are denied the right to organise and to be active in the society.

### 2. 3. Roma

There is no precise data on the number of Roma living in Slovenia. The Romani Union of Slovenia claims that there are between 7000 and 10000<sup>8</sup> Roma living in 82 small Roma communities throughout Slovenia<sup>9</sup> In 1995 the government adopted The Program of the measures to support inclusion of Roma that focused mainly on education, basic infrastructure (water supply and electricity), employment and social assistance.<sup>10</sup> In the Annual Progress report of the European Commission 2000 there were some suggestions on an improvement of the status of Roma in the country. The main focus should be on the law that will encourage inclusion of Roma into society. As a result Slovenia changed the Local Government Law (Official Gazette RS, no. 51/2002) and gave the legal grounds for Roma representatives in the local governments of the 19 municipalities. The major changes were made in the field of education where special program was recently adopted on the inclusion of Roma into the primary education<sup>11</sup>.

Despite all the efforts of the government, xenophobia, intolerance and hatred against the Roma population have been increasing year by year, especially in the region of Dolenjska (south-east Slovenia). People in that region have organised to guard their villages and weekend cottages, because they claim they are afraid of the Roma. Recently there has been an attack on one of the Roma community, because people believe that they have right to “protect themselves”<sup>12</sup>. The first organised protest against the Roma took place in 1997, when a family that bought a house in the village of Maline (Dolenjska region) was not allowed to move in.<sup>13</sup> Although they owned the property, people established village guards to prevent the Roma family from moving in. That was the first time they took “justice” into their own hands, and since then that has become the “usual practice” when Roma are concerned. The analyses of media discourse on that event showed that the responsibility for

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<sup>8</sup> Joint Inclusion memorandum Slovenia 2003, pg. 12

<sup>9</sup> [http://24ur.com/naslovnica/slovenija/2004523\\_2040751.php?Acl=p4](http://24ur.com/naslovnica/slovenija/2004523_2040751.php?Acl=p4) 23. 8. 2004

<sup>10</sup> <http://evropa.gov.si/evropomocnik/question/809-168/> 23. 8. 2004

<sup>11</sup> [www.mszs/slo/solstvo/razvoj-solstva/enake-moznosti/romi.asp](http://www.mszs/slo/solstvo/razvoj-solstva/enake-moznosti/romi.asp) 23. 8. 2004

<sup>12</sup> [http://24ur.com/naslovnica/slovenija/20040518\\_204534.php?Acl=p6](http://24ur.com/naslovnica/slovenija/20040518_204534.php?Acl=p6)

<sup>13</sup> The same happened in 1998 in the town of Jelšane in the region of Notranjska. In August 2002 the same happened to the family in the region of Prekmurje. They took a loan from the housing fund to buy the house in Prosenjakovci, but the village inhabitants prevented them from moving in.



it was put on the Roma.<sup>14</sup> The media reporting could be thematically divided into the following categories:

1. The Roma are the protagonists of negatively evaluated acts (crime), which represent a threat to the social order (they are aggressive and dangerous and thieves by nature)
2. The Roma threaten our social and economic interest, thus representing a threat to economic order (they are idle and lazy; they abuse the generosity of the state because they live on social assistance).
3. The Roma have a different culture, mentality and behaviour that are not in accordance with the norms of the majority population, hence this poses a threat to our cultural order. The Roma differ from the majority population by their looks (skin colour), they have a different culture, values and habits, they are inadapted and their natality is too high (Erjavec et al. 2000: 7,8)

In public they are mostly presented as one and the only cause of problems without themselves having anything to say. They do not appear as individuals. In the 1997 presidential campaign one of the candidates stated (ibid.: 29):

“First of all I would protect Slovenians against the crimes if committed by Roma. It is known that they steal, that they have social problems, that they are *corpus alienum*, that they are the foreign body in our national organism. On the other hand I am, of course, also their president, so I would have to approach the issues with much delicacy and seriousness. If there is no other solution, I saw this in America; there are some modern ghettos for those Roma. They must not present a social problem, they must not present a health problem, and thinks could be resolved then.”

Because of the public response to that statement, the same candidate explained what he really meant (ibid.:29):

“(…) You ask me what to do with the Roma? We will simply give them a living if they don't want to integrate. They do not like Slovenian society, they are not Catholics. I respect them, they came from Asia and Punjab, and they have their own culture. God bless their culture, the more minorities, the more marginal people and the differently thinking, the more complete is a nation. That contributes to multi-culturalism, to the struggle against boredom, to the diversity of life. If we managed to survive living with so many Yugoslavs, we will also manage several thousands of the Roma.”

The analyses finished with two important conclusions (ibid.: 38):

1. By using the differentiation discourse and its justification, the media created the community of Slovenians,
2. Roma are continuously the subject of the racist hate speech and writings – they do not speak, they are spoken about. Even when they speak, their talk is translated into the language of the majority.

What the authors suggest is that Slovenians built their identity on the hatred of the “other”. Creating a powerful “we” group in relation to “them” as dangerous and barbaric, is the best

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<sup>14</sup> Erjavec K., Hrvatin B. S., Kelbl B. (2000) *We About the Roma. Discriminatory Discourse in the Media in Slovenia*. Ljubljana: Peace Institute.

way of creating xenophobic and closed environment, where people start to believe they are superior. The “We” group in Slovenia is becoming very narrow, because more and more people are excluded from it. The Roma, for example, have been living in Slovenia for centuries, therefore they cannot be considered as foreigners by their status. They are publicly understood as foreigners by “nature”, totally different from the uniform body of the Slovenes.

Let us give another illustration of these conclusions. In 2002 a new article in the Law on Local Governance was introduced. The Roma were granted the right to have their representative in 19 local councils where the Roma are settled as permanent inhabitants. In 15 municipalities the regulations were adapted according to the new article in the law and there were elections for the Roma representative in the local council, but five municipalities failed to do so. They argued that the Roma were not autochthonous inhabitants, but the Constitutional Court decided in favour of the state. There was also a parliamentary debate on the issue. The significance of the debate lies in the fact that both the left and the right parties opposed the law. Some citations from the debate (Petković 2002: 59):

- (1) “We all know that the Roma are a very flexible community that is one day here and another day somewhere else and the law does not recognise this fact. (...) It is especially problematic from the point of legal equality, because it gives the Roma the privileged status. (...) We have to stress the danger that other such communities will demand the same privileged status in the future. (...) The demand for the representatives of the Roma in local councils represents violence against the rest of the residents.”
- (2) “The consequence of the law will be that the rest of the municipalities will send the Roma from their territory to those that are named in the law. The concentration of the Roma here will be even bigger than it is today.”
- (3) “Forced legalisation of the settlement of Roma is not democratic and is against the meaning of local governance.”
- (4) “There are more and more Gypsies<sup>15</sup> in Slovenia every day. (...) They can’t be defined numerically, because they are without any papers.<sup>16</sup> And these people will get the right to vote and to choose their representatives in the local councils. This is discriminatory against all Slovenian inhabitants.”
- (5) “There are no Roma in our community. All of them declared themselves as Slovenes in the last census.
- (6) “The Roma that live in our municipality are not ours and that’s it! They can have them in Ljubljana if they want.”

Hatred and xenophobia towards the Roma population has strengthened over time and the situation nowadays is dangerous and unpredictable. Some people from Dolenjska region are convinced that the state is unable to react to the Roma, as they themselves constructed, so they have the right to take the law into their own hands in order “to protect themselves”.

