



**National Report from the Republic of Slovenia
for EMN study on**

Immigration of International Students to the EU

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Felicita Medved

The Novum Institute

Executive Summary

The aim of the study is to provide an overview of immigration policies and other related policies that are being implemented by the Republic of Slovenia regarding international students. I hope the study will help to upgrade policies and practices relating to immigration of international students to Slovenia and to the review of national policies in this area across the EU and hopefully to further contextualisation of national policies and practices within the EU framework.

After methodology and definition of terms used, the study gives a brief overview of the structure of the tertiary education system. Currently the system comprises the higher vocational college education (short-cycle, sub-degree level, *ISCED 5B*) and higher academic and professional education (first and second cycle *ISCED 5A* and third cycle *ISCED 6*). The system has an interconnected twin-track structure, which is guided by separate legislation and is under the responsibility of the Ministry of Education, Science, Culture and Sport. European Credit Transfer and Accumulation System (ECTS), Diploma Supplement in the Slovenian language and in one of the official EU languages, accredited programmes and system of quality are founded in the entirety of tertiary education. The language of instruction is Slovenian. Under certain conditions, partial or entire study programmes are offered in another language. Though learning Slovenian language is to be facilitated for international students, higher education institutions do not offer these courses. Access for international students is defined by general and specific requirements set by the law and depending on the curricula. Whether requirements are met is decided by the competent body of higher education institution. The number of study places is limited; for students from non EU countries the number is set additionally to the annual quota for Slovenian students (including EU students and third-country nationals permanently residing in the country) and must not exceed 10 % of full-time study places where at least a half of those is for Slovenians without Slovenian citizenship or 50 % of part-time study places for individual study programme. The situation for non-EU students also depends on the existence of bilateral agreements.

Policy framework regarding international students is set in different policy areas. Strategy on economic migration 2010-2020 provides guidance, policies and measures for, *inter alia*, employment of highly skilled migrants and admission and mobility of students and researchers, for reduction of the risk of brain drain and for strengthening relations with third countries of origin of migrants. The document emphasises the importance of horizontal directions, i.e. integration of migration issues in foreign and international development co-operation policies, promotion of Slovenia as an attractive country of immigration and simplification of procedures for obtaining work and/or residence permits. Basic goals of the Slovenian higher education area, as defined by The National Higher Education Programme 2011–2020, are quality and excellence, diversity and accessibility with supporting instruments of internationalisation, diversification, study structures and funding of higher education. The goal of the Slovenian higher education is to become an integral part of the global higher education space by 2020. Internationalisation is a key to development of higher education while at present the attraction of the Slovenian higher education area is at an extremely low level. By 2020, all higher education institutions will prepare a set of study programmes to be offered to foreign students in foreign languages, with a priority on post-graduate study programmes; the proportion of foreign nationals will increase to at least 10 % in the overall population of students. Slovenia will become an example of good practice in the area of regional mobility (the Western Balkans) and will establish a special scholarship fund for the promotion of inbound mobility of students, teachers and researchers from priority regions and countries.

To increase attractiveness of the Slovenian higher education area quality assurance of higher education institutions and study programmes has been reinforced by the Slovenian Quality Assurance Agency established in 2010 and while the recognition of education remains entrusted to higher education institutions, the 2011 Act authorises the national information centre ENIC-NARIC, for evaluation of education issued as an opinion of informative and advisory nature.

Types of scholarships and incentives for education are targeted at specific groups of international students, geographical areas or specific countries with an orientation towards postgraduate programmes and certain research disciplines and can be grouped into several sets given their strategic direction: (i) in terms of attracting prospective staff and increase human resources in relation to labour demands grants

for doctoral and postdoctoral studies in science, engineering and medicine are announced since 2003 (by the Slovene Human Resources Development and Scholarship Fund). There are also other incentives in connection with research training (Young researchers programme as a scientific policy instrument of the Slovene Research Agency - ARRS) and a new Innovative scheme for co funding doctoral studies promoting cooperation with the economy and solve current social challenges - the generation of 2011 (Universities); (ii) in terms of preservation and promotion of Slovenian culture and language among Slovenians abroad scholarships for entire undergraduate studies in Slovenia (with an additional enrolment quota); (iii) in accordance with the priorities of Slovenian foreign, economic and strategic policy and international development cooperation policy as well as the historical links and traditional forms of cooperation there is orientation to the region of the Western Balkans. In addition to scholarships for various forms of education, *inter alia*, within the framework of bilateral agreements, activities also aim to strengthen cooperation or assistance in the education system reforms well as the processes of stabilisation and the EU accession; (iv) in terms of strengthening links with neighbouring countries, Slovenia is a participating state in the regional mobility partnership and provides CEEPUS scholarships under the multilateral Agreement concerning the Central European Exchange Programme for University Studies contributes to efforts for free movement and residence of individuals; (v) in the context of international development cooperation there scholarships for candidates from target countries: accordingly to identified thematic priorities and assessed effectiveness of investment in potential (Cape Verde); in conjunction with the strategic and political reasons (Egypt, Tunisia) and also connected to economic, cultural and scientific reasons in the framework of in the framework of bilateral programmes (Russia, China, Mexico). At the same time Slovenian scholarship policy through legal changes concerning exercise of rights to public funds has closed or rather cancelled access to state scholarships for EU/EEA students and third-country nationals residing in Slovenia, who are 'foreign students' by UNESCO / OECD definition.

The 2011 Aliens Act enables the issuance of a temporary residence permit for study purposes or a long-stay residence visa (visa D) which has to be obtained before entering Slovenia for the period of the study but no longer than one year and may be extended in the country under the same conditions. The provisions of the Council Directive 2004/114/EC relating to students are applied, but the Act does not explicitly mention the obligation of granting a residence permit in accordance with Article 12 (1). Personal appearance in the application process in consulates causes some problems, particularly where the consular network is thin. Students do not benefit from consular services from other EU Member States. Applications for temporary residence permit for study purposes have a priority; however there is no fast-track admission procedure upon an agreement concluded between the competent state authority and an establishment of higher education. Slovenia does not provide for residence permits before the formal start of the study for learning the Slovenian language, unless so specified by bilateral agreements. International students can perform student work; as persons with student status they are not eligible to pursue economic activities as self-employed persons. Family members do not have any advantages that would differ from those that apply to third-country nationals with temporary residence permit. There is no evidence that would support misuse of the student 'route' to migration. After completion of studies students may change their immigration status. Only a handful though gets employed or self-employed.

Bilateral cooperation is important and there is a trend towards regional multilateral cooperation in the framework of CEEPUS. The development of trans-national education through EU instruments - Erasmus Mundus – indicates that globalisation of the Slovenian higher education is just at its beginnings.

For the Slovenian higher education to go global it would be wise to invest more into policy dialogue to develop a clear external policy with branding entire Slovenian higher education system rather than encouraging competitive character of universities in their international activities which would seek an extra income in view of declining student population and public financial means. Internationalisation of education has received general support from the public authorities and additional financial recourses are to be allocated to the implementing instruments. The future internationalisation of Slovenian education will in many ways depend on the ability and equipment of both the state and educational institutions to find equilibrium between their desire of becoming an integral part of global education and the roles they represent and perform in the protection of values, particularly the language, as traditional Slovenian institutions.

1 INTRODUCTION

The aim of the study is to provide an overview of immigration policies and other related policies that are being implemented by the Republic of Slovenia regarding international students, with a view to assisting policymakers and practitioners to achieve a balance between actively attracting international students for the purposes of study, and preventing the misuse of international student routes to migration. Other organisations could also benefit from this study. This particularly concerns educational institutions and other stakeholders involved in the issues of migration, education and development, students, researchers and any other members of wider public with an interest in these fields. I hope the study will help to upgrade a number of policies relating to immigration of international students into Slovenia. At the EU level, the study seeks to contribute to the review of national policies in this area across the EU and hopefully to further contextualisation of national policies and practices within the EU framework¹.

1.1 Methodology

This study is a national report and has been conducted as a part of the European Migration Network (EMN) Work Programme 2012 according to the *Study Specifications* from the 20th March 2012 (European Migration Network, *Immigration of International Students to the EU, Study Specifications*, Final Version: 20th March 2012)².

In line with all other EMN studies, this study was undertaken principally through secondary, desk-based research³. For a review of the national education system and policies in relation to international students and trans-national cooperation, policy acts, laws and implementing regulations that govern or affect immigration of international students have been researched. Some publications and websites of the competent institutions in the area also served as a source of information. Relevant documents and EU legislation have been examined as well as the studies cited in the *Study Specifications* and a selection of Slovenian academic and media contributions of the interest to this research. In addition, as permitted by the *Study Specifications* on an optional basis, a short survey was sent out to selected Slovenian state bodies and universities and a series of interviews was performed with people who are in practice faced with various aspects of immigration and/or exchange of international students. In this way the information that is not routinely available was gathered and contributed substantially to the process of creation and the outcome of this study.

A number of institutions provided data and information as well as their considerations which contributed to the process of the creation and the outcome of this study, mainly: Ministry of the Interior, Ministry of Foreign Affairs and Ministry of Labour, Family and Social Affairs, Centre of the Republic of Slovenia for Mobility and European Educational and Training Programmes (CMEPIUS), Slovene Human Resources Development and Scholarship Fund, Eurydice Unit Slovenia, ENIC-NARIC national information centre, Slovenian Research Agency (ARRS), Employment Service of Slovenia, Rector of the University of Ljubljana and Heads of international departments and other colleagues of four Slovenian universities: University of Ljubljana, University of Maribor, University of Primorska and University of Nova Gorica. Some other authorities at the Ministry of Economic Development and Technology and the Ministry of Education, Science, Culture and Sport as well as some single higher education institutions, Student Organisation of Slovenia and certain individuals have also been contacted. Regretfully, some did not respond.

¹ *This study is written both in English and Slovenian. Texts are not proofread.*

² European Commission, Directorate -General Home Affairs, Directorate B: Immigration and Asylum, Unit B1: Immigration and Integration, MIGRAPOL, European Migration Network, Doc 255.

³ The author of this study wrote two EMN studies in 2010: *Satisfying Labour Demand through Migration in Slovenia*, Ljubljana: The Novum Institute, May 2010 and *Temporary and Circular Migration*, Ljubljana: The Novum Institute, October 2012.

Due to data dispersal several problems were encountered during the process of data collection. In spite of this and time limitations for this study I have managed to gather considerable research material that exceeds demands of the *Study Specifications*. Nevertheless, I have decided to present and interpret some of this information and data wherever possible. The study is accompanied by a display of statistical data in Tables 1 – 4, which are in the Annex of this study. Methodological explanations for these are given in Section 3.1.

1.2 Definitions

For the purpose of this study, following terms are defined: international student, foreign student, education levels and researcher.

International student (in Slovenian: *mednarodni študent*)

'*International student*' refers to "a third-country national arriving in the EU from a third country for the purposes of study." Asylum and Migration Glossary, which is a tool to improve the terminological comparability between EU Member States and was developed by the European Migration Network (the EMN Glossary) defines 'student' in the context of migration as meaning "a third-country national accepted by an establishment of higher education and admitted to the territory of a Member State to pursue as his/her main activity a full-time course of study leading to a higher education qualification recognised by the Member State, including diplomas, certificates or doctoral degrees in an establishment of higher education, which may cover a preparatory course prior to such education according to its national legislation"⁴. This definition is based on the definition of 'student' under Article 2 (b) of Council Directive 2004/114/EC (Student directive)⁵. In accordance with the EMN Glossary, as cited in the Specifications for the this study,⁶ a 'third-country national' is "Any person who is not a citizen of the European Union within the meaning of Article 20(1) of the Treaty on the Functioning of the European Union and who is not a person enjoying the Union right to freedom of movement, as defined in Article 2(5) of the Schengen Borders Code." This definition means that nationals of Norway, Iceland, Liechtenstein and Switzerland are not considered to be third-country nationals. In Slovenia, this definition is transposed in legislation regulating immigration.

Foreign student (in Slovenian: *tuji študent*)

The term most frequently used in Slovenia is foreign (or alien) student. The term international student is relatively new and not well recognised. As there is much confusion on terminology and data when talking about '*tuji študenti*' in Slovenia, it is important to follow the UNESCO/OECD definitions: '*foreign students*' are "students who hold a different passport than that of their host country (but may be long-term residents)"; and '*international students*' are "students who have crossed a national or territorial border for the purposes of education and are now enrolled outside their country of origin"⁷.

Levels of education

The International Standard Classification of Education (ISCED - 97) classifies levels of education into six different levels, with higher education falling under Level 5 (First stage of tertiary education) and Level 6 (Second stage of tertiary education)⁸.

⁴ Asylum and Migration Glossary – A tool for better comparability produced by the European Migration Network, January 2010, p. 156.

⁵ Council Directive 2004/114/EC of 13 December 2004 on the conditions of admission of third-country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service, L 375/12 *Official Journal of the European Union* 23.12.2004.

⁶ European Migration Network, Immigration of International Students to the EU, *Study Specifications*, Final Version: 20th March 2012, MIGRAPOL, European Migration Network Doc 255, p.7, footnote 13.

⁷ Cf. European Commission, DG Education and Culture: External Education Policies and Tools: *Developments, trends and opportunities in the internationalisation of education in the EU and its Member States*, Policy brief based on the mapping study *Mapping Member States' external Education & Training policies and tools* (2010), p. 5, Available at http://ec.europa.eu/education/pub/pdf/international/mapping_en.pdf

⁸ ISCED 1997, Available at <http://www.uis.unesco.org/Library/Documents/isced97-en.pdf>.

The ISCED Level 5 (First stage of tertiary education) is defined as Bachelor and Master Degree level with programmes having a cumulative theoretical duration of at least two years from the beginning of level 5.

The ISCED Level 6 (Second stage of tertiary education) is defined as Doctorate Degree level (PhD) in with this level typically requiring the submission of a thesis or dissertation of publishable quality which is the produce of original research and represents a significant contribution to knowledge.

In Slovenia, the National Classification System of Education and Training Activities and Outcomes (KLASIUS, 2006) is one of the formal bases for building a Slovenian eight-level qualification framework⁹. The levels of tertiary education this study focuses on are arranged as follows:

ISCED	KLASIUS	BOLOGNA CYCLE	STUDY PROGRAMMES (from 2006)
5B	6.1	Short cycle	Higher vocational programmes
5A	6.2	First cycle	Professional/academic programmes – equivalent to Bachelor
5A	7	Second cycle	<i>Magisterij</i> programmes – equivalent to Masters Long first degree programmes – equivalent to Masters
6	8.2	Third cycle	Doctorate of science programmes

* KLASIUS code 8.1 denotes the former *Magisterij* of science/arts (the introduction to doctoral studies before 2004)

The ISCED Level 4 (Post-secondary non-tertiary education) is not included in this report. The level 4 captures programmes that cross the boundary between upper secondary and post secondary education, from an international perspective, but which in terms of content, cannot be regarded as tertiary. Such programmes may be designed to prepare students for studies at level 5, and may allow entry to level 5, i.e. pre-degree foundation courses as well as short vocational programmes. Such courses and programmes exist in Slovenia, they are not however an important factor in the context of immigration of international students¹⁰.