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<sup>15</sup> One MP persistently used the term Gypsy instead of Roma although he was warned by the chair to stop doing that. Gypsy is a derogative term, similar to Negro or other terms that are used to humiliate certain group of people.

<sup>16</sup> This claim is true but not for the reason which this MP had in mind. Roma were also erased from the register of permanent residents, so they lost their papers. They couldn’t get citizenship even if they applied for it, because they are considered an autochthonous group in Slovenia. We have to keep in mind that “autochthonous” is an empty concept that has no legal ground. The only criteria were set by the Constitutional Court – there had to be at least three generations of people settled in the same territory to be considered autochthonous. (Dedić et al. 2003: 57)

The main arguments against Roma are their abuse of social assistance (they don't want to work, because the state supports them for nothing), criminal activity (driving cars without the driving licence and without respecting safety regulations; stealing, robbing and threatening; carrying weapons and shooting), laziness and dirtiness (they ruin the clean environment, they burn things and they don't wash themselves) and many others.

The representatives of various Roma associations tell of the consequences of such a public perception. Roma children are bullied at schools; Roma are changing their names to have more opportunities for the employment, and students at the faculties don't want to reveal their origins.<sup>17</sup> They are more and more controlled and have increasingly fewer opportunities for decent life. Their health is in danger because they live mostly in poor settlements, without water supply, with no sewage system and electricity. They are often humiliated, denied humanity and basic human rights.

The ombudsman suggests that some basic measures have to be accepted to improve the situation. These measures are (Ombudsman report 2003: 16):

- The law on the Roma minority;
- Land and all supplies that are basic for the living (proper housing, water, sewage system, electricity and heating);
- Local action plans for inclusion.

In the Open Society Report on the protection of the minorities in Slovenia (2002) we can find the following conclusions and suggestions regarding the Roma:

- The Ministry of Labour, Family and Social Affairs Program on Equal Employment Opportunities of Roma is an effort to make a change, but Roma associations were not involved in the process of creating it. The program lasted just two years, 2000 and 2001, and results were not evaluated. There was a weak knowledge about the program among the Roma. Although the absence of Roma women from the public life was identified, there were no measures to include them.
- To reduce Roma unemployment the same ministry in cooperation with The Institute for Ethnic Questions created another program<sup>18</sup> that will analyse different models of the employment of Roma, set the best practice and give suggestions for the future actions. Again, the Roma were invited just to give some ideas on the projects of inclusion.
- According to the Program of the Measures for the Assistance Roma in Slovenia, from 1995 on each ministry had a certain fund of money for the Roma projects. Roma associations have very weak access to these recourses.
- Prevention of discrimination is not mentioned in any of the governmental programs, even though it is the basic obstacle for the inclusion of the Roma.
- There are a lot of Roma children in the schools for children with learning difficulties or they are included in programs for children with "special needs".

Suggestions for the inclusion of the Roma:

- The Roma have the right to participate in the creation of policies and programs that concern them as a target group.

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<sup>17</sup> The Slovene ombudsman is asking himself: "what kind of attitude do we have to the minorities, if they don't dare to admit their origins?" (Petković 2002: 64)

<sup>18</sup> Part of the international research project involving Slovenia, Austria and Croatia entitled "Roma in European Integrations."

- The Roma are not a uniform body but a diverse group of different individuals that have the same ethnic origins and are therefore (as all other nations or ethnicities) culturally constructed. They should be addressed as such.
- In cooperation with the Roma, a prompt evaluation of the programs that concern them has to be ensured.
- The Roma have to be recognised as competent partners and accepted as equal partners in a dialog.
- The difference between the written programs and their implementation has to be overcome. In this way good ideas will become practices.
- Proper legislation has to be adopted to provide grounds for the inclusion. The Slovene Constitution adopted in 1992 also includes the section on the special law on the Roma, but 12 years later we still don't have it.
- There has to be a political consensus and support of the minority protection legislation.
- Civil servants need to be educated on inclusion and anti-discrimination. They need to understand the mechanisms of exclusion and implications for the lives of those excluded.
- First of all, the state must ensure decent living conditions that are the basic need of every human being.

#### **2. 4. Homosexuals (GLTB)**

Same sex couples in Slovenia are denied the right to register or marry, to have children, to inherit property or to have other rights granted to heterosexual couples. They often experience violence and harassment.<sup>19</sup> A few years ago the actor that played the part of a gay man in one of a television series was beaten in the centre of Ljubljana. Last year the draft version of a new law on registering the same sex partnership was issued that will allow social and other rights to couples that live together. The following are some citations of the representatives of parliamentary political parties and the Roman Catholic Church:

- (1) "These would be rather strange partnerships. Personally I won't support the law. I can't influence that such things don't happen but we even don't have enough of the normal life. I would be much happier if Slovenia had 10,000 children more per year than register such partnerships". (Trplan et al. 2004: 28)
- (2) "Such behaviour is not genetic; it is the result of socialisation and, from the point of view of society, some sort of pathology in interpersonal relationships. Why, then, don't we accept the law on polygamy? These are silly things that are not the matter of equality but pure civilisation decadence: Be careful, all civilisations that tolerated such behaviour sunk." (ibid.)
- (3) "(...) Left wing politics, under the influence of some ideologists, is introducing a permissive law that enforces public immorality and devaluates the family that is the only one that can ensure continuation of the nation." (ibid.: 45)
- (4) "God didn't create homosexuals, they appeared because of the different combinations in the nature. And the nature is not perfect. It is a question if this is natural or the consequence of something else. For me and for the theological understanding of the nature, it is a result of an interfering with the nature that God doesn't appreciate.

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<sup>19</sup> The English version of the document "Eleven years of the independent state, eleven years of homophobia" is accessible at [www.ljudmila.org/siqrd/](http://www.ljudmila.org/siqrd/)

Theologically we can say that it is the consequence of the original sin. When human interfere with the nature, unnatural things start to happen.” (ibid.: 47)

- (5) One of the most important problems of homosexuality, or better said, homosexual relationships, is that it is based on violence and not on humanity and the genuine and merciful behaviour that is significant for the love of man and woman. (...) In homosexual relationships sex is not any more the language of love.” (ibid.: 54)

Defining homosexuality as perversion and immorality certainly has the major impact on the treatment of homosexuals in society. It influences their private and public life, especially access to adequate employment, housing and other resources. There are many stories of deprivation they experience.

## 2. 5. Older people

The households of single elderly people have the highest poverty rate. In 1999, 23.5% of single persons aged 65 and more lived in poverty.<sup>20</sup> The percentage of older women living in poverty is higher than that of men. Because of the ageing society, there is a need for a new and long-term services for the elderly. In the last ten years, these services changed and were adapted to the changed needs of the elderly. But at the same time various associations of the elderly are stating that as a group they feel “used and abused and discriminated”.<sup>21</sup> During the last few years there were several scandals<sup>22</sup> relating to the events through which elderly people lost their property or were mistreated, mostly because of the lack of the regulations concerning the services, or the lack of the implementation and monitoring of the new programs.

There is also inequality between the elderly in the residential homes and those that stay at home and receive services according to their individual needs. While the health care costs for the former are covered from the health insurance, this is not the case with the latter. Although they receive the same health services, they have to pay for them (Delo, 19. 6. 2004). In the same article published in Delo, we can read that the state is preparing a plan for a special, long term social and health care insurance for the people who live alone and need a long term care in their old age. The health and social security insurance in Slovenia is compulsory and all people who are employed automatically pay for it, so the expenses for social and health care of the elderly should be covered from these funds. The new insurance would be compulsory for everyone employed, but it would be used for the elderly that need long-term care. According to the assessment of the major health insurance organisation in Slovenia, there are 41,000 elderly people in need of such services, but the service are now offered to 15,000 only (ibid.).

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<sup>20</sup> *Human development report: 2002/03*. Ljubljana: Institute for Macroeconomic Analysis and Development.

<sup>21</sup> Round table »Intolerance«. Women's Forum: Šestica, 6. 7. 2004.

<sup>22</sup> The first involved the guarded apartment block (houses or flats that have very easy access to different services for the elderly) »Zbiljski gaj.« People invested their money in the project and the company went bankrupt before they completed the construction of the apartments. Since these people had already sold their previous homes to invest in the project, they were left without any property. The second affair is of a more recent date and is known as the “Črni les” affair. This is the name of the hotel that was turned into the residential home for elderly people but operated without the required licence. It took the state years to react and it did so only after there was an article published in the media about frequent deaths and serious mistreatments of the residents. Media also discovered other places that operated without permit or licence. In some cases, it was the state social services or medical doctors who referred elderly people to these settlements.

Another proposal for an additional insurance of the elderly caused a lot of protests. A few months ago one of the insurance companies called Vzajemna<sup>23</sup> wanted to raise the monthly premium for an additional health insurance,<sup>24</sup> but just for the elderly, because they “cost more”. The other reason was a competition with other insurance companies (Delo, 17. 7. 2004).

There have been some instances of abuse of the elderly when receiving different social and health services. New home care services don't have sufficient mechanisms of protection of the elderly and there have been cases when workers bought the elderly peoples' apartments for a very cheap price or they inherited their property. The same happened at a senior citizens' home Črni les. There is no special attention paid to this fact. There is also insufficient control over the ethics of the workers.

The elderly do not feel safe any more because of all these events. They are not sure what rights they have, they are scared because the cost of care will increase and they will not be able to afford it. All those measures are also very humiliating and have the influence on their dignity. Most of them worked all their lives, many of them living just above the at-risk-of-poverty rate, but society treats them as a burden.

## **2. 6. People with disabilities, learning difficulties and mental health problems**

These three groups are put together because they experience similar exclusions and most of them need long-term care or assistance. A common feature is inclusion in different non-profit associations that are more or less powerful and also create tensions between themselves. The major source of money for some of them is the Lottery: 40 % of the money from the Lottery goes to some of the associations for disability and some humanitarian organisations. These organisations are also in control of the foundation (FIHO) that takes care of the flow of money – from tendering to monitoring.<sup>25</sup> Organisations that are excluded from that circle are in a constant struggle for survival although many of them are very innovative, have very good programmes on inclusion and also provoke broad public debate on the status and the role of the disabled in society. Their assessment of the current situation can be summarised as follows:<sup>26</sup>

- Traditional disability organisations (in Slovenia the official term is Invalidity Associations and disabled are called “invalids”) participate in exclusion by advocating for separate and exclusive organisations and institutions of people with disability.
- By persistently using the term “invalid,” the state participates in the ideology of deficiency of people with disability. A more proper term to mark the current place of the disabled in society would be “handicapped,” because it refers to their social

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<sup>23</sup> The translation of the name would be Mutuality or Reciprocity.

<sup>24</sup> Slovenia has two types of health insurance: compulsory insurance, which is taken from the monthly salary, and additional insurance, which is voluntary but actually needed because increasingly fewer rights arise from the compulsory one. One of the proposals of the Ministry of Health is to raise the compulsory and cancel the additional insurance, but they have not been very successful in implementing the change.

<sup>25</sup> The Court of Auditors, as a result of the inspection at FIHO, found that there were some major irregularities. The list of these was similar to what some of the nongovernmental organisations have been repeating for years when advocating for equal opportunities and inclusion of the disabled (STA, 16. 4. 2004).

<sup>26</sup> [www.yhd-drustvo.si/wwwYhd/slo/index.php?id=45](http://www.yhd-drustvo.si/wwwYhd/slo/index.php?id=45), 15. 7. 2004

status and not to their body condition. This term can also be used for all people with long-term problems.

- With the new legislation the state is strengthening the position of the old invalidity association and is not providing conditions in which independent organisations would have equal choices and user initiatives. Even though the government promised the law on equal opportunities of the disabled, no progress has been made so far.
- Independent living should be the goal of everyone involved and not just those disabled. Principles like independence, equality, equal opportunities and access to public sphere (employment, education, important and valued social positions etc.) must be the basis for planning future services or policies.
- Employment, housing and personal assistance in independent living are the basic conditions for social inclusion.<sup>27</sup>

There is a strong opposition to the new law on rehabilitative employment that is now in the parliamentary procedure (Dnevnik, June 2004). The most common objection to it is that doesn't offer any new opportunities for a part of the group of people that were categorised as "invalids" under the Act on the Social Protection of the Mentally and Physically Disabled. By being categorised as such they are also recognised as unable to be employed. They can only be granted such rights if their condition changes<sup>28</sup>. Some of the people with such a label want to work even though their condition does not change. They claim they are able to assess for themselves what they are capable of and what not. Some of them have university degrees or are skilled and have different vocational degrees.

Recently a draft version of the report "Accessibility of Education and Employment for the People with Intellectual Disability" was issued.<sup>29</sup> The report is a very good overview of the field. It focuses on legislation and its impact on the lives of the people concerned and their choices for the participation in society. Some of the recommendations are as follows:

- The terminology has to be changed – the current one has negative connotations. Terms like "mentally disturbed" or "mentally retarded" have no place in the contemporary understanding of the human rights and human dignity. Also the term "child" has to be replaced with the term "person" in the Law on the Social Protection of Children with Mental and Physical Disability.
- The number of beds in institutional care has to be reduced and the number of community based settings have to grow
- Committees for the assessment of children have to change: assessment can only be done by the people who have known the child for a longer time and parents should have the equal position in power as professionals.
- The practice of recruiting ethnic minorities' children to the separate schools with an adopted program<sup>30</sup> has to be stopped. This applies especially to Roma children.
- The process of de-categorisation has to be possible. If someone can acquire it, it must be possible to lose it as well.

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<sup>27</sup> [www.yhd-drustvo.si/wwwYhd/slo/index.php?id=40](http://www.yhd-drustvo.si/wwwYhd/slo/index.php?id=40), 15. 7. 2004

<sup>28</sup> Changes are usually assessed by medical doctors.

<sup>29</sup> EU Monitoring and Advocacy Program (EUMAP) in cooperation with the Mental Disability Advocacy Program. Open Society Institute, Budapest. Slovene partner: Dr. Darja Zaviršek. Results are used with the permission of the author.

<sup>30</sup> Previously known as special schools for the children with mental disability.

- An independent advocate has to be introduced that will stand for the interests of the person towards all others involved, including parents or relatives.
- Special support has to be offered to disabled youths for the transition from education to labour.
- Individualised and direct financing has to be introduced and the Law on Social Protection has to be changed to enable such measures.
- A system of personal assistance has to be introduced and it has to offer more choices for life in the community and not in institutions.
- All people regardless of their mental or physical condition should have access to paid employment and this right must be included in the new “Law on Labour Rehabilitation and Employment of Invalid Persons” that was adopted in 2004.