Researcher (in Slovenian: *Raziskovalec*)

Researcher is defined in Slovenia according to the 2011 Aliens Act as “an alien, who is not a citizen of EU holding an appropriate higher education qualification, which gives access to doctoral programmes, who is selected by a research organisation for carrying out a research work”¹¹. In the 2011 Employment and Work of Aliens Act the definition of the previous Aliens Act remains; this also derives from the Council Directive 2005/71/EC and was transposed into the Slovenian legal order in 2006¹². Whilst researchers are

See also Mapping European Union Member States Higher Education External Cooperation Programmes and Policies website: <http://www.mapping-he.eu/AboutTheProject.aspx>

⁹ Decree on the introduction and use of classification system of education and training, *Official Gazette of the Republic of Slovenia*, No. 46/2006.

¹⁰ According to information from Secondary, Higher Vocational and Adult Education Directorate at the Ministry of Education, Science, Culture and Sport international students do not attend these courses. In a few cases this would concern children who immigrated to Slovenia with their parents for reasons other than study.

¹¹ Article 2 of the Aliens Act, *Official Gazette of the Republic of Slovenia*, No. 50/2011. My translation.

¹² Council Directive 2005/71/EC of 12 October 2005 on a specific procedure for admitting nationals for the purposes of scientific research, UL L 289/15. 11. 2005. Article 2(d) defines a ‘researcher’ in this context as a third country national holding an appropriate higher education qualification, which gives access to doctoral programmes, who is selected by a research organisation for carrying out a research project for which the above qualification is normally required. Cf. Act

not included as a specific target group within this study, it is clearly indicated when this category is included. Third-country nationals who carry out research in Slovenia, leading to a doctoral degree (or not) are in most of cases accepted in a research organisation and admitted to the territory of Slovenia as researchers and have to acquire a work permit for this purpose.

2 THE NATIONAL EDUCATION SYSTEM AND INTERNATIONAL STUDENTS

This chapter gives a brief overview of the structure of the higher education system in Slovenia (within the ISCED-97 classification Levels 5 and 6 set out above), in particular those parts of the system which can be accessed by international students. This is followed by national policy framework relating to international students.

2.1 Structure of national (tertiary) education system

In recent decades national education system in Slovenia has undergone considerable changes in terms of organisation and contents. This is particularly valid for the tertiary education. Currently tertiary education in Slovenia comprises higher academic and professional education, so called traditional higher education (ISCED 5A-6) and the newly developed higher vocational college education (ISCED 5B). Accordingly, the system has a twin-track structure: professionally oriented higher vocational education (short higher education) and academic and professional (medium and long) higher education. The two subsystems of tertiary education are interconnected, but guided by separate legislation. The European Credit Transfer and Accumulation System (ECTS), Diploma Supplement in the Slovenian language and in one of the EU languages, accredited programmes and system of quality are founded in the entirety of tertiary education¹³.

The quality of the higher education institutions and the study programmes are assured by accredited procedures as well as internal and external evaluation processes. From 1994 to 2010, the National Council for Higher Education of the Republic of Slovenia was responsible for the accreditation of both institutions of higher education and study programmes, including, from 2006 on, the execution of the external evaluation processes¹⁴. For this undertaking, the Slovenian Quality Assurance Agency for Higher Education was founded in the spring of 2010¹⁵. Internal evaluation processes are still the responsibility of the institutions of higher education. From 2005 until 2012, the field of higher academic and professional education was administered by the Ministry for Higher Education, Science and Technology, while the higher vocational education remained within the responsibility of Ministry of Education and Sport. With the current government appointed on 10 February 2012, both fields became the responsibility of the Ministry of Education, Science, Culture and Sport¹⁶.

Higher vocational education (*short-cycle, sub-degree level, ISCED 5B*)

Short cycle higher education was introduced in 1996 as part of the overall education reform. The first post-secondary institutions were founded within upper secondary school centres. Later they became independent and expanded throughout the country. The 2004 Post-secondary Vocational Education Act clearly separated this type of education from upper secondary education and placed this type of education within the tertiary education area¹⁷. The network of higher vocational colleges (*višje strokovne šole*) has

amending the Aliens Act, *Official Gazette of the Republic of Slovenia*, No. 79/2006; Article 4, point 23 of the Employment and Work of Aliens Act, *Official Gazette of the Republic of Slovenia*, No. 26/2011.

¹³ Refer to Eurypedia, European Encyclopaedia on National Education Systems:

https://webgate.ec.europa.eu/fpfis/mwikis/eurydice/index.php/Slovenia:Higher_Education;

Rules on Diploma Supplement, *Official Gazette of the Republic of Slovenia*, Nos. 56/2007 and 39/2012.

¹⁴ Refer to National Council for Higher Education of the Republic of Slovenia, Ministry of Higher Education, Science and Technology, Archive website:

http://www.arhiv.mvzt.gov.si/si/o_ministrstvu/strokovni_sveti/svet_rs_za_visoko_solstvo/ (in Slovenian)

¹⁵ Refer to Slovenian Quality Assurance Agency for Higher Education, website <http://www.nakvis.si/indexang.html>

¹⁶ Ministry of Education, Science, Culture and Sport website: <http://www.mizks.gov.si/en/>

¹⁷ Post-secondary Vocational Education Act (ZVSI), *Official Gazette of the Republic of Slovenia*, No. 86/2004.

expanded substantially in recent years. In the study year 2009/10 there were sixty higher vocational colleges, of which thirty were public, two of the private colleges were state subsidised, and the remaining twenty-eight were private or independent. These colleges were set up to meet the needs of the national and local economies, with due regard to occupational profiles. They have to meet the quality standards determined by national accreditation body and other requirements stipulated by the law. The main aim of higher vocational colleges is to develop occupational skills. Approximately 40 percent of the curricula are thus devoted to practical training in firms and companies.

Higher vocational colleges offer two-year higher vocational education (120 ECTS) at the sub-degree level (short-cycle, ISCED level 5B). Joint study programmes are also possible. The study ends with a diploma examination (*diplomski izpit*), which consists of a written exam and an oral presentation. Higher vocational colleges issue a Diploma, which includes the name of vocational qualification derived from the name of the programme completed, stating the field of education, and a Diploma Supplement¹⁸. Graduates can then start working in specific occupations. They may also transfer to the second or the third year of professionally oriented higher education courses¹⁹.

Academic higher education

The “traditional” higher education is regulated with the Higher Education Act, changed by Public Finance Balance Act in May 2012²⁰. Academic and professional studies take place in both public and private universities and their respective affiliates: faculties, art academies and higher professional colleges. Private faculties, art academies as well as public and private professional colleges can also be established as single institutions of higher education (*samostojni visokošolski zavodi*). These can then be combined through an association of higher education institutions. Under certain conditions, an international association of universities may also be formed²¹. Universities and single faculties can offer both academic and professional study programmes, while professional colleges offer only professional study programmes. In 2004 a three-level study structure for higher education was adopted. The first level relates to undergraduate studies and the second and third levels to postgraduate studies. By the academic year 2010/11 all higher education institutions have introduced the three-cycle structure of three degrees: Bachelor, Master and Doctorate. Joint study programmes (joint degrees) are possible at all levels.

First and second cycle (ISCED 5A)

The duration of undergraduate study programmes is limited in years (three to four years) and credit points (180 to 240 ECTS). Bachelor programmes can be academically or professionally oriented. The second level is for the study of Masters degrees encompassing 60 to 120 ECTS and takes one or two years to complete. Typical cumulative length of a Bachelor and Master degree is 300 ECTS. Long programmes exist in medicine, veterinary medicine and dentistry (6 years); and in pharmacy, architecture, teacher education in mathematics and theology (5 years). Higher education degree programmes, lead to the professional or academic title determined in accordance with the Professional and Academic Titles Act²². The typical professional titles of graduates of first cycle study programmes are *diplomirani* (+ profession) for academic studies *univerzitetni* (UN) as well as higher professional studies, *visokošolski strokovni* (VS). Graduates of the second cycle *magisterij* study programme acquire the professional title of *magister* (+ field

¹⁸ In addition to education leading to a higher vocational diploma, vocational colleges also provide short courses of 10-35 ECTS which are designed for refreshing the knowledge and skills of adults.

¹⁹ Refer to Ministry of Education, Science, Culture and Sport:

http://www.mizks.gov.si/si/delovna_podrocja/direktorat_za_srednje_in_visje_solstvo_ter_izobrazevanje_odraslih/visjesolsko_izobrazevanje/#c17955 (in Slovenian)

²⁰ Higher Education Act, officially revised text (ZViS-UPB7), *Official Gazette of the Republic of Slovenia*, No. 32/2012; Changes: Public Finance Balance Act (ZUJF), *Official Gazette of the Republic of Slovenia*, No. 40/2012.

²¹ For more detail on types of Higher Education Institutions refer to Eurypedia:

https://webgate.ec.europa.eu/fpfs/mwikis/eurydice/index.php/Slovenia:Types_of_Higher_Education_Institutions,

Register of higher education institutions, updated on 25 August 2011:

http://www.arhiv.mvzt.gov.si/si/delovna_podrocja/visoko_solstvo/razvid_visokosolskih_zavodov/

²² Professional and Academic Titles Act, *Official Gazette of the Republic of Slovenia*, No. 61/2006.

of study), while graduates in technical, teacher training and art studies acquire the title of *magister inženir* (+ field of study), *magister profesor* (+ teaching subject/s) *magister akademski* (+ profession). Graduates of medicine, dental medicine, pharmacy and veterinary medicine acquire the professional titles of *doktor medicine*, *doktor dentalne medicine*, *magister farmacije*, *doktor veterinarske medicine*.

Third cycle (ISCED 6)

The third level is for doctoral studies accredited by 180 or 240 ECTS. The doctoral study programme lasts three years and results in a Doctorate (PhD) and obtained academic title of *doctor znanosti*.

Organisation of studies and tuition language

Study programmes are organised as either full-time or part-time, at some institutions also as e-study. The study year begins on 1 October and ends on 30 September. The study year is normally divided into two semesters, each consisting of 15 working weeks, with the final exam period taking up an additional three weeks. The organisation of particular study programmes is determined in more detail within the higher education institution, in accordance with the school calendar.

The language of instruction is Slovenian. Under certain conditions, determined by the statute, higher education institutions are able to offer entire or partial study programmes in another language. If the school is a public service parts of study programmes may be performed in a foreign language if guest teachers from abroad collaborate in their implementation or a large number of foreign students is enrolled, or if these programmes are also implemented in the Slovenian language. Learning Slovenian language is to be facilitated for foreigners and Slovenians without Slovenian citizenship. A more detailed way for the development and teaching of Slovenian language is to be determined by the minister responsible for higher education²³. In practice, Slovenian language teaching for international students has not been offered at higher education institutions and the language of instruction is predominantly Slovenian. The number of subjects and courses offered in foreign language will have to increase. For example, at the University of Ljubljana, the largest Slovenian university 194 subjects and courses were provided in a foreign language in 2008/09, in 2009/10 the number was 225 and in the year 2010/11 there were 265 such units²⁴.

Access for international students

Students need to satisfy general and specific requirements. General admission requirements are set by Post-secondary Vocational Education Act and Higher Education Act and also depend on the curricula. The general entrance requirement for higher vocational colleges is the completion of an appropriate four-year upper secondary technical school or *gimnazija*. Admission is also granted to candidates who have completed an appropriate three-year upper secondary vocational school education; or who have three years of working practice and pass additional entrance exams. The general *matura* certificate (*maturitetno spričevalo*) grants access to all forms of higher education. A vocational *matura* examination (*poklicna matura*) grants access to professionally oriented courses. If students pass an additional exam from the general *matura* at the end of secondary professional education, they may also apply for admission to academic types of courses. In establishments with a limited number of places, the results of *matura* and the results obtained in upper secondary school subjects are taken into account as the selection criteria. If specific abilities are required in a certain course, the results of special tests of skills or talents are also taken into account²⁵. For postgraduate programmes the condition is a university degree from corresponding field of studies for master studies and master degree from corresponding field of studies for doctoral studies. In case of certain study programmes specific requirements are demanded, which may include a test of talent of artistic skills or psychophysical abilities (sports). Whether the requirements for admission to an undergraduate or postgraduate study programme are met is decided by the competent body of higher education institution. Conditions are also fulfilled when a candidate concluded corresponding studies

²³ See Article 8 of the Higher Education Act.

²⁴ *University of Ljubljana in 2011*. Business Report by the Rectors, p. 82.

²⁵ Refer to Article 29 of the Post-secondary Vocational Education Act and Article 38 of the Higher Education Act.

abroad. Higher education institutions have the right to organise a preparatory study year for foreigners who do not fulfil all the admission requirements (See also Section 3.1)²⁶.

Enrolment procedures

The number of places available is limited for all undergraduate study programmes. The places available for new applicants are announced by higher education institutions each year in a pre-enrolment announcement separately for undergraduate and postgraduate study programmes²⁷. For students from EU Member States, the enrolment procedures are the same and places for them are included in the quota for Slovenian students. The same applies to third-country nationals who are permanently residing in Slovenia and are taxpayers as stipulated by the income tax law. For students from non EU countries the number of study places available is set additionally and must not exceed 10 % of full-time study places where at least a half of those is for Slovenians without Slovenian citizenship or 50 % of part-time study places for individual study programme. If the number of applicants exceeds the available number of study places, applicants are selected according to the same criteria and procedure as Slovenian students. If study places in the annual quota for Slovenian students and nationals of the EU Member States remain vacant, students from non EU states can also register for those places. Irrespective of the above, EU citizens, Slovenians without Slovenian citizenship and third-country nationals may enrol in higher education institutions for a limited period of time on the basis of international agreements or agreements between higher education institutions²⁸. The situation for students from countries outside EU also depends on the existence of bilateral agreements (See also Section 4.1)²⁹.

2.2 National policy framework regarding International Students

Migration policy is according to the Aliens Act proposed by the Government of the Republic of Slovenia and adopted by the National Assembly³⁰. Basic political documents in the field, Resolutions on im/migration policy were adopted in 1999 and 2002. At the end of 2010 the Government adopted the Strategy on economic migration for the period 2010 to 2020 and in May 2011 the National Assembly adopted the Resolution on National programme of higher education 2010-2020³¹.

Strategy on economic migration 2010 - 2020

Strategy on economic migration with the view of the changing EU policy landscape, in particular the 2008 European Pact on Immigration and Asylum and the political mandate of the Stockholm Programme and an even closer co-operation between Member States with third countries in managing migration flows, dedicates a considerable attention to international students and other third-country nationals migrating for

²⁶ Refer to Articles 38a, 38b and 36 of the Higher Education Act.

See also CMEPIUS: http://www.cmepius.si/en/welcome_to_slovenia/study_in_slovenia/organisation.aspx

²⁷ Refer to Articles 40 and 41 of the Higher Education Act.

²⁸ Refer to Articles 4 and 5 of the Rules on preregistration announcement and enrolment in higher education, *Official Gazette of the Republic of Slovenia*, No. 7/2010.