The same can also apply to people with mental health problems. Psychiatric diagnoses prevent them from being employed and once they are retired because of an illness, it is not possible to go back to work even if they feel capable of doing so. Different associations are also claiming that a law on community mental health is needed. It has been in the process of drafting for almost ten years now and it is still not in the parliamentary procedure. It is the responsibility of the Ministry of Health.

## **2. 7. Women and single mothers**

The statistics show that women are more at risk of poverty than men. Before social transfers in 1999, 19.7% of men and 21.3% of women were at risk of poverty. After the social transfers of 1999, 13.0 % of men and 14.0% of women were at risk of poverty. The poverty rate according to the household type in 1999 was the highest among the single persons aged 65 and over - it was 23.5%. In the second place are the households with one parent and children over 16 years of age. The poverty rate here is 19.9%.<sup>31</sup> Single women households account for slightly less than 90% of all single parent households. Single mothers are therefore the group that is most exposed to poverty. Part of the reason for their marginal position is discrimination they experience as single parents. That can be illustrated with the public discourse that developed few years ago and influenced the status of single mothers and also lesbian parents.

In the year 2000 referendum was held on the Law on Medical Treatment of Sterility and Biomedical Fertilisation.<sup>32</sup> This law included an article that specifically referred to the right of the single women to receive this treatment, which was the point opposed by many. Despite the campaign against the referendum on the rights of the minority (single women in this case), the referendum was held and single women were denied the right with the vast majority of votes. 35,6% of residents voted and 72,36% of those who voted were against the right of single women to receive this treatment<sup>33</sup>. The debate influenced the status of single women and single mothers in society. Single mothers are seen as not being proper parents and, as we will see later in the text, they are one of the most disadvantaged groups in

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<sup>31</sup> Cf. Human development report 2002/03, p. 27.

<sup>32</sup> In the old law, single women could get medical help if they had problems with sterility and wanted a child; in the changed version of the same law these kinds of treatment are meant just for married couples or couples living together for a longer time.

<sup>33</sup> [www.rvk.si](http://www.rvk.si) 23. 8. 2004



society. Some of the most controversial allegations and judgments in the debate preceding the referendum were:<sup>34</sup>

- (1) "It is ethically unacceptable and totally unnecessary to use highly specialized medicine to make a child to single women. This is because we are creating incomplete family and therefore we are moving away from the principle that states that the child has the right to the optimal family environment and this is far more important than the right of the single woman to be a parent." (Mladina, 10. 7. 2000)
- (2) "A child is not the right of a mother or a woman or a man, it is a gift to the mankind, to a married couple or to a couple which wants a child..." (Mladina, 10. 7. 2000)
- (3) "I'm asking how a single woman can know that she is sterile, if she is not living in marriage or with a man for longer time. Could you explain this to me?" (Transcription of the Parliamentary debate)<sup>35</sup>
- (4) "I'm a pediatrician and I'm the first to fight for higher fertility and for quality children. ..." (ibid.)
- (5) "The concept of the treatment of sterility is a healing process. It means that we have to find out first that the person is ill, then we have to make a diagnosis and then we start with the treatment. If we don't have information on health or illness of single women, there are no diagnostic procedures performed and medical treatment can't be involved. Being single for us, doctors, doesn't mean being ill. Therefore we don't see any reason to fertilize single women, because this is not medicine any more." (ibid.)
- (6) "It is a question if it is in the best interest of the child to be born to a single woman. After all, this is not in accordance with the basic determination of the UN Convention on the Rights of the Child, which states that the best interest of a child has to be taken into account in all decisions concerning her/him. (...) The child would be without the father from the very beginning. Other consideration is that with that amendment (fertilization of the single women, V.L.) we open a possibility for homosexual couples to have children." (Mladina, 10. 7. 2000)

These are just few quotations that illustrate the mentality, or the state of mind that prevailed in the debate and has consequences for the lives of certain groups of people, in our case at least two groups: homosexuals and single mothers. Citations are the words of MPs and doctors, meaning people that have quite a lot of power in society; one of them was a chairperson of the Committee for the Ethics in Medicine. Single mothers are the group most at risk of poverty and exclusion (Human development report 2002/03). The referendum had an impact on the status of single mothers in the society and also prevented the inclusion of the right to the artificial insemination into the new law.

Single mothers are seen as morally unacceptable and are also blamed for not being proper parents. There are some surveys, conducted mostly by medical doctors, that purport to prove that children living with single mothers are at a high risk. Such labelling influences their social and economic status and leaves the children from these families with less choice for their own life careers.

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<sup>34</sup> Leskošek V. (2000) Report on the status of women in Slovenia. Vienna: International Helsinki Federation.

<sup>35</sup> Transcription of the 5th and 7th extraordinary session of the National Assembly of Slovenia. Majda Hrženjak: Giving legitimacy to inequality. In: Petković B. (2001) *Intolerance Monitoring Group Report No. 1*. Ljubljana: Peace Institute, p. 104.

One of the most dangerous impacts of these ideologies is the one that they experience in connection with access to housing. In the Regulations of the criteria for solidarity housing<sup>36</sup> from 1992 there was a section on the so called “young families” who were granted additional points because they had less choice to buy their own flat. This measure was aimed at promoting and supporting family life among other things. Single parent families were not eligible to get them because they were not regarded as families.<sup>37</sup>

The results of a small-scale research cannot be generalised, but they provide at least partial information showing that homelessness and poverty are the biggest problems of women with children after they get divorced.<sup>38</sup> 42% of all women left all their property and possessions to their husbands and departed taking just some essential things, like school books for children, cloths and similar. 38% of women told that their financial situation deteriorated after they divorced. Problems with employment were reported by 13% of women; 35% of them were without accommodation and stayed with their parents or friends for a while.

Slovenia has not yet passed a law on violence against women. Domestic violence is the main reason for women to break the relationship. They have very poor choices when they decide to do so. They don't have easy access to housing; they can only go to a shelter or to an emergency accommodation, which usually means a room for a single parent family. In a recent seminar on violence against women the following suggestions were given:<sup>39</sup>

- A systemic law on domestic violence has to be adopted as soon as possible.
- A national program on domestic violence has to be produced with the cooperation of all involved in the problem.
- Protocols for the intervention have to be written and agreed by all involved.
- Round-the-clock intervention teams with the police units have to be created and they have to have legal ground for the intervention. Women must be members of these teams.
- The same teams have to be created inside the public social services and they have to cooperate with the police and act together.
- At least one female social worker within the public social services has to be specialised and educated for dealing with the cases of domestic violence
- A systematic and comparable system of data collection has to be established and must be obligatory for all organisations involved.
- The preventive programs on non-violence have to be introduced at all levels of education.
- Court procedures in the cases of violence have to be more effective and much faster than they are at the moment.
- The coordinated action of the community has to be planned and implemented.

## **2. 8. Children and youth**

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<sup>36</sup> Current legislation no longer includes such form of housing, but some of the criteria are still valid.

<sup>37</sup> Leskošek V. (1997), Discrimination of »unmarried«. *Mladina*, 28/29.

<sup>38</sup> Tanko, Turk (2003), Razveza zakonske zveze in kakovost urejanja posledicv občini Ribnica. Diplomaska naloga, Fakulteta za socialno delo.

<sup>39</sup> Leskošek V., Boškić R. (2004) Slovene National Report on Sheltering Services for Women Victims of Domestic Violence. Lisbon: CESIS

15.3% of all unemployed are youths and the majority of them are waiting for their first employment.<sup>40</sup> There is a gender difference; the share of young women is higher than the share of young men. Because of the lack of education and vocational training, many of them turn into the long-term unemployed. The most critical group is the one that experiences the “second generation” deprivation. These are youths that live in the families where one or both parents are long term unemployed. They grow up in poverty, which is a situation that influences the choice of education and employment available to them. They should be given special attention and support.

There are also insufficient job opportunities for low educated people, especially youths. Paid work provides safety and comfort and gives opportunities for proper accommodation, and once people reach that stage they more easily return to education. There are some very good models of short-term vocational training in some European countries, for example in Finland, Netherlands and elsewhere.<sup>41</sup> The employment market is now too narrow and does not allow much choice for people without education.

The protection of children from being mistreated by their parents is insufficient. Children that experience domestic violence experience the same types of deprivation as their mothers. They live in poor housing, usually shelters, or they experience hidden homelessness. They also live in poverty and exclusion. It should be recognised that for the single mothers the struggle for survival is much harder than for the families with two parents; therefore, special attention should be paid to them. This refers especially to housing, employment, childcare and social assistance. Children and adolescents from single parent families should get support for education.

Special attention should be paid to ethnic minorities and asylum seekers’ children. There were cases in Ljubljana when parents did not allow their children to visit the same class in a primary school attended by ethnic minorities’ children. Some schools are therefore “ethnically clean” schools. There has been no research done on the discrimination against ethnic minorities’ children in education, but there were some articles dealing with the issue (Zaviršek, Škerjanc 2000).

The childcare system is still of high quality with a broad network of easily accessible kindergartens that are subsidised for parents with low income. There is certain pressure on the mothers to leave their jobs and stay at home. The public construction of motherhood differentiates between the good and bad mothers and it contributes to the domestification of women.

## **2. 9. Asylum seekers, migrants, people without papers**

Slovenia experienced a wave of illegal migrants a few years ago. Before that there were nearly 60,000 refugees from the Balkan wars in Slovenia, and the number of asylum seekers and people without papers has been increasing recently. Many of them do not want to stay in the country because Slovenia is not economically developed enough to be attractive for migrants. Slovenia first created asylum policy in 1995 and adopted the Law on Asylum in 1999 (Official Gazette RS, 61-291/1999). From 1995 till 2003 there were 13655 requests

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<sup>40</sup> *Joint memorandum on social inclusion of Slovenia*. Brussels, 18 December 2003.

<sup>41</sup> Jobs like motorbikes or bicycles repair and similar.

for the asylum and just 74 were solved positively<sup>42</sup>. In the year 2002 there were 6926 people persecuted because of crossing the border illegally and in 2003 there were 5018 such cases<sup>43</sup>. There is no data how many of them are still living in the country.

The attitude towards all three groups is the same as in the case of the erased residents. There were different civil initiatives that were fighting against all three groups. There were suggestions to “close” the border, to immediately return them to their countries of origins; they were accused of being criminals, and even the term “cultural pollution” was used.<sup>44</sup> There were several research studies on the lives of those people and on how they were treated by the state. Some of these research studies have been published; round tables were organised and there were some protests to protect human rights of the asylum seekers and people without papers.

Through the negative attitude towards the “other,” the ideology of separation between autochthonous residents and newcomers was strengthened. Around one third of Slovenians<sup>45</sup> support separation policies and build their identity on this separation and exclusion of the other.<sup>46</sup> The “other” in our case does not apply just to foreigners in the geographical sense of the word, but to everything that is foreign to the prevailing cultural patterns. Therefore, the targets are also Slovenians that do not fit into the moral pattern of right and wrong. In our case these groups are single mothers, Roma, homosexuals, ethnic minorities as well as the homeless people and the poor.<sup>47</sup> The circle of excluded groups is becoming broader in proportion with the strengthening of the notion of what it means to be a proper Slovenian. Because of such an attitude, the state should pay special attention to the inclusion of migrants, asylum seekers and people without papers.

It is important to regulate legal status and the rights of immigrants. This should comprise measures aimed at regulating their residence permits, securing of equal opportunities and legal protection against discrimination, clear definition of the procedure and possibilities of acquiring citizenship. This should enable immigrants to feel safe in a new country. Employment is one of the main elements of integration, since it enables economic independence and creates more possibilities for interaction with members of the majority society. In addition, ensuring adequate housing for immigrants, meaning non-discriminatory access to apartments, is another area that should be regulated by integration policy. Integration policy must also ensure non-discriminatory access to medical services. Similarly, integration policy should enable immigrants to preserve and develop their own cultural, religious and linguistic identity (Bešter in Pajnik, Zimic 2003: 262).

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<sup>42</sup> [www.sigov.si/mnz/si/13334.php](http://www.sigov.si/mnz/si/13334.php) 23. 8. 2004

<sup>43</sup> [www.policija.si](http://www.policija.si) 23. 8. 2004

<sup>44</sup> Detention centre for people without papers was named »Centre for the removal of foreigners«.

<sup>45</sup> This is the percentage of people that voted against the rights of the erased residents at the referendum. See pg. 5

<sup>46</sup> Migrations are linked to borders, identity, human rights, as well as to the issues such as nation, state, ethnicity, and culture, but also to increasing limitations, restrictive and exclusion policies, racism and xenophobia. (Pajnik, Zimic 2003: 171)

<sup>47</sup> In Slovenia there is also a small community of black people. The first racist attack happened in 1994 and was followed by many more. All attacks were carried out by skinheads and none of the perpetrators was legally prosecuted or sentenced. The attacks were treated as ordinary fights between two equal groups. One of the judges stated: “Such attacks happen all over Europe. It is nothing unusual, we have to get used to them”, and she found skinheads not guilty (Jana, 24. 7. 2001, p. 7).

## 2. 10. Housing

In 2001/02, the Faculty of Social Sciences, Department for Research of Social Welfare, and the Urban Planning Institute conducted the survey “Housing policy – generating or mitigating social problems” for the municipality of Ljubljana. They did the comparison between the NGOs definition of vulnerable groups regarding their need for adequate housing, and ones that are defined in different governmental documents. NGOs definition is the following (Boškić, Filipović 2002):

- Ill people, people with mental health problems.
- Homeless people.
- Unemployed people or with an unemployed family member.
- Single parent families.
- Disabled people or families with a disabled member.
- People without citizenship, without papers, without permanent residence permit, ethnic minorities.
- Young families.
- Some groups of youth.
- Pregnant single women.
- The poor without income or with low income.
- Single people.
- Single elderly retired people.
- Convicts after they come from prison.
- Women who are experiencing violence and abuse.
- Single mothers after they divorce.
- People on drugs.

The most vulnerable are ethnic minorities, the poor, single parent families, elderly, women victims of violence, disabled people and people with mental health problems.