²⁹ For a more detailed overview of the tertiary education in Slovenia see among others, *Structures of Education and Training Systems in Europe, Slovenia 2009/10*, Prepared by Eurydice Unit Slovenia, pp. 32-38, Available at http://eacea.ec.europa.eu/education/eurydice/documents/eurybase/structures/041_SI_EN.pdf

Eurydice, *National system overview on education systems in Europe, 2011 Edition*, pp. 6-7, Available at http://eacea.ec.europa.eu/education/eurydice/documents/eurybase/national_summary_sheets/047_SI_EN.pdf

³⁰ Refer to Article 5 of the Aliens Act (ZTuj-2), *Official Gazette of the Republic of Slovenia*, Nos. 50/2011, 57/2011 corr.,

³¹ Resolution on the immigration policy of the Republic of Slovenia, *Official Gazette of the Republic of Slovenia*, No. 40/1999;

Resolution on the migration policy of the Republic of Slovenia, *Official Gazette of the Republic of Slovenia*, No.106/2002;

Strategy on economic migration from 2010 to 2020 (in Slovenian), Available at:

http://www.mddsz.gov.si/fileadmin/mddsz.gov.si/pageuploads/dokumenti_pdf/Strategija_ekonomskih_migracij-2010-2020.pdf

Resolution on National programme of higher education, *Official Gazette of the Republic of Slovenia*, No. 41/2011;

See also English version Resolution on National Higher Education Programme 2011-2020, PROPOSAL FOR ADOPTION (9 March 2011), Available at:

http://www.arhiv.mvzt.gov.si/fileadmin/mvzt.gov.si/pageuploads/pdf/odnosi_z_javnostmi/12.4.11_NPVS_ANG_nova_verzija.pdf.

study-related purposes and research. The strategy aims to provide guidance, policies and measures for immigration that will:

- alleviate the effects of demographic deficit in terms of reduced working age and economically active population as well as reduce temporary disparities in the labour market;
- encourage innovation and entrepreneurial activity, maintain and promote economic competitiveness and increase human resources;
- enable acquisition of experience of Slovenians working abroad and reduce the brain drain from Slovenia as well as the countries of origin of immigrants in Slovenia by encouraging the circular migration of experts;
- promote employment of highly skilled migrants and admission and mobility of students and researchers;
- strengthen relations with third countries of origin of migrants by bilateral agreements,
- establish a more ambitious integration policy

The Action Plan provides measures and determines the responsible institutions for their preparation and implementation. Some of these measures refer to international students, in particular to recognition and evaluation of education, skills and competencies acquired abroad, promotion of mobility and admission of students and researchers and measures relating to the risk of brain drain. (Measures for Strategy Guidelines 3-5). For effective implementation of measures arising from the Action Plan the horizontal directions should be considered as well, that is to integrate migration issues in foreign and international development co-operation policies, to promote Slovenia as an attractive country of immigration and to simplify procedures for obtaining work permits and/or residence permits.

Resolution on National Programme of higher education 2011–2020

The National Higher Education Programme 2011–2020 is based on Slovenia's Development Strategy and the document Europe 2020. The Programme includes the entire area of tertiary education and also the connection to the economy and science as well as science and cultural policy. In these terms, it is complementary to Slovenia's Research and Innovation Strategy 2011–2020 and to the Resolution on the National Programme for Culture. The basic goals of the Slovenian higher education area in 2020 are quality and excellence, diversity and accessibility with supporting instruments of internationalisation, diversification, study structures and funding of higher education³². The goal of the Slovenian higher education is to become an integral part of the global higher education space by 2020, constantly improving its quality in co-operation and competition with the best foreign institutions³³.

The document views the internationalisation of Slovenian higher education as a key to its development and recognises that at present the attraction of the Slovenian higher education area in comparison with other countries is at an extremely low level. Consequently, a number of immediate national and institutional measures must be adopted to increase the internationalisation of the Slovenian higher

³² The quality will enable everybody to receive an internationally comparable and recognised higher education, achieving employability and mobility of graduates both within Europe and worldwide; the social dimension will allow equitable access to higher education and unhampered conditions for the completion of studies; diversity will bring along a variety of types and missions of higher education institutions and study programmes for reaching all of the basic goals of higher education.

³³ Its quality will be in line with European standards of quality and internationally comparable and its achievements will be competitive at international level; In its openness to the international area it will be a part of the European higher education area (EHEA), and linked with neighbouring regions and the most developed countries worldwide; Teaching and research in higher education will take place in co-operation with foreign institutions, higher education teachers and researches and in the presence of foreign students; The number of joint study programmes established with foreign higher education institutions will significantly increase; Students, higher education teachers, other staff and researchers from Slovenia will also learn, train, teach and carry out research at institutions abroad; The recognition of education acquired abroad will be flexible and open.

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education area. The programme emphasises that Slovenia will become an attractive destination for foreign students and professionals for higher education study and for teaching, research and professional work:

- By the end of the decade, all Slovenian higher education institutions will prepare a set of study programmes to be offered to foreign students in foreign languages, with a priority on post-graduate study programmes;
- Slovenian universities will carry out study programmes for mixed groups of students from different countries;
- The proportion of foreign nationals in the overall population of students, higher education teachers, assistants and researchers will increase considerably by 2020;
- Slovenia will become an example of good practice in the area of regional mobility (the Western Balkans).
- Establishment of a special scholarship fund for the promotion of inbound mobility of students, teachers and researchers from priority regions and countries will be defined in the National Strategy for the Internationalisation of Slovenian Higher Education.

Benchmarks to measure success of this programme by 2020 are, *inter alia*: the share of foreign students studying for the entire period of studies at Slovenian higher education institutions will be at least 10 % and there will be at least 10 % of foreign citizens among teachers, staff and researchers in higher education, 20 % of Slovenian graduates will be active in short-time mobility.

In order to achieve these benchmarks, the Resolution on National Higher Education Programme 2011–2020 sets out 11 measures (Measures 28 to 38 of the Resolution):

- Formulating the National Strategy for the Internationalisation of Slovenian Higher Education by 2013 at the latest.
- The preparation of institutional international strategies with institutional priorities, being a part of a wider mission and the development plan of the institution and at the same time taking into consideration the National Strategy for the Internationalisation of Slovenian Higher Education, by 2014 at the latest.
- The establishment of co-operation with the Western Balkans as an example of good practice in the field of regional mobility by 2020. Equal conditions of studies in terms of tuition fees for citizens of the Western Balkans countries, as those applicable for domestic students and students from EU Member Countries will be introduced on a reciprocal basis by 2013.
- Removing the administrative obstacles and concentration of funding sources for international mobility by 2013 at the latest.
- The establishment of special targeted support for mobility from 2013 for (a) Slovenian students going abroad and (b) for the best foreign students coming to Slovenia.
- From 2011, Slovenian higher education teachers and staff will regularly leave for long-term exchanges or obtain additional training abroad.
- The establishment of special measures for attracting foreign experts by (a) the improvement of the salaries system of employees in higher education and facilitation of higher remuneration for best foreign (and domestic) experts when compared to what is available today; (b) facilitation of other supporting mechanisms for foreign experts (accommodation, assistance in obtaining work permits, assistance with child care, etc.) and (c) removal of obstacles for obtaining residence permits for foreign experts and students. The measure is to be gradually introduced from 2011.
- The Republic of Slovenia will support activities of two international organisations in the field of higher education which may significantly contribute to greater internationalisation of the system: (a) ICPE as an example of targeted support for the co-operation with important countries (India as one of the fast developing BRIC countries – Brazil, Russia, India, China); and (b) Euro-Mediterranean University which, as one of the priorities of the Union for the Mediterranean, opens possibilities for networking of Slovenian universities with universities from 42 other countries included in this process
- Facilitating teaching in foreign languages. With the amendment of the Higher Education Act in 2011; the measure will be enforceable from 2012.

- The increase of the scope of research activities carried out in transnational projects or activities by gradual growth by 2020.
- Flexible and open recognition of education abroad for the purpose of employment with the new Act on Recognition and Assessment of Education in 2011.

The main responsible institutions for preparing these measures are ministries of Higher Education, Science, Internal Affairs and Public Administration, the Council for Higher Education of the Republic of Slovenia, CMEPIUS, Slovene Human Resources and Scholarship Fund, Rector's Conference of the Republic of Slovenia, Slovenian Academy of Sciences and Arts and Higher education institutions.

Draft **National programme on language policy 2012-2016** covers also language regulation of the Slovenian higher education³⁴. Though access to the Slovenian language learning is opened for third-country nationals by Regulation on the integration of aliens³⁵, international students do not have a possibility to attend a payment free Slovenian language course which is offered to students in the framework of the Erasmus programme. The main starting point of draft programme on language policy is that Slovenian universities and the state wish to maintain and develop Slovenian as the tuition and scientific language, while at the same time guarantying the international dimension of the Slovenian higher education. The document suggests that law should regulate the compulsory scope of study programmes in the Slovenian language and not leave this regulation entirely to universities themselves. At the same time more financial support would be given to the effective learning of the Slovenian language by foreign students and to development of parallel study programmes for exchange students which also domestic student could attend.

Universities as well as some of their members have their own policies, at least partially including perspectives of admission and exchange of international students, but to date only the University of Primorska (UP) adopted a "Programme of internationalisation of the University from 2010 to 2013", which includes international mobility students³⁶. As indicated by the Rector of the University of Ljubljana (UL), a draft strategy of "University until 2020" which includes a vision and strategy for the development of this largest Slovenian university is in the phase of the in-house reading and is supposed to be adopted in October 2012³⁷. Among other stakeholders in the field, the Student Organization of Slovenia has produced the "Document on comprehensive arrangements of student position in Slovenia", which advocates student mobility and emphasises the importance of developing a national strategy that will help to increase the attractiveness of Slovenian higher education area³⁸.

The process of formulating National strategy for the internationalisation of Slovenian higher education as well as of higher education institutions ought to contribute to the debates in relation to international students, which have until now occasionally been raised in the context of more general debates on immigration. Some of these debates have been initiated at political level, as a part of policy-making process. The Ministry of Higher Education, Science and technology and the Ministry of Labour, Family and Social Affairs encouraged public debate on economic migration and the development of higher education, inviting experts and all relevant stakeholders to contribute their thoughts via the web page and discussions on various forums. Annual conferences of the Euridyce Unit Slovenia also opened discussions on internationalisation and the issue of international students. With the exception of students' organisations, other interest groups such as trade unions, employers' associations or economic and

³⁴ Ministry for Education, Science, Culture and Sport National Programme for Language Policy 2012–2016 (*Nacionalni program za jezikovno politiko 2012–2016*), Osnutek (Draft), April 2012.

³⁵ Regulation on the integration of aliens, *Official Gazette of the Republic of Slovenia*, No. 65/2008.

³⁶ *Program internacionalizacije Univerze na Primorskem 2010-2013*,

Available at: http://www.upr.si/fileadmin/user_upload/mednarodno_sodelovanje/Program_internacionalizacije_UP.pdf

³⁷ Interview with Stanislav Radovan Pejovnik, the Rector of the University of Ljubljana, 6 August 2012.

³⁸ Študentska organizacija Slovenije, *Dokument o celoviti ureditvi študentskega položaja v Sloveniji*, Ljubljana, Januar 2010. Available at http://www.studentski-servis.com/pic/pdf/dokument_o_celoviti_ureditvi_studentskega_položaja_v_sloveniji-sos.pdf

professional chambers appear to be more interested in labour migration and NGOs active in the field of migration have been more occupied with refugee and asylum seekers as well as integration of migrants than perspectives of migration of international students.

3. LEGAL AND PRACTICAL CONDITIONS AT NATIONAL LEVEL THAT APPLY TO INTERNATIONAL STUDENTS

This chapter explores the conditions that apply to international students and the specific measures Slovenia has in place at admission stage, during stay, and following completion of studies. Emphasis is given to those measures that facilitate admission of international students and to the most effective triggers for student mobility. These measures are founded on policy and legal framework currently in place in the Republic of Slovenia.

3.1 Admission

System for recognising qualifications of third-country nationals

During the reference period of this study (2006 -2011), the main act regulating the system for recognising qualifications and education abroad was the 2004 Recognition and Evaluation of Education Act.³⁹ The system should allow an individual holder of the documents on acquired education an effective and swift enforcement of his or her rights arising from these documents. There are two fundamental rights, namely: the right to continue education at a higher or same level as demonstrated by the document and the right to practice the profession, for which was the proprietor trained in the place of origin of the document. Although the act attempted to introduce a more modern system for recognising education, particularly procedures for the recognition of qualifications and education abroad for the purpose of employment have been administratively burdensome and long-lasting. Therefore both strategy documents briefly described above specifically refer to this issue, stressing a need for a new arrangement that will transfer the recognition to employers. In the case of regulated professions responsible ministries or chambers will participate. In line with measures relating to improvement of the attraction of the Slovenian higher education system and its internationalisation the recognition of education acquired abroad remains entrusted to higher education institutions. In addition, national information centre (ENIC-NARIC) will provide information about foreign education in the form of validation and information of a public character.

The new Recognition and Evaluation of Education Act was adopted on 19 October 2011⁴⁰. The Act regulates the procedure, criteria and designates the body for the recognition of foreign education with a view to further education⁴¹. It also regulates the assessment of education and designates a body for the assessment of education. The competent body for the assessment of education is the ENIC-NARIC centre, which is a national information centre and operates within the ministry responsible for higher education. The ENIC-NARIC centre collects and provides information on Slovenian and foreign education systems and is included in the network of ENIC-NARIC centres⁴².

Recognition of education with a view to access to education

³⁹ Recognition and Evaluation of Education Act, *Official Gazette of the Republic of Slovenia*, No. 73/2004.

⁴⁰ Recognition and Evaluation of Education Act, *Official Gazette of the Republic of Slovenia*, No. 87/2011-ZVPI (97/2011 correction). The unofficial translation of the Act which was forwarded to the author of this study on 2 July 2012 by the Ministry of Education, Science, Culture and Sport translates the title of the Act: *The Assessment and Recognition of Education Act (ZVPI)*.

⁴¹ Except for the inclusion of children holding foreign school certificates in primary school education, see Article 1 of the Recognition and Evaluation of Education Act.

⁴² Pursuant to the Act Ratifying the Convention on the Recognition of Qualifications Concerning Higher Education in the European Region, *Official Gazette of the Republic of Slovenia – International Treaties*, No. 14/99, Refer to Article 4 of the Recognition and Evaluation of Education Act.

The recognition of education means a procedure during which a decision is made, on the basis of the education attained abroad, of an individual's right to apply and to be considered for admission to further education at education institutions in the Republic of Slovenia⁴³. In the procedure for the recognition of education, a decision shall be made about an individual's right to access, apply and be considered during the procedure for the enrolment with a view to access to education at the education institution in the Republic of Slovenia. On the basis of this decision and regulations that govern the enrolment and transfers between education programmes in Slovenia, the education institution shall establish the fulfilment of enrolment criteria or conditions for transferring to the education programme in accordance with the request of the holder of a certificate. Education institutions as the competent bodies for the education recognition procedure authorise an individual to administer recognition procedures and notify the ENIC-NARIC centre thereof within thirty days of the issue of such authorisation. The ENIC-NARIC centre keeps a list of persons authorised at education institutions⁴⁴. The subject of education recognition shall be the education that is attested through a certificate of education. An application for the recognition of education may be lodged by any holder of certificate of education or his legal representative, in a prescribed form with the education institution in Slovenia where the applicant seeks to continue education⁴⁵. Where in the procedure for the recognition of education there is doubt concerning the authenticity of the education certificate, the authenticity shall be verified with the authority that issued the education certificate or the competent authority of the country that issued the education certificate. In the procedure for the recognition of education, the level of education in the country of origin shall be identified by comparing the contents of the criteria referred to in this Act, and the fulfilment of conditions established with a view to access to the requested education programme. The following criteria, which in addition to the international principles, apply *mutatis mutandis* for the recognition of education are: (i) the education system, (ii) the education programme, the list of courses or curriculum, (iii) learning outcomes, (iv) duration of education and (v) rights arising from education. In making its decision and taking into consideration the type of education, education institutions may also take into account other circumstances relevant for the recognition of education, for example: the age of the holder of education certificate, language proficiency, the number of credits allotted, the level of education in the country of origin, and outstanding achievements in the field of education. In cases of partly completed education, the competent institution identifies which part of the education programme that the applicant seeks to pursue in Slovenia has already been completed⁴⁶. The education institution shall issue a decision and send it to the applicant no later than within two months of the date of receipt of a complete application. If a fully completed foreign education programme significantly differs from its Slovenian counterpart in terms of its scope and level, applicants shall be given an opportunity to continue education as if they possessed educational certificates attesting to parts of education programmes completed. An appeal against the decision issued shall be allowed with the education institution within eight days of receipt of the decision⁴⁷.

Assessment of education

In the procedure for the recognition of education, an education institution may apply for the assessment of a foreign certificate with respect to a fully or partly completed education⁴⁸. Assessment of education

⁴³ 'Education institution' means a school or any other education organisation, higher education institution or any other institution that competent authorities of the country of origin of education recognise as education institution that belongs to its school system in accordance with individual types of education. Refer to definition of terms in Article 2 of the ZPVI.

⁴⁴ Refer to Articles 10, 11, 17 and 24 of the Recognition and Evaluation of Education Act.

⁴⁵ Forms and documents to be submitted in the education recognition procedure by the applicant are determined by the minister responsible for higher education. See Rules on forms, documents and fees for assessment and recognition of Education, *Official Gazette of the Republic of Slovenia*, No. [103/2011](#) which includes form N with which the applicant applies for the education recognition procedure for the purpose of continuing education.

⁴⁶ Refer to Articles 12, 13, 14 and 16 of the Recognition and Evaluation of Education Act.

⁴⁷ Refer to Articles 14 and 15 of the Recognition and Evaluation of Education Act.

⁴⁸ Education that is attested through the certificate of fully completed education at the tertiary education level shall not be the subject of education assessment if such education lasts less than one semester or half year, or is assessed with less than 30 credits according to the European Credit Transfer System (ECTS). Also education which is attested through supporting documents of completed language, computer and other courses, professional examinations, vocational

means a procedure in which, with reference to the attained education attested by the education certificate, an opinion is issued about different elements of education which are defined the Act⁴⁹. The opinion issued in the procedure for the assessment of education is of an informative and counselling nature⁵⁰. The competent body for the assessment of education is ENIC-NARIC centre.

It has to be pointed out, that in the assessment of education procedure the equivalence of foreign academic title to Slovene one through the comparison of the study programmes is no longer possible. During the transition period for the implementation of the new Act (until 17 December 2012) however, it is still possible to determine the equivalence of foreign academic title to Slovene one, but only for those regulated professions, for which it is determined by law in the Republic of Slovenia that in order to practice a regulated profession one must use a Slovenian academic title. The list of such professions will be published at the website of the ENIC-NARIC centre⁵¹.

International agreements (Lisbon Convention)

Slovenia has ratified the Lisbon Convention (CETS no. 165)⁵². Where bilateral international agreements have been concluded between the Republic of Slovenia and another country, the provisions of the Recognition and Evaluation of Education Act apply, *mutatis mutandis*, to the assessment of education and education recognition procedures for the purpose of the recognition of education and certificates that are subject to such agreements⁵³. For example, by the Protocol between Slovenia and Croatia, resp. their ministries competent for education and science, on cooperation in the field of education, nationals of both countries have certificates and diplomas recognised as equivalent for the purpose of continuing education in another signatory country, if there were no significant differences in content and duration of education. Statement of acquired rights for continuing education, *inter alia*, for the tertiary education, is issued by the competent authority in the country in which the certificates and diplomas were obtained. Recognition of the rights of entry into higher education institutions is subject to the provisions of those treaties on the recognition of certificates and diplomas in higher education, of which both states are the parties (see also section 4.1)⁵⁴.

Funding of studies

Scholarships for foreign students

There are a few types of scholarships and incentives for education in Slovenia, which are considered as additional income used to cover education-related costs. Recently though access to Slovenian scholarships has changed considerably for third-country nationals, particularly foreign students. In accordance with the 2007 Scholarship Act, as changed by the Exercise of Rights to Public Funds Act from the years 2009 and 2010 and the Public Finance Balance Act, which applies from 31 May 2012, the scholarship may be awarded to persons with student status, who are Slovenian nationals and to Slovenians abroad, residing either in the neighbouring countries or around the world, as defined by the Act Regulating Relations between the Republic of Slovenia and Slovenians Abroad, to study in Slovenia. To third-country nationals

qualifications and other vocational and professional training shall not be the subject of education assessment. Refer to Article 5 (3) and (4) of the Recognition and Evaluation of Education Act.

⁴⁹ Refer to Articles 2 and 8 of the Recognition and Evaluation of Education Act.

⁵⁰ Article 6 of the Recognition and Evaluation of Education Act.

⁵¹ Ministry of Higher Education, Science and technology, ENIC-NARIC centre Archive website, http://www.arhiv.mvzt.gov.si/en/areas_of_work/enic_naric_center_slovenia/ugotavljanje_enakovrednosti_za_regulirane_poklice/, 30 June 2012.

⁵² Act Ratifying the Convention on the Recognition of Qualifications concerning Higher Education in the European Region, *Official Gazette of the Republic of Slovenia – International Treaties*, No. 14/1999.

⁵³ Article 3 of the Recognition and Evaluation of Education Act.

⁵⁴ Decree ratifying the Protocol between the Ministry of Higher Education, Science and Technology of the Republic of Slovenia, the Ministry of Education and Sports of the Republic of Slovenia and the Ministry of Science, Education and Sports of the Republic of Croatia on Cooperation in the Field of Education, *Official Gazette of the Republic of Slovenia – International Treaties*, No. [21/2010](#), Article 4.

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without permanent or temporary residence in Slovenia as provided by the Aliens Act, the scholarship may be awarded on the basis of concluded bilateral agreements by principle of reciprocity⁵⁵.

Prior to changes in social legislation, the scholarship may had been awarded to nationals of EU Member States and the European Economic Area (EEA) and third-country nationals who have permanent or temporary residence in Slovenia, and their immediate family members⁵⁶. Scholarships, recently reserved only for Slovenian citizens only, are of three types: State scholarships, Zois scholarships and Corporate scholarships. State scholarships are age restricted to students between 18 and 26 years; basic amount without additions for example for study success is determined according to the classification of the income levels. In 2011, it was from 60 to 190 Euros per month. Zois scholarships are state merit scholarships, awarded to most gifted pupils and students regardless of the level of education. In 2011 such a scholarship amounted to 101.78 Euros, without additions. Corporate scholarships are granted by employers to beneficiaries who meet the general requirements under the Scholarship Act, except the age requirement, and the conditions set out in general acts of the employer. The corporate scholarship must not be lower than the state scholarships. Duration of scholarships is one year. Students are entitled to continue receiving the scholarship, if they meet certain requirements under the law and have successfully completed the study year, for which they had been receiving the scholarship. Furthermore, there are also awards for achievements, which contribute to the sustainable development, ranging from 500 to 5,000 Euros⁵⁷.

State scholarships are granted by the competent Social centres, Zois and corporate scholarships and awards for sustainable development are since 2008 in the competence of the jurisdiction the Slovene Human Resources Development and Scholarship Fund (hereinafter: the Fund). Funds for in/direct financing of corporate scholarships and awards for contributions to the sustainable development are provided by resources from the state budget for relevant ministries and from funding of the Fund. The latter obtains some funding from the European Social Fund. Funds for other grants are provided in the budget of the Republic of Slovenia⁵⁸.

Table 3.1: Number of scholarships awarded to students who are third-country nationals, by type of scholarship, 2008-2011

Type of scholarship	State		Zois				Corporate			
	Year	Total	Third-country nationals		Total	Third-country nationals		Total	Third-country nationals, Slovenians Abroad	
			number	%		number	%		number	%
	2009	14,978	291	1.94	3263	17.	0.52	457	33	7.22
	2010	16,336	375	2.29	4139	23	0.55		no data	
	2011	20,296	532	2.62	4626	21.	0.45	367	28.	7.62

Source of data: Ministry of Labour, Family and Social Affairs, Directorate for Labour Market and Employment, updated 20 July 2012

⁵⁵ Refer to Art 8 of the Scholarship Act (ZStip), *Official Gazette of the Republic of Slovenia*, No. [59/2007 \(63/2007 corr.\)](#); Changes: Exercise of Rights to Public Funds Act (ZUPJS), *Official Gazette of the Republic of Slovenia*, No. [40/2009, 62/2010](#), Public Finance Balance Act (ZUJF), *Official Gazette of the Republic of Slovenia*, No. [40/2012](#)

⁵⁶ Besides those categories, the beneficiaries were also nationals of EU Member States and the European Economic Area (EEA) being employed or self-employed in Slovenia and their family members.

⁵⁷ Ministry of Labour, Family and Social Affairs:

http://www.mddsz.gov.si/si/delovna_podrocja/trg_dela_in_zaposlovanje/stipendije/ (in Slovenian);

Slovene Human Resources Development and Scholarship Fund: <http://www.sklad-kadri.si/si/stipendije/> (in Slovenian) and <http://www.sklad-kadri.si/en/scholarships/> (in English).

There are also scholarships of the Government of the Republic of Slovenia for the needs of government departments which are also reserved for the Slovenian nationals, see for example the Ministry of Public Administration, archive website http://www.arhiv.mju.gov.si/user/delovna_razmerja_in_stipendiranje/scholarship/ (in Slovenian).

Also a lot of Slovenian municipalities award scholarships. Conditions for the acquisition of these scholarships are defined by each municipality as well as its value, see <http://www.sklad-kadri.si/si/stipendije/obcinske-stipendije/> (in Slovenian).

⁵⁸ Refer to Art 5 and 6 of the Scholarship Act.

Table 3.1 shows the number of scholarships awarded to students who are third-country nationals during the period 2009 - 2011. Most of these students received state scholarships. Their number has increased over the years, from 291 in 2009 to 532 in 2011, as well as their share in the overall number of state student grants (from 1.9 to 2.6 %). Most of Zois scholarships (23) were granted to students from third countries in 2010, representing just 0.55 % of all scholarships for talented students. Majority of state scholarship recipients were citizens of Western Balkan countries, in 2009 nearly 99 %: (Macedonia, (117) Bosnia and Herzegovina (89), Croatia (63), Serbia (15) and Kosovo (4). Two scholarships were awarded to citizens of Ukraine and one to an Iranian. In 2010, the proportion of scholarships for students from Western Balkans fell by 2 percent but slightly increased again in 2011 (98 %). In 2010, among state scholarship recipients were also citizens of Turkey, China, Cuba, Russia and the U.S. In 2011 there was also one student from Cape Verde, one from Moldova and one from Nigeria. Majority of Zois scholarships was also rewarded to citizens of the Western Balkan countries and only five to the citizens of Ukraine (3), Russia (1) and Fiji (1). Corporate scholarships were awarded only to Slovenians abroad, of which 33 (7.2%) were third-country nationals in 2009 and 28 (7.6 %) in 2011. Among this majority were Croatian citizens (24 in 2009 and 23 in 2011).

Funding for international students

The Slovene Human Resources Development and Scholarship Fund (hereinafter: the Fund), within the framework of Ad Futura programmes announces calls for applications for scholarships and other forms of co financing education of third-country nationals. Terms and conditions of applications for individual grants are determined by those who announce scholarships; the same applies to the rights and obligations of the student who receives scholarship. The Fund publishes its own calls and gives information about other scholarships that are available to international students⁵⁹.

Scholarships for doctorate studies in the fields of sciences, engineering and medicine

Since 2003, Slovenia supports scholarships and other forms of funding foreign students in order to attract prospective staff, particularly in the fields of science, engineering and medicine. To this end, there are annual scholarship calls for three or four-year doctoral studies in these disciplines. According to the 2011 call for applications, the scholarship is granted for annual tuition up to 3,000 Euros per academic year and living expenses in the total amount of 8,400 Euros for each year⁶⁰.

In the academic year 2006/07, 15 persons were granted scholarships for PhD studies, 10 were from European countries outside the EU and one from North America. The following academic year the scholarship was granted to 8 (out of 21) candidates. Interest in studies in Slovenia was particularly high among students from the Western Balkans. All scholars received a scholarship for several years, half for training at the International Graduate School of Jozef Stefan, a quarter at the University of Ljubljana and a quarter at the University of Nova Gorica. In the academic year 2009/2010 the call for application amounted to 250,000 Euros and additionally 100,000 Euros. 30 students applied, and 13 were successful. In the academic year 2010/2011 the value of the call increased to 500,000 Euros. Among 36 applicants, 19 were granted scholarship. In 2011, there were 42 applicants for 600,000 Euros worth fund⁶¹.

In addition to these tenders, there are also other programmes for supporting research and teaching cooperation in order to stimulate mobility of foreign researchers and teachers to Slovenia, and mobility of Slovenian researchers abroad as well as return and cooperation between Slovenian postdoctoral and senior researchers abroad and at home. Applicants for these funds may be educational institutions. Another

⁵⁹ Refer to <http://www.sklad-kadri.si/si/stipendije/stipendije-za-izobrazevanje-tujih-drzavljanov-v-sloveniji/>, and <http://www.sklad-kadri.si/si/izobrazevanje-v-sloveniji/>

⁶⁰ Slovene Human Resources Development and Scholarship Fund: Scholarships for doctorate studies of foreign citizens in Slovenia in the year 2011 (113. JR): <http://www.sklad-kadri.si/en/calls-for-applications-and-news/front-page/call-for-application/n/scholarships-for-doctorate-studies-of-foreign-citizens-in-slovenia-in-the-year-2011-113-jr/>

⁶¹ Slovene Human Resources Development and Scholarship Fund: *Letna poročila* (Annual Reports) 2006, 2007, 2008, 2009, 2010 and 2011: <http://www.sklad-kadri.si/si/info/o-skladu/informacije-javnega-znacaja/letno-porocilo/> (in Slovenian)

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programme is dedicated to cofunding professional cooperation, where applicants can be hosting companies⁶².

Scholarships for undergraduate studies for Slovenians from abroad

Special scholarships are intended for Slovenians abroad (i.e. Slovenians permanently residing abroad being Slovenian citizens, or having the status of a Slovenian without Slovenian citizenship or being without Slovenian citizenship and the status) for entire undergraduate studies at an accredited educational institution and publicly valid educational programme in Slovenia. These scholarships are intended to cover living and study-related costs⁶³. Pursuant to the Scholarship Act these grants require the consent of the Government.