Various governmental documents define as vulnerable the following groups:

- People who are ill.
- Families with fewer members employed.
- Families with more than three children.
- Families and individuals with low income.
- Citizens that were homeless for longer time.
- Single parent families.
- Households in rent accommodation.
- Households with low education.
- Disabled people and families with a disabled member.
- People with special needs because of a mental disability.
- Young families and young people
- Youth.
- People with low education.
- Drug addicts.
- Elderly people.
- Children and youths.
- Women and children who are victims of violence
- Citizens with many years of service who do not have an apartment or are tenants.

The governmental documents didn't recognise the following groups that need to be included:

- Ethnic minorities.
- Women after they divorce.
- People living in rented accommodation.
- Pregnant women.
- Prisoners who returned from prisons.

They also insufficiently<sup>48</sup> recognised the needs of single people with low income or receiving social assistance, single parent families, poor families or families with an income just above the threshold limit qualifying them for social assistance, homeless people and people with mental health problems. The main reasons for housing problems are:

- Evictions.
- Privatisation and the lack of legal protection from the new owners.
- Problems with paying rent because of low income<sup>49</sup>.
- Landlords abusing tenants.
- Generational conflict when living in the same or a too small apartment etc.

The research also showed that all the vulnerable groups have very weak access to proper housing. New housing capacities are very low; almost all are built for profit and for owners. People who can't buy a flat or rent it on the market virtually have no chance of obtaining it. Therefore a special attention to that issue has to be paid because, as we know, housing is a basic condition for decent and human life. It gives people safety and security; it is the basis or the starting point for the fulfilment of other human needs.<sup>50</sup>

## 2. 11. Health

There are four leading causes of deaths in Slovenia: neoplasms, cardiovascular diseases, physical injuries and respiratory diseases. Slovenia also has one of the highest suicide rates among European countries. Over the last thirty years, the number of suicides per 100,000 people has oscillated around 30. Males are 3.5 times more likely than females to commit suicide. The suicide rate is higher in the regions with higher unemployment. There is also less trust in medical services than a decade ago. The satisfaction with medical service was the highest in 1981 and then declined. Uncertainty increases with education. There is a 53% level of trust among people with only basic education, and merely 39 % among people with the university degree (Human development report "2002/03: 60-64).

The health system enormously changed during the last decade. From the public health system we came to the mixed private-public system that is still "in transition." There are two types of health insurance: one is compulsory and goes directly from the salary and the other part is voluntary and is paid separately. There is no clear information for the general public what is covered from the compulsory part and what from the voluntary. Sometimes there are additional payments needed for the services or for medications. People that are

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<sup>48</sup> These groups were mentioned just in one governmental document.

<sup>49</sup> Problems with paying rent and the lack of housing and shelters will be addressed by the implementation of the new Housing act.

<sup>50</sup> Mandič S. (ed.)(1999), *Housing Rights: Homelessness and other housing risks of the vulnerable groups*. Ljubljana: VSSD.

unemployed are insured as individuals in the municipality where they have permanent residence but only if they have Slovenian citizenship. Foreigners must have permanent residence and they have to be employed to get the right to health care. They can't insure themselves in the case of unemployment.

In 2002, a special medical service was opened in Ljubljana for the persons without medical insurance. In the year 2003 there were 8,101 visits of the service, among them 32 pregnant women (Ljubljana has 270,000 inhabitants). This is a very serious sign for the state to start questioning the health care system. Careful analyses should be done to answer the basic questions of why all these people do not have medical insurance, why they are not involved in the regular medical services and how to include them in the system? It is also necessary to know how many people are excluded from the health system in the rest of the country.

The second most critical point of the medical system is long waiting lists for different services. People have to wait for years for the treatments. In an article published in the daily newspaper Delo (21. 7. 2004: 2) we can read about the long waiting list for children that need to examine their sight. In one of the health centres in Ljubljana, children have to wait until 2005, and new patients will not be accepted before September 2004. The advice given to parents was that they should visit the private optician and pay for the service. We can read such stories almost every week.

## **2. 12. Education**

The education system in Slovenia was one of the few, compared to the past, which did not change fundamentally as regards access to education. All the basic rights to education have been preserved although some of these were slightly changed in the last ten years. But the school system itself went through major changes. In July 2004 the Ministry of Education, Science and Sport introduced a new program on the integration of Roma that was promoted in collaboration with the Association of Roma.

There are several problems that need further examination:

1. Several research projects on drop-out in education are currently underway. The results are still not available, but drop out is a recognised problem that influences the future life careers of youths.
2. Not enough is known about the accessibility of education for the inhabitants of rural areas and for ethnic minorities.
3. The third issue that should be more carefully examined is the case of students that have to pay for their study. In Slovenia university education is free of charge for all who have reached certain number of points in the secondary schools. The students that are not in this quota have to pay for the study. Head of the University of Ljubljana, Prof. Dr. Mencinger, strongly opposes such a system and argues that it is unjust. In his opinion the paying students come from poorer environments and have fewer chances than the ones that are included in the regular study. His claims must be researched and system changed if found wrong.

Also, anti-discrimination policy has to be adopted, implemented and monitored.

## **2. 13. Employment, precarious work**

In 2000-2002 registered unemployment began to grow and employment fell in line with the slowing economic growth. In 2002, employment growth slowed down significantly, while falls in unemployment practically came to a halt. The main problems are (Human development report 2002/03: 17,18):

- structural unemployment reflected in long-term unemployment,
- the high proportion of unskilled unemployment and
- the unfavourable age structure of jobless people.

There are also significant regional differences. Eastern parts of Slovenia have a higher unemployment rate than western parts; Zasavje has an above-average youth unemployment; Dolenjska has an above-average share of unskilled unemployment and Gorenjska of those aged 40 and over. The above-average unemployment rate is typical of the regions that used to be important industrial and mining centres.

Regions with higher unemployment rates are also the ones with the highest poverty rate. Eastern parts of Slovenia and some parts in the southeast of the country are the poorest parts. There is no data on regional income inequality, while in general inequality in wage distribution increased in the private sector. There is a rapid rise in high wages determined by individual contracts and the difference between the lowest and the highest wages is growing (ibid.: 20).

One result of the unemployment and poverty is undeclared work with direct payment in cash. The Slovenian government treats such labour as “grey economy” but there is a new term in use that reflects the awareness of the nature of such work and it is “precarious work”. Precarious work refers to the working conditions that are abusive, unsafe, dangerous, not respecting safety regulations, hidden (servants and cleaners at private homes), low paid or without payment, often humiliating etc. All the groups of people living in poverty are exposed to such work, but the most vulnerable are people without papers, migrants and asylum seekers, single mothers, women and families without any employed member. There is no research done on precarious work in Slovenia, it is even not a discussed concept. The main focus is still on discovering and penalising people that participate in grey economy.

## **2. 14. Social Inequalities**

One of the most significant features of the transition in Slovenia was social stratification and an increase in social inequalities. At least three processes had the major influence on stratification: denationalisation, privatisation and increasing intolerance. While the first two processes caused inequality, the third strengthened it and legitimised it (Dragoš, Leskošek 2003). The distribution of income in 1983 was very different from that in 1997-1999.



Table 1. The effect of denationalisation on the increasing income inequality

Decile	Income 1983		Income 1993		Income 1997-1999	
	from employment	in kind	from employment	in kind	from employment	in kind
10% poorest	2.2	2.2	1.9	1.4	1.8	0.3
10% reachest	17.5	17.6	21.2	67.6	21.3	62.5

Source: Silva Čeh: The decade of stratification. Delo, 5 June, 2001: 16.