The Fund made the first call for these grants for the study year 2008/09. Among 91 scholarships granted, totalling 192,645 Euros, majority went to Slovenians from Croatia and Italy. In the year 2009/10, the number of recipients rose to 129, of which 66 were new candidates. They were Slovenians from Italy (45), followed by Croatia (41), Bosnia and Herzegovina (9), Macedonia (8), Serbia (2), Montenegro (2) and Argentina (2). The funds for the study year 2010/11 for existing and new grantees totalled 460,000 Euros. 144 scholarships were granted, 11.6 % more than in the previous year. 55 students obtained this scholarship for the first time (37.5% more the previous year). The amount tendered for the year 2011/12 was 500,000 Euros. 172 grants were awarded (19.4% more than a year before), 65 of these were given for the first time (18.2% more than a year before). Students are mainly Slovenians from the neighbouring countries (84.3%), from Croatia and Italy, with a marked increase of students coming to study in Slovenia from Italy⁶⁴.

Funding in the framework of development agreements

Funding of studies of international students is also part of activities in the framework of international development co-operation, according to geographical priority areas and thematic priorities as identified in the Resolution on International Development Cooperation of the Republic of Slovenia for the period until 2015⁶⁵. In 2009, following the Government's decision, the Fund in cooperation with the Ministry of Foreign Affairs announced scholarships for postgraduate students from Kosovo in Slovenia. Scholarships are available for Master's and PhD studies in science, engineering or medicine. In the context of development policy, Slovenia's priority region is Sub-Saharan Africa. In 2011, funds were allocated for citizens of Cape Verde Islands. The subject matter of the amended call on rolling basis until the end of August 2012 is scholarship for up to two citizens of the Cape Verde Islands to study in Slovenia. The scholarship will be awarded for tuition for a one-year study programme of the Slovenian language and for undergraduate or homogeneous Master studies in area of medicine/health studies, and living costs in the

⁶² Slovene Human Resources Development and Scholarship Fund: <http://www.sklad-kadri.si/si/stipendije/sofinanciranje-raziskovanja-in-pedagoskega-sodelovanja/> (in Slovenian); <http://www.sklad-kadri.si/en/calls-for-applications-and-news/archive/> (in English)

⁶³ Refer to the Slovene Human Resources Development and Scholarship Fund:

<http://www.sklad-kadri.si/si/stipendije/stipendije-za-studij-zamejcev-in-slovencev-po-svetu-v-sloveniji/> (in Slovenian)

⁶⁴ Slovene Human Resources Development and Scholarship Fund: *Letno poročilo* (Annual Report) 2009, p. 46; 2010, pp. 23-24; 2011, p. 27. The amount tendered and the interest for these scholarships is increasing: for the academic year 2011/2012 the amount tendered amounted to 500.000 Euros, 193 persons applied (11.6% more than previous year). Grants were awarded to 172 students (19.4% more than last year), to 65 of them for the first time (18.2% more than a year before).

⁶⁵ Resolution on International Development Cooperation of the Republic of Slovenia for the period until 2015, *Official Gazette of the Republic of Slovenia*, No. [73/2008](#). According to the Ministry of Foreign Affairs, training of professionals in the target countries (mainly the Western Balkans) is one of the several priorities of the above-mentioned resolution, in particular, (i) Scholarships for various forms of education from the target countries in Slovenia, and (ii) assistance in the training programmes for selected population groups in the target countries. Slovenian legislation, at least for now, does not allow to stipend third-country nationals in their countries of origin or in other, perhaps in terms of language more appropriate third countries Written communication, Matej Kramberger, Department for Implementing International Development Cooperation and Humanitarian Assistance, Ministry of Foreign Affairs of the Republic of Slovenia, 2 August 2012.

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amount of 700 Euros per month for the duration of the scholarship⁶⁶. In June 2011, the Government decided that 200,000 Euros are to be allocated for scholarships for citizens of Egypt and Tunisia. The call is open until the end of 2012. For each country 3 scholarships for Masters programmes or for doctoral programmes are available for full tuition and living costs in the amount of 700 Euros per month⁶⁷.

Due to a long process relating to admission, only one person from Kosovo applied for the academic year 2009/10 (the candidate later decided to study at home). In 2010, there were 9 applications and 6 scholarships granted, totalling 177,466.50 Euros for the whole duration of studies. In the year 2009/10 the value of the tender grew to 250,000 Euros and additionally 100,000 Euros. 13 students (out of 30 applications) received the grant⁶⁸. No one from Cape Verde applied in 2011, due to enrolment limitation in health programmes and because Cape Verde could not provide suitable candidates who would be eligible for enrolment.

Other financing options

Young researcher programme offers a possibility to participate in research work during postgraduate study. The programme is an important scientific policy instrument at the Slovene Research Agency since 1985 and the Agency is dedicating a significant amount of its budget to financing this programme. The average annual cost of financing one young researcher is approx. 30,000 Euros. Young researchers have regular, fixed-term employment contracts up to a maximum of 3 years and six months for a PhD programme. The Agency finances their salaries, social contributions, as well as material and non-material costs for research and postgraduate study. The postgraduate student who wishes to become a young researcher has to apply for employment with a mentor at a Slovenian research organisation who has been successful at the Call for mentors for young researchers. The list of such mentors is annually published on the ARRS web page. The postgraduate student has to show an average grade for all examinations and coursework at graduate level (excluding the degree examination) of at least 8,00 (out of 10), and must fulfil the conditions for enrolment in postgraduate studies for a PhD to be eligible. The young researcher programme is accessible to third-country nationals. Their number is increasing; in 2010/11 around 30 were admitted, mostly from non-EU states. They have to apply for a work permit and residence permit as Researchers⁶⁹.

Innovative scheme for cofunding doctoral studies promotes cooperation with the economy and solving current social challenges - the generation 2011⁷⁰. Tenders for this scheme, which is partly financed by the EU through the European Social Fund, are announced by universities. In the academic year 2011/12 PhD candidates may submit one application for funding the doctoral programme for the duration of the study and be enrolled at that specific university, including: (i) the total tuition fee up to a maximum amount of 4,000 Euros per year, an incentive to study in the amount of 5,950 Euros per year and compensation of subsistence costs, accommodation and transport due to active participation in international conferences abroad to total value of 2,500 Euros in the last two years of doctoral study, or (ii) part of the tuition, up to 50% but not more than 2,000 Euros per year. All information relating to tenders is provided by universities of Ljubljana, Maribor, Primorska and Nova Gorica⁷¹.

⁶⁶ Human Resources Development and Scholarship Fund: Scholarships for citizens of the Cape Verde Islands to study in the Republic of Slovenia (116. JR): <http://www.sklad-kadri.si/en/calls-for-applications-and-news/call-for-application/n/scholarships-for-citizens-of-the-cape-verde-islands-to-study-in-the-republic-of-slovenia-116-jr/>

⁶⁷ Human Resources Development and Scholarship Fund: Scholarships for citizens of Egypt and Tunisia to study in the Republic of Slovenia (129. JR): <http://www.sklad-kadri.si/en/calls-for-applications-and-news/call-for-application/n/scholarships-for-citizens-of-egypt-and-tunisia-to-study-in-the-republic-of-slovenia-129-jr/>

⁶⁸ Human Resources Development and Scholarship Fund: *Letno poročilo* (Annual Report) 2010, p. 18.

⁶⁹ Slovenian research agency (ARRS): <http://www.arrs.gov.si/en/mr/predstavitev.asp>; Conversation with Matejka Ahčin, ARRS, July 2012.

⁷⁰Ministry of Higher Education, Science and Technology, Archive website http://www.arhiv.mvzt.gov.si/si/delovna_podrocja/visoko_solstvo/dejavnost_visokega_solstva/doktorski_studij/ (in Slovenian).

⁷¹ University of Ljubljana, webpage <http://www.uni-lj.si/novica.aspx?id=6737>;

University of Maribor webpage <http://www.uni-mb.si/povezava.aspx?pid=7645>;

Besides scholarships and other incentives described above, there are also other options such as *Scholarships in the framework of bilateral agreements* and *CEEPUS scholarships* in accordance with the Agreement concerning the Central European Exchange Programme for University Studies which facilitates in particular inter-university cooperation and mobility in the framework of networks. International students may also apply for EU funding within the *Erasmus Mundus* programme (see Chapter 4).

Universities, according to information available, do not have their own scholarship funds. The University of Ljubljana though, mentions in its Business report 2008 that a special scholarship fund was raised from Slovenian enterprises to stimulate exchange of foreign students⁷². The University of Nova Gorica is the only university that has established university foundation, but there is no information whether these funds are also used to support studies of foreign students⁷³. During my research I could not acquire any information from municipalities or from private foundations that may provide funding for international students or about funding of students from the side of their states of origin.

Nevertheless, the awards presented above allow international students to acquire study places at the educational institutions within the limits set out by tenders for each type of study funding. There is no fast tracking of visa or residence permit applications as the duration of procedure on visa or residence permit applications remains within the time limits prescribed by the law (see below).

The process for the issuance of visas or residence permits

International students who wish to pursue studies in Slovenia have to be holding a long-stay residence visa or a temporary residence permit, in line with the Aliens Act, being in force from 28 October 2011⁷⁴.

Long-stay residence visa (visa D)

A long-stay visa may be issued to third-country nationals for the purpose of participating in a training course or other similar forms of education or training, where the third-country national is not required to hold a residence permit for study purposes or when he or she proves, by submitting an opinion issued by the competent ministry, the existence of an interest for the Republic of Slovenia in the field of higher education. According to the Aliens Act the minister responsible for higher education and science shall issue rules to define in greater detail the criteria for verifying this interest⁷⁵. A long-stay visa shall be issued for the period of the international student's intended visit to Slovenia and shall have a period of validity of no more than one year. An international student must obtain a long-stay visa before entering Slovenia⁷⁶. Therefore, he or she has to apply for a long-stay visa no more than three months prior to the start of the planned arrival to Slovenia, by logging an application by the diplomatic missions and consular posts of the Republic of Slovenia abroad. The applicant has to hold a valid travel document, the validity of which extends at least three months after the intended stay in Slovenia. In addition the applicant has to possess a medical travel insurance, sufficient means of subsistence, and provide evidence of one of the purposes of the intended stay⁷⁷. The applicant shall support the long-stay visa application with the following documents: a valid travel document and a copy thereof, and other evidence and certificates indicating that the requirements referred to above have been fulfilled. The applicant has to pay the administrative fee for

University of Primorska <http://www.upr.si/studij/inovativna-shema-za-sofinanciranje-doktorskega-studija/> ;

Univerza of Nova Gorica webpage <http://www.ung.si/si/studentski-vodnik/javni-razpisi/> (in Slovenian).

⁷² University of Ljubljana, *Poslovno poročilo* (Business report), Ljubljana, March, 2008, p. 34, Available at http://www.uni-lj.si/files/ULJ/userfiles/ulj/o_univerzi_v_lj/letno_porocilo/poslovno_porocilo_UL_2007.pdf (in Slovenian)

⁷³ University of Nova Gorica, Edvard Rusjan Foundation, webpage <http://www.fer.si/> (in Slovenian)

⁷⁴ Aliens Act (ZTuj-2), *Official Gazette of the Republic of Slovenia*, No. 50/2011, 57/2011 corr.

⁷⁵ Refer to Article 20(1) and (5) of the Aliens Act. Implementing regulation, which should be issued within six months after the enactment of the Aliens Act has not yet been issued until July 2012.

⁷⁶ Refer to Article 19 of the Aliens Act.

⁷⁷ Refer to Articles 18 and 22. Purposes of the intended stay are defined in Art 20 of the Aliens Act.

the issuing of a long-stay visa otherwise an application shall be dismissed by a decree⁷⁸. The applicant also has to prove to be in a possession of adequate medical travel insurance that covers any expenses which might arise due to a medical condition, urgent medical attention or emergency hospital treatment with the minimum insurance coverage of 30.000 Euros. In principle, the international student shall take out insurance in his or her country of residence, or if this is not possible, in any other country where it is possible to take out such insurance or a sponsor or any other legal or natural person in Slovenia may take out insurance in his or her name⁷⁹. Sufficient means of subsistence on a monthly basis have to correspond to at least the basic amount of the minimum wage in the Republic of Slovenia. This can be presented by cash, travellers' cheques, credit cards, and an affidavit of support or the method that proves that he or she possesses the means necessary for his or her stay in Slovenia⁸⁰. A long-stay visa is served on the international student in person at the competent authority⁸¹.

Temporary residence permit

In principle, a third-country national who wishes to enter and stay in Slovenia for reasons other than those permitted by his visa must hold a residence permit⁸². A residence permit can be a temporary residence permit for a specific purpose and for a specific period of time or a permanent residence permit without any limitations as to the duration and purpose of stay in Slovenia; in this latter case the third-country national is entitled to long-term residence status⁸³. A temporary residence permit is issued and renewed by the administrative unit in the area in which the third-country national resides or intends to reside or, when granted on the basis of the interest of the Republic of Slovenia, by the ministry responsible for the interior. Permanent residence permits are issued by the administrative unit in the area where the alien resides⁸⁴. A first temporary residence permit is a temporary residence permit, in principle valid for one year, which a third-country national may acquire when all the conditions required for a temporary residence permit have been fulfilled.

International students must acquire a first temporary permit prior to their entry into the country, by lodging an application with a diplomatic or consular representation of the Republic of Slovenia abroad or with a competent authority in Slovenia, if so specified in the Aliens Act⁸⁵. For this he or she has to satisfy general conditions for the temporary residence permit and in addition fulfil the conditions required for the issuing of the type of residence permit for study reasons.

⁷⁸ A family member of an EU citizen or a family member of a Slovenian citizen referred to in are exempt from the payment of administrative fees charged for the issuing of a long-stay visa. Upon the acceptance of an application, the alien's travel document is stamped indicating that the visa application has been submitted. The content and form of the stamp is defined in Annex III to the Visa Code. Refer to Art 22 of the Aliens Act.

⁷⁹ Article 23 of the Aliens Act.

⁸⁰ Refer to Article 25. (2) and (3) of the Aliens Act.

⁸¹ Article 22 (5) and (6) of the Aliens Act. Any decision refusing the issuing of a visa, a decree staying the procedure and a decree dismissing an application issued in a visa procedure shall be served on the alien in person at the diplomatic or consular representation, or by post in accordance with the postal service regulations of the country in which the diplomatic or consular representation is located in a way that enables the acceptance of service. If it is not possible to serve the documents on the alien in the above manner, a decision or decree shall be affixed to the notice board of the diplomatic or consular representation of the Republic of Slovenia and posted on the e-Government state portal in accordance with the Act regulating the general administrative procedure.

⁸² Art 31 (1) of the Aliens Act.

⁸³ Art 32 of the Aliens Act.

⁸⁴ Refer to Article 54 of the Aliens Act.

⁸⁵ Refer to Article 34 of the Aliens Act. If an alien, due to unexpected circumstances, was unable to obtain a first temporary residence permit of the Republic of Slovenia before entering the country, such a permit may be served on him by the competent issuing authority provided that the alien is a legal resident in Slovenia and has lodged his application for a first temporary residence permit prior to his entry into the country, has been fingerprinted by the diplomatic or consular representation of the Republic of Slovenia prior to his entry into the country, and has, after entering the country, notified the competent issuing authority of his arrival, address and duration of intended stay and the reasons why he was unable to obtain a temporary residence permit before entering the country. An alien whose residence permit has expired may acquire a new first temporary residence permit of the Republic of Slovenia provided that he has fulfilled the conditions specified in the Act.

Among general conditions required for obtaining a residence permit is an application lodged by third-country national or, in certain circumstances, by another natural or legal person. An application for a temporary residence permit shall state the purpose or reasons of stay in Slovenia⁸⁶. Furthermore, he or she must possess a valid travel document whose validity must be at least three months longer than the intended residence in Slovenia, appropriate health insurance and sufficient means of subsistence during his or her residence in the country or other guarantees that his or her livelihood will be provided, on a monthly basis, in an amount equal to at least the basic minimum income in Slovenia. The applicant has to support his application for a residence permit with a valid travel document or a certified copy of such document and other evidence and documents satisfying the required conditions. A residence permit is served on a third-country national to whom a permit is issued or to his statutory representative. A statute or international agreement may provide for specific third-country nationals to enjoy the right to reside in the Slovenia under the conditions set forth by the law or an international agreement⁸⁷.

Temporary residence permit for study purposes may be acquired by a third-country national accepted as a student for studies, other forms of education, specialisation, advanced professional training, practical training, or who will participate in an international study exchange in relevant educational institutions in the Republic of Slovenia or in educational international volunteer exchange programmes or in other programmes and fulfils the other conditions for the issue of a permit. An adequate proof for fulfilment of the requirement to have sufficient means of subsistence, which every month shall amount to no less than the basic minimum wage in the Slovenia is a written statement by the student's parents or his or her statutory representative confirming that they will financially support him or her during his or her studies. A temporary residence permit is issued for the duration of the study, education, specialisation or advanced professional training, but for not more than one year and is extended on an annual basis in the event that the studies, education, specialisation or advanced professional training last longer than one year. The issuing of a permit is conditional upon the submission of documentary proof of acceptance to the study, education, specialisation or advanced professional training course issued by the educational institution which accepted the third-country national as a student, or confirmation from the state authority responsible for the implementation of international or bilateral agreements or which is the grant-awarding authority, or confirmation issued by the state-authorised organisation responsible for the implementation of a specific course. The competent authorities give priority to processing applications for the issuing of temporary residence permits for study purposes⁸⁸.

Personal appearance

Students needs to appear in person (at least) twice at different stages of the application process in diplomatic and consular representations of the Republic of Slovenia; first, when applying for a first residence permit and secondly, when served the document. The application for a first temporary residence permit may be sent by mail, the applicant however will be invited to appear in person in order to give two fingerprints to be captured digitally⁸⁹. A long-term visa is refused or not issued if the student fails to appear in person at the consulate upon invitation⁹⁰. The added value of fingerprints has been questioned by the Head of Visa Section at the Ministry of Foreign Affairs: on the one hand the system is not yet fully established; on the other hand biometric data on the facial image and fingerprints are kept in the record of visas and in the record of temporary residence permits for thirty days from a final decision on the

⁸⁶ 35 (2) A temporary residence permit in the Republic of Slovenia shall also be issued, inter alia, to the aliens with long-term residency status in another EU Member State.

⁸⁷ Refer to Article 33 of the Aliens Act. In order to be issued with a permanent residence permit, an alien must possess a valid travel document irrespective of the validity period thereof. In this case, an alien may not prove his sufficient means of subsistence using the resources he is paid by another natural or legal person by virtue of a maintenance agreement.

⁸⁸ Article 44 (1) - (4) of the Aliens Act.

⁸⁹ Refer to Articles 88, 111 and 112 of the Aliens Act. See also Rules on the issue of residence permits, the method of recording fingerprints and the method of marking the expiry of residence permit, *Official Gazette of the Republic of Slovenia*, No. [85/2011](#)

⁹⁰ Refer to Article 26 (1) of the Aliens Act.

application⁹¹. In addition to unfriendly attitude of the consular personnel, some educational institutions also highlighted this issue, particularly for students from countries where there is no diplomatic and consular representation of the Republic of Slovenia. In Africa, there is only one in Cairo and for some students, e.g. from South Africa this represents an insurmountable obstacle. Some of these students could not come to study in Slovenia in spite of being accepted by the Slovenian educational institution. Nevertheless, these students do not use the consular services of other EU Member States, or only rarely, for example, if looking for entry into Slovenia on the basis of a short-term visa in spite of their intention to study in Slovenia.

Rejections and appeals

Authorisations to study in Slovenia, i.e. a long-stay visa or a temporary residence permit may be refused or shall not be issued if the requirements laid down by law have not been met, if a third-country national is a subject to an entry ban or if there are other reasons for refusal such as an assumption that after the expiry of the visa or permit he or she will not voluntarily depart Slovenia after the visa/permit has expired or there exist well-founded grounds that the person might pose a threat to public order and safety or the international relations of the Republic of Slovenia, or there is a suspicion that his or her residence in the country is related to the commission of terrorist or other violent acts, illegal intelligence, drug trafficking or the commission of other criminal acts or for reasons that are related to public health, for example, that he or she comes from regions where there exist infectious diseases with epidemic potential, listed in the inter/national health rules⁹². Residence permit or visa can also be annulled by the authority that issued it, if it has been determined, *inter alia*, that the third-country national no longer fulfils the conditions for the granting of the permit or has deliberately provided false information about his or her identity or any other inaccurate data or intentionally concealed circumstances relevant on the issuing of the authorisation⁹³. Unless otherwise specified, the general administrative procedure is applied in procedures carried out in accordance with the Aliens Act⁹⁴. Appeal in writing is possible within 8 days after the decision upon visa was taken and within 15 days of service of the decision on residence permit. Appeals against decisions and measures related to residence permits issued in the first instance by the administrative unit are decided upon by the Ministry of the Interior; appeals against decisions and measures related to visa D, issued in the first instance by Slovenian diplomatic and consular representations abroad, are decided upon by the Ministry for Foreign Affairs⁹⁵. The latter has not yet refused any application for a visa D for the purposes of study; one was annulled though since the person after the visa had been issued did not enter the country. The Ministry of the Interior holds an opinion that an analysis should be carried out in order to establish the main elements that lead to successful appeals of rejections of authorisations to study in Slovenia. However, the Ministry has not done such an analysis neither it intends to do one because the administrative files are returned back to the administrative units after decisions had been made and are stored there in accordance with the rules of storage⁹⁶.

Tuition fees

According to the provision of the Higher Education Act, which talks about education under the same conditions, the Slovenians without Slovenian citizenship, nationals of the EU Member States and third-country nationals, provided that the principle of reciprocity is applied, have a right to study at higher education institutions in Slovenia under the same conditions as Slovenian nationals⁹⁷. More detailed conditions in regard to tuition fees are determined by Regulations on tuition fees and accommodation in

⁹¹ Refer to Article 115 of the Aliens Act. Verbal communication with Anton Pirih, Visa section, Consular department, Ministry of Foreign Affairs of the Republic of Slovenia.

⁹² For details refer to Articles 26 and 55 of the Aliens Act.

⁹³ Refer to Articles 28 and 56 of the Aliens Act.

⁹⁴ Article 85 of the Aliens Act.

⁹⁵ Refer to Articles 29 and 87 of the Aliens Act.

⁹⁶ Verbal communication with the Ministry of Foreign Affairs, 17 July 2012; written communication with the Ministry of the Interior, 19 July 2012.

⁹⁷ Refer to Article 7, Higher Education Act – Official Consolidated Text (ZViS-UPB7), *Official Gazette of the Republic of Slovenia*, No. 32/2012

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students' dormitories for Slovene nationals without Slovene citizenship and foreigners in the Republic of Slovenia, which has been in use from the study year 2008/09.

At the University of Ljubljana (UL), tuition fees for foreign students in year 2006/07 amounted from 1,500USD for undergraduate studies in social sciences and humanities up to 2,000USD for other sciences and arts; master's study tuition fee amounted up to 3,000 USD and doctoral studies fee from 2,250 to 6,000 USD. Since then, according to this source tuition fees have not changed significantly⁹⁸. At the University of Primorska the annual tuition fee for undergraduate courses ranges from 2,050 EUR to 3,400 EUR. The Ministry of Education, Science, Culture and Sport holds an opinion that the tuition fees at higher education institutions have not increased since 2006 because Slovenian students are less interested in part-time studies due to the current economic crisis as well as in the context of demographic trends⁹⁹.

Third-country nationals pay tuition fees or need not to pay them: (i) if so concluded by bilateral, multilateral and international agreements; (ii) if they are students with Slovenian government grants (from the Ministry of Education respectively CMEPIUS and the Fund), (iii) if they are exchange students in the Lifelong learning programme (iii) if they hold permanent residence permit in Slovenia and are themselves or their parents/guardians liable for tax in Slovenia. Tuition fees for international students are determined by higher education institutions in compliance with the Regulations on school fees and other contributions to the higher education for part-time study of Slovenian nationals. Upon individual's request, an institution of higher education may agree to waive or reduce the fees to a student or allow him to pay in instalments¹⁰⁰.

Comparison with the conditions of Council Directive 2004/114/EC

Aliens Act applies the provisions of the Council Directive 2004/114/EC¹⁰¹ relating to students, but does not explicitly mention the obligation of granting a residence permit in accordance with Article 12 (1) thereof, by which students from third countries which fulfil the general and special conditions of that Directive the right to the issue a residence permit and any extension thereof under these conditions.

International students need not to obtain both the long-stay residence visa and the residence permit, but the choice between the two is not theirs. The most important difference is that the log-stay visa is issued mainly due to education-related reasons. As the first residence permit must be obtained before entering the country, Slovenia does not issue short-term visas or make use of any facilities provided by the Visa Code specifically for students. Students do not benefit from consular services from other EU Member States, or only in exceptional cases, for example, if looking for entry into Slovenia on the basis of short-term visas in spite of their intention to pursue study in Slovenia.

In regard to general conditions for admission as postulated by Article 6 of the Directive, the requirement to present a valid travel document is incorporated in the Slovenian legislation with the additional requirement, which the Directive allows. It is unclear whether the requirement of a parental authorisation for the planned stay of a minor has been transposed. The Ministry of Interior offers an interpretation that according to the General Administrative Procedure Act and the administrative practice formed by implementing the provisions of the Aliens Act, the request for a temporary residence permit for a minor has to be made by his legal representative, i.e. parents or the guardian. By submitting the application the legal representative also expresses agreement with the planned stay of the minor to study in Slovenia. Among the conditions required for temporary residence of students, Slovenia does not specifically refer to

⁹⁸ University of Ljubljana, webpage: http://www.uni-lj.si/studij_na_univerzi/cenik_storitev.aspx (in Slovenian)

⁹⁹ Verbal communication, 12 July 2012.

¹⁰⁰ Refer to Articles 2 – 5, Regulations on tuition fees and accommodation in students' dormitories for Slovene nationals without Slovene citizenship and foreigners in the Republic of Slovenia, *Official Gazette of the Republic of Slovenia*, No. 70/2008 and Rules on school fees and other contributions in higher education, *Official Gazette of the Republic of Slovenia*, No. 40/1994 and 45/1998.

¹⁰¹ Council Directive 2004/114/EC of 13 December 2004 on the conditions of admission of third-country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service, OJ L 375, 23.12.2004.

the risks normally covered for its nationals. “Adequate health insurance” is one of the general conditions for granting residence permits, which as interpreted by the Ministry of the Interior is considered as health insurance, which covers at least emergency medical services in Slovenia. For adequate health insurance is considered: the compulsory health insurance, health insurance on the basis of agreements on social insurance, voluntary health insurance – “inclusion in the compulsory health insurance” and commercial health insurance¹⁰². It has to be noted here, that third-country nationals pay tuition fees to educational institutions, unless specified otherwise which include health risks normally covered for students who are Slovenian nationals. Slovenia requires proof of payment of the fee for processing the application for admission. Administrative fee for processing the application for temporary residence permit is 50 Euros, consular fee for visa D is 77 Euros while for a residence permit applicants are charged 102 Euros at the diplomatic and consular missions of Slovenia abroad (except fellows of CMEPIUS, the Fund etc.). Recently a question has arisen how charging fees for permits of international students and some other categories relates to exception of paying fees for documents and actions relating to education, as stipulated by the Administrative Fees Act and to the principle of reciprocity. Ministry for Foreign Affairs believes that charging fees to foreign students at the diplomatic consular representations abroad and at the administrative units in Slovenia should be uniform. The Ministry launched an initiative for the interpretation of the relevant articles of the Administrative Fees Act: should applicants for study-related residence permit pay the fee, which are possible exceptions, and how in this case the principle of reciprocity between states is observed¹⁰³. It is possible to confirm that the European Commission's finding that some Member States appear simply to be calling for a facilitation of the admission of third-country nationals participating in EU Programmes rather than translating it into specific rules on e.g. lower fees or faster procedures are valid for Slovenia¹⁰⁴. International students participating in EU Programmes such as Erasmus Mundus, or those from a signatory state of the Lisbon Convention do not experience a facilitated process for admission. There are no specific consular arrangements enabling the above international students to be issued visas or residence permits under special conditions (e.g. sharing lists of the names of students accepted by educational establishments with consulates, issuing of specific supporting documents to accepted students by their home or host institution or funding body. However, they may reside in Slovenia on the basis of a valid temporary residence permit issued for study purposes in another EU Member State for three or until the expiry of the permit, if the permit expires prior to the three-month period and should they wish to stay longer they may apply for a temporary residence permit for study purposes in Slovenia. Among specific conditions set out by Article 7 of the Directive, the minimum monthly resources that an international student must demonstrate to cover his subsistence are made public in way to ensure no influence to individual examination of each case. This information is published in texts that are available to migrants. Slovenia does not require evidence that the applicant has sufficient knowledge of the language of the study programmes neither must the applicant provide evidence that he or she has paid the fees charged by the educational institution. This requirement is implicitly applied through confirmation that the applicant has registered with an educational institution.

Applications for temporary residence permit for study purposes have a priority, however the provision on an agreement on the establishment of a fast-track admission procedure allowing residence permits or visas to be issued in the name of the third-country national concerned that may be concluded between the authority of a Member State with responsibility for the entry and residence of international students and an establishment of higher education is not transposed into Slovenian legislation¹⁰⁵. Slovenia does not

¹⁰² Written communication, Gregor Janc, Head of Migration Division Administrative Internal Affairs, Migration and Naturalization Directorate, Ministry of the Interior, 19 July 2012.

¹⁰³ Communication of the Ministry for Foreign Affairs, Directorate for International Law and Protection of Citizens, Consular sector, No. ZKO-2614/12 dated 12. 7. 2012.

¹⁰⁴ Report from the Commission to the European parliament and the Council on the application of Directive 2004/114/EC on the conditions of admission of third country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service, Brussels, 28.9.2011, Available at: COM(2011) 587 final <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0587:FIN:EN:PDF>.

¹⁰⁵ Refer to Article 19 of the Directive 2004/114/EC.

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provide for residence permits before the formal start of the study for learning the Slovenian language, unless so specified by bilateral agreements. There are no additional conditions or additional discretion applied.

“Information for foreigners” in 7 languages is relatively easy to find on the e-portal www.infotujci.si/¹⁰⁶. Conversations with representatives of the Slovenian universities suggest that despite certain difficulties, the date of the start of the study is taken into account by administrative authorities when issuing the relevant documents to international students. Difficulties however may occur, particularly because of the demand for personal appearance at the consulate of the Republic of Slovenia, in particular in Africa where only one representation exists.