In 1998, 60% of total household income in Slovenia was generated by employment, 6% by self-employment, 25% came from pensions, and 6% from social benefits. The share of social benefits increased by 1.5 percentage points from 1993. The income position of households with unemployed members worsened between 1993 and 1998 and the same happened to the families with children up to 18 years of age (Human development report 2002/03: 30).

Although social transfers have significant impact on the lowering of social inequality, the monthly sum of social assistance is still below the at-risk-of-poverty rate. For the single member household where the person is unemployed, social assistance is the only source of income. The person also has the right to subsidised accommodation rent, but the rest of expenses has to be paid from social assistance. With the changes in housing policy, the accommodation expenses are much higher than before together with other expenses that are higher. Although a lot of research has been done on poverty and inequality in Slovenia,<sup>51</sup> there is a lack of research that would go beyond the statistics on poverty. We do not know anything about the actual living of the poor or their strategies for surviving, about the impact of poverty on education etc. Such research would contribute to more adequate strategies on inclusion. Different NGOs<sup>52</sup> report a growing number of poor people who use different programs of aid and support from the NGOs. An increasing number of children are involved in different free of charge activities during the summer holidays. The problem that was not enough emphasised in this report and also needs special attention concerns people from the rural parts of the country. There are reports on very weak access to important resources like health care, social security, education etc.

Another problem that also needs more attention is overall very weak access to resources. The problem partly arises from the serious cuts in public transport. Many bus routes were closed and there was a huge reduction in the number of trains, so some parts of the country are not any more covered by public transport. People have problems getting to work or to school, especially those that work and attend evening or weekend classes. There are villages and communities in which the only grocery shop was closed and there are no shops kilometres around. This makes the lives of people very difficult and also minimizes their opportunities. The functional illiteracy rate is very high, among the highest in the EU. It means that people in rural areas do not have any access to the outside world because they do not know how to find information and they do not use the electronic media. Accessibility is the issue that certainly needs further investigation.

<sup>51</sup> The main research study was done by Tine Stanovnik and Nada Stropnik from the Faculty of the Economics. Their research is the main source for most of the governmental documents on the issue of poverty and inequality.

<sup>52</sup> Annual reports of the Red Cross, Caritas and the Association of the Friends of the Youth.

## Conclusions

There are some other groups that experience poverty and exclusion and are not included in the report as a separate social category. Groups listed above are included in various reports either on exclusion or on discrimination, which is an important generator of exclusion. The most important reports are Ombudsman Reports for the years 1997 to 2003 and Human Development Reports for the years 1998 to 2003. There are some research studies on excluded groups that include other categories like ex-prisoners<sup>53</sup>, drug and alcohol users and various low-income groups. Homelessness is not discussed separately but could be found in almost all categories, especially single mothers, migrants, Roma and low-income groups.

Final suggestions for inclusion:

1. Anti-discrimination policy should be part of the inclusion action plan, because stereotypes, prejudices, hatred and different “isms” are the bases of the exclusion.
2. Basic values of the welfare state should be reconsidered. Equality, social justice, solidarity, human dignity and full participation in society should be the leading values.
3. Universal public services should be promoted. Basic principles of their work should be accessibility (physical and social), appropriateness (respond to what people need and not to what professionals in the organisations can offer), affordability and accountability to users.
4. Legislation that enforces inclusion should be adopted. Laws on Roma, anti-discrimination and domestic violence are just few among the many pieces of legislation needed. Also the existing legislation should be revised to ensure already mentioned basic principles and values.
5. Research that focuses on discovering and deconstructing mechanisms that prevent good practice and quality of the services should be a priority. Also evaluation research should be promoted to measure the impact of changes; to do this, indicators for poverty and social exclusion should be developed. Research on poverty should go beyond the statistic and look at the lives of the poor focusing especially on opportunities, rights and impacts of deprivation.
6. Special attention should be paid to people that are excluded from all three spheres of the welfare triangle - state, civil society and market - because they experience extreme exclusion. They should get immediate attention and should be treated with great respect (people without papers, ethnic minorities etc.).
7. Inclusion can not be just a matter of one document, because exclusion is a consequence of the “state of mind, prevailing mentality” that influences policies and through them the everyday lives of people. Therefore, it must be incorporated into all other policies, it has to become “the law” behind each governmental step. The same is true for Parliament. It must not be possible any longer that exclusion is actually generated in the highest body of the state.
8. The term “just society” has to be reconsidered and systematically implemented. Neo-liberal economy that considers the market as the only form of democracy has no place if the commitment to the welfare state is to be respected. Welfare state is a constitutional category in Slovenia.

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<sup>53</sup> Prisoners were recently erased from the right to pension and disability insurance even though they are employed in prisons for full working time. Although they don't receive normal wages, they were at least insured, because this was recognised as the right that minimises exclusion after they served their sentences. Cf. Kavar V. A. (2004) »Izbrisani« zaporniki. Socialno delo, let. 43, št. 2-3, str. 61.

### III. PREPARATION PROCESS OF THE NAP/incl SLOVENIA

Slovenia submitted and signed the Joint Inclusion Memorandum in December 2003 and at the beginning of the year 2004 the European Commission called on new member states to submit their action plan on social inclusion by 31<sup>st</sup> July 2004. The preparation time was short, it had to be completed in six months. Therefore a working group was created comprising 33 members, most of them coming from different ministries:<sup>54</sup>

1. 8 from the Ministry of Labour, Family and Social Affairs that were in charge for the coordination
2. 1 from the Ministry of the Environment, Spatial Planning and Energy
3. 1 from the Ministry of Finance
4. 1 from the Ministry of the Information Society
5. 1 from the Ministry for the Interior
6. 1 from the Ministry of Culture
7. 1 from the Ministry of Justice
8. 1 from the Ministry of Health
9. 1 from the Ministry of Agriculture, Forestry and Food

Different governmental organisations were represented:

1. Office for the European Affairs
2. Office for the Structural Policies and Regional Development
3. Office for Nationalities
4. Institute for Macroeconomic Analyses and Development
5. The National Education Institute
6. Social Protection Institute (Ministry of Labour, Family and Social Affairs)
7. Office for Equal Opportunities
8. Statistical Office

Different associations were also members:

1. 2 members from trade unions (Free trade Unions, Confederation of Trade Unions)
2. 3 members from employers organizations (Chamber of Commerce and Industry, Chamber of Craft, Association of Employers of the Craft)
3. Association of the State Social Services
4. Association of the Municipalities
5. Social Chamber
6. Centre of the Non-governmental Organisations

Five other representatives of different organisations participated:

1. 1 from Social service Ljubljana Moste-Polje
2. 1 from and NGO Vir Celje
3. 2 from the Ministry of Health
4. 1 from The Association of the Working Invalids

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<sup>54</sup> Report of the Ministry of Labour, Family and Social Affairs on the preparation process.

The working group held three meetings and also organised a seminar aimed to obtain comments and to present good practices. They used electronic media channels for regular communication. The main source for the NAP/incl was a research project entitled “Social and Economic Inclusion of the Vulnerable Groups in Slovenia – possible measures for the raise in employment of the most vulnerable categories of people with severe difficulties in employment and inactive persons”<sup>55</sup>. Research was done by the Faculty of Social Sciences.