Statistics on Admission

Statistics on admission of international students is not available for the whole reference period 2006-2011. Tables 1 – 3 in the Annex of this study present Eurostat published data for years 2008, 2009 and 2010, updated for the year 2011 with data supplied by the Ministry of the Interior. Tables 1 – 3 could not be complemented with statistical data for the year 2006 as they are not in accordance with Regulation (EC) 862/2007. Therefore, data for the year 2006 is presented and/or interpreted separately. Data for the year 2007 have not been received and were also not submitted to the Eurostat by the Ministry of the Interior. In accordance with the above cited Regulation submission was not mandatory for the year 2007¹⁰⁷. Table 4 presents data on long-stay residence visa (Visa D) in 2011, supplied for this study by the Ministry of Foreign Affairs.

In 2006, 32,300 residence permits were issued to third-country nationals, 32,300 or 94.16 % for reasons related to remunerated activities, 1,243 permits for study and education-related reasons and 759 for other reasons. All permits were valid for less than 12 months. In 2006, Statistical database of Slovenia was not able to distinguish between permits of shorter duration. Table 3.2 shows that 80 % of residence permits for study and education-related reasons were issued to students from the Western Balkans. Citizens from other third countries were represented in much smaller numbers: Turkey (43), Russia (32), Ukraine (24), USA (14), China (14) and India (13).

The number of valid residence permits for up to 12 months at the end of 2006 was 29,394. The largest number was for family members of immigrants (21,655) and remunerated activities (9,208). 940 or 19.3 % were held by third-country nationals for study and education-related reasons, more than 82 % were held by citizens of Croatia (298 or 31%), Macedonia (185), Serbia and Montenegro (153) and Bosnia and Herzegovina (140). Number of permits for citizens of other states was much smaller: Russia (26), Ukraine (20), Turkey (20), India (11), the U.S. (10) and China (10).

Table 3.2: Permits issued for study and education reasons in 2006, main 10 countries of citizenship.

Main 10 countries of citizenship	2006	
Position of the country of citizenship	Name of the country of citizenship	Total
1st main	Croatia	388
2nd main	Macedonia, the Former Yugoslav Republic of	222
3rd main	Serbia and Montenegro	211
4th main	Bosnia and Herzegovina	175
5th main	Turkey	43
6th main	Russian Federation	32
7th main	Ukraine	24
8th main	United States of America	14
9th main	China (including Hong Kong)	14
10th main	India	13

Source of data: Ministry of the Interior, July 2012

Tables 1 in the Annex of this study present data on *first permits* issued for education reasons. In 2008 there were 246, their number jumping to 666 in 2009 and after a slight decrease in the following year (628) rising to 1038

¹⁰⁶ Information for foreigners: <http://www.infotujci.si/?setLang=EN&t=&id=>

¹⁰⁷ Written communication, Gregor Janc, Head of Migration Division Administrative Internal Affairs, Migration and Naturalization Directorate, Ministry of the Interior, 11 July 2012.

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in 2011. Almost 60 % of first permits for temporary residence in 2011 third-country nationals acquired due to study reasons, whereas 420 were granted a permit for other educational reasons. By duration most the first permits allowed students to reside in Slovenia from 6 to 11 months (67 % in 2011) except for the year 2008 when most of first residence permits was issued for 3 to 5 months. Among ten main countries of citizenship were the Western Balkan countries with Croatia at the top, followed by Macedonia and Serbia. From other countries most of students came from Turkey and Russia, but also China and some other Asian countries such as India and South Korea. Statistics of the information system of the administrative internal affairs shows that most of third-country nationals came to Slovenia in 2011 due to remunerated activities (4659) - among these there were 17 researchers and 1 EU Blue Card - and family reasons (4022). Internationals students represented around 10 % of the flow. Slightly more students were women (544).

Tables 2 in the Annex of this study present all valid permits for education reasons at the end of the year. There number almost doubled in the reference period 2006 -2011. According to the Ministry of the Interior's data there were 940 in 2006 and 1722 or 1.94 % of all valid permits at the end of 2011. In all of the years most of valid permits were for duration from 6 to 11 months, in the last year of the reference period around 60 %. The top 4 countries in 2008 and 2009 are Croatia, Macedonia, Bosnia and Herzegovina and Serbia, with Turkey taking over the 5th place from Montenegro in the last two years of the reference period.

Tables 3 in the Annex of this study relate to changes of immigration status from and to education reasons. In the period 2008 - 2011, 162 third-country nationals changed their immigration status to education, 86 those who had previous family-related permits, 73 from remunerated activities and 3 from other reasons. More numerous are changes in the other direction: 571 third-country nationals changed their immigration status from education to other reasons, more than a half to family reasons and the other half to enumerated activities. In both the categories citizens of the Western Balkan countries prevailed.

Tables 4 in the Annex to this study present data on long-term residence visa (Visa D) in 2001. 36 visas were issued in 2011. 8 were issued to the nationals of the Russian Federation, 8 to South Koreans, 6 to Canadians, 5 to nationals of Kazakhstan and 4 to U.S. Visas D were also acquired by 3 nationals of Serbia and one from both Turkmenistan and Georgia. Furthermore, in the first half of the year 2012, the number of visas issued doubled and has been obtained by 71 international students from Turkey (14), Kosovo (10), Russia (7), Canada (6), United States (5), Croatia (4) and Mexico (3) and 2 from Ukraine, Belarus, Georgia, India, Macedonia, Serbia and South Korea as well 1 from Japan, Turkmenistan and Australia. Altogether 106 Visas D were issued since the enforcement of the new Aliens Act¹⁰⁸.

Table 3.3: Number of refused and rejected applications for temporary residence permits for study reasons and suspended procedures, by type of decisions and permits, 2008-2011

Type of permit/ Type of decision	2008		2009		2010		2011		TOTAL		
	First permit	Renewal	First permit	Renewal	First permit	Renewal	First permit	Renewal	First permit	Renewal	
suspended	21	18	34	41	24	26	26	28	105	113	218
refused	13	5	77	16	24	16	19	12	133	49	182
rejected		3	1	2	3	3	4	4	8	12	20
TOTAL	34	26	112	59+	51	45	49	44++	246	174	420

+ 1 refusal of further permit
 ++ 5 refusals of further permit

Source of data: The Ministry of the Interior, updated 20 July 2012

In the period 2008-2011, 141 applications for first permits for study purposes were refused or rejected and 105 procedures were suspended. Most of the refusals occurred in 2009 (77), mainly for applicants from Serbia (36) and China (18). In the same period, 113 procedures for renewals were stopped, 49 applications were refused and 12 discarded. Students from non-European countries were less successful in their applications for the extension of the temporary residence permit while most of procedures interrupted concerned nationals of the Western Balkan countries (Table 3.3).

¹⁰⁸ Written communication, Ministry for Foreign Affairs, 9 July 2012.

3.2 Stay

3.2.1 International resp. foreign students

The length of stay of international students is regulated by the duration of their studies irrespective of the type of study/student. Those students who study in Slovenia on the basis of the temporary residence permit are allowed to extend it on annual basis, if their studies, education, specialisation or advanced professional training last longer than one year. The conditions are the same as the ones required in relation to initial entry into Slovenia. The student must lodge an application for the extension of a permit with the administrative unit of his residence in Slovenia prior to the expiry of the validity of the permit and may appeal against a decision or decree, based on which an application for the extension or renewal of a temporary permit was refused or dismissed or on the basis of which a stay of proceedings was determined, within 15 days of service of the decision or decree¹⁰⁹. The student who is staying in the country on the basis of long-stay visa may acquire a temporary residence permit provided that he or she has fulfilled the relevant requirements and has lodged an application with the administrative unit of his or her residence prior to the expiry of the validity of a long-stay visa. The competent state authority shall issue a certificate attesting to the prompt filing of the application, which shall serve as a temporary residence permit until a final decision is taken regarding the application¹¹⁰. There are no specific criteria relating to e.g. marks received during the studies, progress rate and language skills, considered when assessing students' applications to extend the duration of their stay in Slovenia.

Table 3.4 shows an overall, approximately 15 % increase in number of extended temporary residence permits due to study and education-related reasons for the period from 2008 to 2011. Among the top ten countries of citizenship are the countries of the Western Balkans, Turkey, China and Ukraine.

Table 3.4: Number of extended study and education-related temporary residence permits, main 10 countries, 2008-2011

Country	2008	2009	2010	2011	Total
Croatia	324	322	346	359	1351
Macedonia	208	227	231	258	924
Bosnia& Herz.	124	138	153	136	551
Serbia	119	107	99	96	421
Kosovo	19	33	29	42	123
Russia	21	27	23	30	101
Montenegro	16	19	26	29	90
Turkey	10	19	17	18	64
China	14	6	17	20	57
Ukraine	6	8	8	11	33
All countries	905	943	987	1058	3893

Source of data: The Ministry of the Interior, updated 19 July 2012

Economic activities of international students

An international student is permitted to perform work or obtain employment in Slovenia during the period of validity of a temporary residence permit for study purposes, under the conditions defined in the Acts regulating employment relationships and student work¹¹¹. The Employment and Work of Aliens Act, being in force since 23 April 2011, stipulates that work permit is not required for third-country nationals who have the status of students in Slovenia and who, on the basis thereof, perform student work or perform student work on the basis of agreements on student exchange¹¹².

¹⁰⁹ Refer to Articles 44 (2) and 36 (1) and (3) of the Aliens Act.

¹¹⁰ Refer to Article 30 of the Aliens Act.

¹¹¹ Refer to Article 44 (5) of the Aliens Act.

¹¹² Refer to Article 5 (2), point 10 of the Employment and Work of Aliens Act (ZZDT-1), *Official Gazette of the Republic of Slovenia*, No. [26/2011](#).

Student work

Student work may be performed by persons with student status in Slovenia, as well as by international exchange students from foreign universities in the context of exchange programmes¹¹³. The legal basis for student work in companies is the referral, by which students, who become members in the Student service or Employment service, which has to be recorded in the concession contract and fulfil conditions under the provisions of the Rules on conditions for performing activities of employment agencies relating to providing temporary and occasional work to students. Students have health insurance in accordance with Health Care and Health Insurance Act and compulsory insurance for disability, physical impairment or death resulting from injury or occupational diseases when performing work through authorised Student service or Employment agency on the basis of the Pension and Disability Insurance Act. Under this Act student service or employment agency that refers a student for temporary or occasional work and organisers of such jobs and actions are liable to pay contributions for special cases of insurance¹¹⁴. However this insurance does not include the right to obtain a daily compensation in cases of accidents for which students should conclude a supplementary insurance. Some student services though pay this insurance to students as well¹¹⁵. The provisions of the Employment Relations Act on prohibition of discrimination, equal treatment, working time, breaks and rests, special protection of workers under the age of 18, and liability for damages also apply as well as the provisions of the Code of Obligations, which relate to works contracts or a contract of employment¹¹⁶.

The system of ‘student work’, which is according to the Slovenian Student Organisation unique in Europe, has recently caused quite some controversy, particularly in the context of a debate on the law on the small work (which was rejected by a legislative referendum on 10 April 2011). For the Slovenian Student Organisation student work is a flexible form of work, typical of young people who are still involved in education, but want to join the labour market, either for financial reasons or from gaining work experience and is important for arranging their own social status during studies¹¹⁷. A study on “Economics of student work” notes that student work can be detrimental to regular performance of study obligations, but is statistically estimated that the impact of student work on the probability of advancement into the next year of studies is small and only weakly significant. The statistical analysis of the authors of the study failed to identify links between the amount of student work and social weakness of the municipalities in which students reside, this does not mean though that earnings through Student services are not important for individual students for financing their study. It is estimated that the real threat to the existence of abuse to a considerable degree (for example, that the work performed by persons without the student status or to deliberately prolong the student status due to the possibility of student work) exists for about 10 percent of all students who work through Student services. Authors of the study claim that the results of their analysis indicate a need for certain changes in the regulation of student work, which should be aimed primarily at limiting the negative impact on the quality of education and employment of unskilled young people. Nevertheless, the negative effects of student work are not so pronounced that very strong restrictions should be necessary. Therefore, the authors recommend four sets of measures in regard to the organisation and intensity of the study process, the system regulating higher education, a comprehensive

¹¹³ As well as students of Slovenian nationality studying abroad some other categories of pupils from 15 years of age and persons in adult education programmes younger than 26 as defined by Article 18 of the Rules on conditions for performing activities of employment agencies, *Official Gazette of the Republic of Slovenia*, No. 139/2006, *Official Gazette of the Republic of Slovenia*, No. 80/2010-ZUTD; See also Article 192 of the Labour market regulation Act, *Official Gazette of the Republic of Slovenia*, No. 80/2010.

¹¹⁴ See Articles 20(1) and 225 of the Pension and Disability Insurance Act (officially consolidated text) (ZPIZ-1-UPB4), *Official Gazette of the Republic of Slovenia*, No. 109/2006.

¹¹⁵ Student Organisation of Slovenia: <http://www.studentska-org.si/studentsko-delo>

¹¹⁶ See Article 214 (7) of the Employment Relations Act, *Official Gazette of the Republic of Slovenia*, No. 42/2002, 103/2007 - consolidated text, and Articles 619-648, Code of Obligations (consolidated text) (OZ-OCT1), *Official Gazette of the Republic of Slovenia*, No. 97/2007.

¹¹⁷ Student Organisation of Slovenia: <http://www.studentska-org.si/studentsko-delo>, found on 17.6. 2012.

settlement in the field of small work areas and not an unduly administrative restriction of the scope of student work¹¹⁸.

If a student wishes to engage in employment or self-employment during his or her studies same conditions apply as for all other third-country nationals¹¹⁹. If a student wishes to get employed, he or she must obtain an employment permit, which is issued or extended by the Employment Service of Slovenia for the period defined by the employer, but cannot be longer than one year. During validity of the permit, only the employment by the employer who has submitted an application for the permit is allowed and not some other work post or a job for shorter than full working time. The student has to fulfil the conditions required by the employer and the latter must attach a contract of employment. The Employment Service of Slovenia may issue the permit when there are no domestic unemployed persons or persons who, with regard to employment rights, enjoy equal status with Slovenian nationals for the relevant job, if the employer fulfils under the law prescribed conditions, *inter alia*, that he is entered in the business register, that he has not laid off workers from this job or refused an unemployed person for this job six month prior to registering the job vacancy and that the quota applying to this type of employment has not been filled¹²⁰. If a student would wish to engage in self-employment activity, he or she may (co)-establish a private commercial company and represent the company on the basis of freedom of establishment, under the conditions of the law regulating commercial companies, or may register as a sole trader if he or she is in possession of a personal work permit valid for a period of one year, three years or free access to the labour market. To obtain this permit the following conditions have to be fulfilled: he or she has to legally reside in Slovenia, prior to registration or entry uninterruptedly for at least one year and submit evidence of his/her own financial resources in the amount of 10,000 Euros and in case a certain activity may only be performed in business premises proves the ownership of such premises or submits an appropriate contract of hire or if in case business premises are not a precondition proves the ownership of premises or submits an appropriate contract of hire of the premises where he/she has his/her registered office. He or she may also obtain one-year personal work permit for self-employment if he/she is entered in the business register as a sole trader¹²¹.

Employment and self-employment

Employed and self-employed third-country nationals have the same rights as Slovenian nationals¹²². However, it has to be noted here that if an international student would become employed or self-employed, he or she would most probably continue his or her studies as a part-time student. This would mean changing his or her immigrant status. It is therefore not surprising that the answer of the Employment Service of Slovenia, when asked for data or other information on employment and self-employment of international students reads as follows: "we do not have data on numbers and profile of students, who access labour market during their studies, these foreigners cannot obtain a work permit under the Employment and Work of Aliens Act, as their baseline status is other and they do not come to RS to get employed or work, but because of the studies"¹²³.