Because of the timing for this report (July when most of the people are already on holidays) and because of the time shortage (the report had to be completed in less than three weeks), it was not possible to collect data on the participation of all involved in the final document. Because the group is quite large and a lot of different bodies and organisations are involved, it would be interesting to know who participated and especially whether the participants had enough powers to commit their ministry or other organisation to the NAP/incl. It was also not possible to receive the documentation on the whole process from the Ministry of Labour, Family and Social Affairs that coordinated the work. They provided the Peace Institute with 5 page report on their work, with addresses of the members of the working group and with the list of participants at the seminar.

Because we can not say anything else on the group that was involved, we can say something on those that were not involved. From the list of the invited organisations to the seminar we can see that there were no groups or the representatives of the people that are seriously excluded. There were no Roma Associations invited; the Association of the Erased Residents was not on the list, and neither were gay and lesbian organisations. There were no representatives of the asylum seekers, migrants, and people without the papers. No one from the shelters for the homeless people was invited, nor anyone from women’s organisations. There were no representatives of the organisations from the rural parts of the country.

At the seminar there were no representatives from the Ministry of Environment, Spatial Planning and Energy, The Ministry of Agriculture, Forestry and Food, the Ministry of Education, Science and Sport (one that is among those most important for social inclusion).

### **3. 1. Joint Inclusion Memorandum (JIM)**

JIM Slovenia is a document that offers good grounds for further developments and also provides good overview of existing situation. At the same time it recognises some weaknesses mainly in data collection and research that would offer better picture of the social situation in the country. Document emphasises similar economic trends as in the other EU countries and better comparing with ten new member states. In 2000, a total of 26.6% of GDP was allocated for ensuring social protection, what is slightly less than EU-15 (27.3% in 2000). The level of poverty is lower than EU-15 average and much lower than in new member states. The unemployment rate is also lower than in EU-15, but there are gender differences, the rate of unemployed women is higher than in EU-15<sup>56</sup>. The main problems concerning labour market are:

- gender unemployment rate

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<sup>55</sup> English version of the research is accessible at the internet address [www.mdds.si](http://www.mdds.si)

<sup>56</sup> See JIM Slovenia, pg. 5,6

- youth unemployment where again the rate of unemployed young women is higher than young men
- long-term unemployment
- low education level of unemployed
- unemployment of disabled persons
- regional differences
- low employment rate of older persons, age 55-64
- unemployment of Roma

Nothing is said about precarious work that is still understood as a “grey economy”.

There are also regional differences in demographic trends regarding life expectancy and mortality. Eastern part of the country is underdeveloped comparing to the western part. There is not enough emphasis on health, especially on the access to health care in the rural parts of the country. There is no data available, although there are some indications of the weak access mainly because of insufficiently regulated privatisation of the health services.

Insufficient access to education at secondary and tertiary level is recognised. There is a very low level of functional literacy which is a consequence of the low level of lifelong learning and also of the high percentage of youth with just primary education. Dropout rate is still high although it is decreasing. There is a characteristically high dropout rate among first year pupils at the secondary level education.

Housing is one of the most critical areas. There is a serious shortfall in non-profit housing while social (solidarity) housing no longer exists according to the new legislation. There is also a lack of emergency and temporary accommodation, proper dwellings for disabled people, the housing conditions of Roma are considerably worse than for the rest of population. No data is available on the number of the homeless persons.

As the most vulnerable are recognised disabled, homeless, Roma and people with low income. Other groups mentioned in the JIM are victims of violence, people with mental health problems, addicts, persons in post-penal treatment and people without work permit. There is also recognition of the lack of the research and data that will give the grounds for proper planning and for the adequate programs to reduce the level of exclusion of these groups from the society<sup>57</sup>.

The key challenges in the document are the following:

- developing an inclusive labour market and promoting employment as a right and opportunity for all
- tackling educational disadvantages
- ensuring good accommodation for all
- reduction in regional disparities
- improving delivery of services
- guaranteeing an adequate income and resources to live in human dignity

Regarding previous writing the key challenges should also be:

- improving accessibility

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<sup>57</sup> See JIM Slovenia, pg. 15

- reducing gender differences
- incorporating values of social justice, equality and solidarity into the policy
- improving cooperation and coordination of the state sectors and bodies
- improving commitment to the well-being of all people that lives in the country
- reducing discrimination and ensuring humanity and dignity to all people in the country

There is also insufficient recognition of the status of some disadvantage groups of people like homosexuals (GLTB), women and single mothers, migrants, asylum seekers, people without papers and older people.

The last part of the document on the policy issues is mainly the overview of the existing policy measures and programs that were already introduced to enable inclusion. The most extended part is on the employment. The key priorities for the future are special social inclusion programs to respond to the needs of the persons most difficult to employ. Key priorities are:

- Social workplaces (economic activity in a sheltered environment)
- Action employment programme for unemployed Roma

None of these programs have yet been introduced.

Social economy is reduced to sheltered companies for the people with disabilities but there is the intention of the government to adopt the concept also to other vulnerable groups, like people with mental health problems, addicts, victims of violence, ex-prisoners and homeless. There is no explanation why these groups are recognised as the ones that need to be employed in sheltered companies. Being victim of violence doesn't necessarily mean the need for the special employment scheme although they need special attention.

Main challenges for the education are dropout and lifelong learning, but there are no particular measures that will ensure the implementation of such policy. There are some efforts to enable lifelong learning mainly on the non-formal level to gain knowledge needed to improve quality of life, increase the level of information and raise the cultural level of the majority of population.

Not enough attention is paid to health and housing although these two areas are most critical regarding accessibility. The problem is recognised in the JIM but there is insufficient attention paid to implementation and monitoring of the policy that is under the responsibility of the Ministry of Health. Also the access to housing is very weak what is also stated in the first chapter of the JIM. The National Housing Program was adopted in the Parliament in 2000 but there are no results publicly known. There are no plans how to encourage its implementation.

The strongest comments to the JIM came from the Association for the Theory and Culture of Handicap. They are promoting and developing program of the independent living. They are claiming that there is insufficient support of the government to the concept that will enable them for better participation in the society. No measures to encourage independent living of disabled persons can be found in the document. The government is preparing the Equal Opportunities for Persons with Disability Act that will "define the right to non-discrimination, recognise the right to special services and benefits and define the regulations for disability-related measures and thus create the conditions for the equality of opportunity

between disabled and non-disabled person”.<sup>58</sup> There are no plans for the implementation of the act yet.

Roma are also recognised as the minority that is excluded from the society. The government created and adopted different policies through the years. The main is the 1995 Program of Measures for the Assistance of Roma that is also the main policy paper for the JIM. Although there were no significant improvements in the situation of Roma and the current attitude towards them shows further trends of exclusion, there are no reviews of the 1995 policy. The only goal mentioned in the JIM is monitoring the consistent implementation of the program. It is not known how the implementation is monitored and what are the indicators of the effectiveness and efficiency.

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Despite some open questions and uncovered issues that should be challenged in the document it offers sufficient grounds for the NAP/incl. especially because it means to go beyond the problems recognised in JIM. NAP is therefore the opportunity for the operationalisation of the goals and policy measures that will enable inclusion but only if it is ambitious enough to cause the social change. In that sense JIM is the first step in building appropriate and responsive policy and we can assess it as modest but good enough for the basic document.

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<sup>58</sup> See JIM Slovenia, pg. 36

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