Statistics on stay

Data on international students active in the Slovenian labour market in the course of their study and their profile by nationality, age, and gender or education level could not be obtained. It is also not possible to indicate the most common sectors of their activities neither required skills and/or the average duration of contracts. There is no systematic statistics, however as concluded from conversations at the Ministry of Labour, Family and Social Affairs this would be empirically possible through data of authorised Student services or Employment agencies. Such an analysis would exceed the time frame allowed for this study. Nevertheless, from the survey conducted in March 2010

¹¹⁸ Janez Šušteršič, Bojan Nastav, Tanja Kosi: *Ekonomski vidiki študentskega dela*, Univerza na Primorskem, Fakulteta za management, Koper, marec 2010,

Available at http://www.sizad.si/resources/files/Ekonomski_vidiki_studentskega_dela_POROCILO.pdf

¹¹⁹ Written communication, Ministry of Labour, Family and Social Affairs, 19 July 2012.

¹²⁰ Refer to Articles 25 and 27 of the Employment and Work of Aliens Act.

¹²¹ Refer to Article 21 of the Employment and Work of Aliens Act.

¹²² Written communication, Ministry of Labour, Family and Social Affairs, 20 July 2012.

¹²³ Cf. Student Directive, Article 7 (1)

on behalf of the professional association of agencies that provide temporary work, it is possible to conclude that the situation for international students is at least similar to the one that applies for the full range of student work. The latter, converted into full-time equivalent (FTE) employment corresponds to approximately 30,000 for full-time jobs. Approximately two thirds of all this work is performed by students. When compared to the total employment, the scope of student work is rather modest, representing only 2 % of total labour costs or 4 % of all working hours. When compared to the young population it represents 15 % of all economically active persons less than 30 years old. The analysis found that students' work has quantitatively and statistically a significant effect on youth unemployment rate, especially of low skilled youth. Two-thirds of work performed by students does not require special skills acquired though their studies nor does it offer specific experience, which could increase their employment opportunities after completing the study. Only one-third of work performed by students is professionally more demanding.

3.2.2 International students' family members

The right to the reunification, preservation and reintegration of the family with family members who are aliens is, under the conditions and in accordance with the Aliens Act granted to all foreign nationals who reside in Slovenia on the basis of a permanent or temporary residence permit¹²⁴. The international student may lodge an application for a first temporary residence permit for his family members with the diplomatic or consular representation of the Republic of Slovenia abroad or with a competent authority in Slovenia and submit evidence that he or she possesses sufficient funds to support those family members who intend to reside in the country. A temporary residence permit for the purposes of family reunification of the student holding a temporary residence has the equal period of validity as the one granted to the student, but for no longer than one year, and may be extended for a period of time equal to that granted to the student's temporary residence permit, but not longer than two years. A temporary residence permit for the purposes of family reunification held by the minor unmarried children of the student or his spouse or registered partner or partner with whom the student resides in a long-term partnership and parents of a minor may not be issued or prolonged for a period that extends beyond the child's age of majority. Family members may acquire autonomous residence permits provided that they fulfil the conditions prescribed. The competent authority may also extend the residence permit of a family member in the event of the alien's demise or dissolution of marriage, registered partnership or long-term partnership on the condition that the duration of the marriage in the Slovenia was at least three years. This permit may be extended only once for a validity of up to one year¹²⁵.

Family members of international students do not have any special benefits in accessing the Slovenian labour market. According to the Aliens Work and Employment Act they are in the same position as other third-country nationals¹²⁶. Family members of researchers though in possession of a valid permit for temporary residence may acquire three-year personal work permit.

Under the Financial Social Assistance Act students and their family members have equal access to social services and transfers as other third-country nationals with temporary residence permit. This means that they are not entitled to social assistance, either ordinary or extraordinary. As pointed out by the ministry

¹²⁴ With the exception of an alien who holds a temporary residence permit for seasonal work purposes, Article 47 (1) of the Aliens Act. In accordance with the Aliens Act family members are: a spouse, registered partner or partner with whom the alien resides in a long-term partnership; unmarried minor children of the alien; unmarried minor children of the spouse, a registered partner or partner with whom the alien has resided in a long-term partnership; parents of the minor alien with whom he has resided in a family community before his arrival to the Republic of Slovenia; adult unmarried children and parents of the alien, spouse, registered partner or partner with whom the alien resides in a long-term partnership who these persons are obliged to maintain in accordance with the regulations of his own state. By way of an exception, the competent authority may, at its discretion, consider another alien's relative to be a family member if special circumstances substantiate family reunification in the Slovenia. In the event of polygamous relationships, the residence permit for the purposes of family reunification shall be issued and extended to only one spouse, Article 47 (3) of the Aliens Act.

¹²⁵ Refer to Article 47 of the Aliens Act.

¹²⁶ Written communication, Grega Malec, Ministry of Labour, Family and Social Affairs, 19 July 2012.

competent for social affairs, third-country nationals and their family members who find themselves in material and social hardship are according to Social Security Act entitled to two social services provided by Centres for social work. One is social assistance (assistance in the identification and definition of social distress and evaluation of possible solutions) and the other is personal assistance (advice and guidance in order to enable individuals to improve their social abilities). Both of these services are merely conversations, i.e. support in the form of advice. In cases of severe material distress, Centres for social work are trying to organise some material assistance through Caritas or the Red Cross¹²⁷.

The right to be accompanied by family members and the conditions in relation to this right are not an important factor for international students to come to Slovenia. Interviews with the governments' officials and employees at Slovenian educational institutions suggest that a negligible number of international students exercise this right, which is perhaps a more important factor for older students and for those who come as researchers.

Statistics on international students' family members

Ministry of the Interior does not keep data on the number of family members of international students that have been granted the residence permit¹²⁸.

3.3 Period following the completion of study for international students

After having completed their studies international student graduates are allowed to stay in Slovenia, provided that they lodge an application with the competent authority in Slovenia for a subsequent residence permit for a different purpose prior to the expiry of the period for which their authorization was granted¹²⁹. Conditions for further residence permit are defined in the Aliens Act for any particular purpose. After completing their studies, they also have an opportunity to obtain personal work permit valid for three years, provided that (a) they attended the final year of their studies in Slovenia and gained at least higher education (ISCED 5A) and find an employer or become self-employed within two years after the completion of their studies or (b) they completed a research programme (ISCED 6) and find an employer or become self-employed within one year. Personal work permit for three years can also be obtained by a family member of a third-country national referred to in point b) who has a valid temporary residence permits due to family reunification and family member of a third country national who has been granted a temporary residence as a researcher and has a valid temporary residence permits due to family reunification. Such work permits allow employment, self-employment or work for any employer and may be extended once for a year, if the third-country national has been employed or self-employed during the last six months prior to the application and as such registered in the Slovenian social security system. The permit can also be re-issued for a period of three years under the same conditions as the first one¹³⁰.

Statistics on period following the completion of study

The Ministry of the Interior has no information on length of stay of international students in Slovenia, differentiating between study period and period afterwards, including length of residence status. According to the Employment Office of Slovenia 16 women and 22 men have obtained work permits after completing their higher education in Slovenia in the period 2008 – 2011, 28 were nationals of Croatia, 8 of Bosnia and Herzegovina and 2 were nationals of Montenegro. All except 1 completed studies corresponding to ISECD 5A (Table3.5).

¹²⁷ Written communication, Martina Trbanc, Head of Analysis and Development Sector, Directorate of Social Affairs, Ministry of Labour, Family and Social Affairs, 2 August 2012.

¹²⁸ Written communication, 11 July.2012.

¹²⁹ Refer to Article 36 of the Aliens Act.

¹³⁰ Refer to Article 22 of the Employment and work of Aliens Act.

Table 3.5: Number of issued work permits, by education level, gender and nationality, 2008-2011

	ISCED	2008		2009		2010		2011		TOTAL
		Male	Female	Male	Female	Male	Female	Male	Female	
Bosnia and Herzegovina	5A			2		1		2	2	7
Montenegro	6	1								1
Croatia	5A			1	1					2
	5A	3	4	7	4	1	1	4	4	28
TOTAL		4	4	10	5	2	1	6	6	38

Source of data: Employment Service of Slovenia, updated 2 August 2012

3.4 Misuse of the 'student route' to migration

There is no evidence that would support misuse of the student 'route' to migration. The Ministry of the Interior reports that the current administrative practice has not proved any mass misuse of this 'route'. There is no evidence of larger use of forged qualifications and other documentation as part of the application process. There have only been a few individual cases detected when third-country nationals submitted a certificate of enrolment to the study, but actually did not intend to attend classes and carry out the studies. The Ministry of the Interior has no information on whether students from third countries studying in Slovenia work outside the terms of their permission of residence. Applications for permits for purposes other than study during or upon completion of their studies do not suggest a potential misuse¹³¹. This information is supported by the Ministry of Foreign Affairs with an observation that the misuse of other migration routes may contribute to an impression or opinion that students' migration path is misused as well. Nevertheless, an employee of the Ministry of Labour, Family and Social Affairs noted that there were some attempts during the years 2008 and 2009 to make use of the student route in order to enter the territory of Slovenia and the EU. In that period the University of Primorska received a significant number of applications for admission and was warned by the Ministry of Foreign Affairs about the possibility of misuse¹³². The fact that misuse of the student route to migration for other purposes practically does not exist in Slovenia is also a result of the measures that prevent such a misuse. Some of them have been described above, such as check of qualifications before admission to an educational institution as well as the accreditation system of educational institutions themselves, paying tuition fees, the process of issuing visas and residence permits and similar.

Statistics on misuse of student route to migration
No information available.

4. TRANS-NATIONAL COOPERATION IN THE AREA OF INTERNATIONAL STUDENTS

4.1 Bilateral/multilateral agreements including Mobility Partnerships

Bilateral agreements

Slovenia has signed a series of bilateral agreements and other documents which form the legal basis for cooperation in higher education and scientific-technological and cultural cooperation in a broader sense¹³³.

¹³¹Written communication, Gregor Janc, Head of Migration Division Administrative Internal Affairs, Migration and Naturalization Directorate, Ministry of the Interior, 11 July 2012.

¹³² Interview with Irena Kuntarič Hribar, 16 July 2012.

¹³³ The list of bilateral agreements from January 2011 is available on the archive website of the Ministry of Higher Education, Science and Technology:
http://www.arhiv.mvzt.gov.si/si/zakonodaja_in_dokumenti/veljavni_predpisi/mednarodni_sporazumi/.

Many of these agreements promote direct cooperation between universities and other higher education institutions as well as mutual exchange of students, teachers, scientists and researchers. These agreements provide guidelines for mobility partnership, but do not include concrete implementation provisions in terms of e.g. admission procedures, access to the labour market during and after completion of study or family reunification. For the mobility of international students Protocols signed in 2010 and 2011 with the two EU candidate countries, Montenegro and Macedonia and Croatia as the EU accession country are of particular significance as well as programmes of cooperation in the areas of education signed with China, Russia and Mexico.

Protocols with Montenegro, Macedonia and Croatia

Protocols with Montenegro and Macedonia were signed for five academic years and with Croatia for three academic years and can be extended until the end of the school or academic year in which these countries will become full EU members¹³⁴. In a desire to develop and deepen cooperation in the area of education which will contribute to better understanding and enhanced relations among the signatory states, the contents of the three Protocols is almost identical. The signatory parties agreed to develop cooperation, *inter alia*, in higher education and support direct contacts between educational institutions and other interested organisations and individuals in the field. Mutual cooperation in the area of education is also designed to strengthen the exchange of experiences in the education system reform as well as in the processes of stabilisation and the EU accession. To this end the countries concerned will cooperate either directly or through multilateral programs of mutual interest. In the area of higher education special support is to be given to cooperation within the framework of multilateral programs of the EU and the regional CEEPUS program (Central European Exchange Program for University Studies). Citizens of one country in another signatory country may enrol in secondary schools, vocational colleges and higher education institutions under the same conditions as the nationals of the other party. The same criteria as those applicable to domestic students shall apply for the payment of tuition fees. The Protocols specify the annual number of scholarships, including scholarships for language studies. Slovenia exchanges with each of these countries 18 monthly scholarships for academic training in higher education institutions of 3 to 6 months duration for applicants up to age 30 years (with Croatia up to 35 years age and also for scientific research). Scholars have guaranteed housing and other subsidies, and a monthly stipend in an amount that is in accordance with national legislation of each signatory. The Parties also inform each other on availability of other scholarships. Moreover, Macedonia and Slovenia exchange 2 one-semester scholarships for students of Slovenian language resp. Macedonian language and culture and 2 scholarships for participants in language summer schools. The same applies to cooperation with Croatia. In these cases the host country bears all costs of participation, except for the costs of international transport. The Protocol with Croatia also touches upon the recognition and evaluation of education. Furthermore, the Protocols support the introduction of joint post-graduate studies among interested universities in the areas of mutual interest.

The list of bilateral agreements on scientific and technological cooperation, which partially extends to education and international students is available at Public Research Agency (ARRS) website

<http://www.arrs.gov.si/sl/medn/dvostr/sporazumi.asp>

¹³⁴ Decree ratifying the Protocol between the Ministry of Higher Education, Science and Technology of the Republic of Slovenia, the Ministry of Education and Sports of the Republic of Slovenia and the Ministry of Education and Science of Montenegro on Cooperation in the Field of Education, *Gazette of the Republic of Slovenia – International Treaties*, No. [21/2010](#);

Decree ratifying the Protocol between the Ministry of Higher Education, Science and Technology of the Republic of Slovenia, the Ministry of Education and Sports of the Republic of Slovenia and the Ministry of Science, Education and Sports of the Republic of Croatia on Cooperation in the Field of Education, *Gazette of the Republic of Slovenia – International Treaties*, No. [21/2010](#);

Decree ratifying the Protocol between the Ministry of Higher Education, Science and Technology of the Republic of Slovenia, Ministry of Education and Sport of the Republic of Slovenia and the Ministry of Education and Science of the Republic of Macedonia on Cooperation in the Field of Education, *Gazette of the Republic of Slovenia – International Treaties*, No. [5/2011](#).

Programmes with China, Russia and Mexico

Programmes of cooperation between Slovenia and China and Slovenia and the Russian Federation give considerable emphasis to the areas of linguistics and literature. Programme of Cooperation with the Government of the People's Republic of China in the fields of Culture and Education for the period 2007–2011, in accordance with the Provisions of the 1993 Agreement on cooperation in the fields of education, culture and science, encourages the intensification and enhancement of cooperation between the two countries in the area of education based on direct agreements between the relevant institutions. The countries annually exchange 4 scholarships for undergraduate, graduate and postgraduate students in higher education institutions under the terms of the application to be determined in accordance with the rules in the Receiving Party. The duration of study for students is determined in accordance with the rules on the duration of the study, which apply to higher education institutions in the receiving state. For graduate students is one academic year of study. Undergraduate and graduate students must have good knowledge of the Slovenian language or Slovenia has to provide language instructions for those who have insufficient knowledge. Postgraduate students may use English as their working language. The sending country covers the costs of international travel and the receiving country provides for free registration, free tuition, accommodation and basic teaching materials and offers scholarship, living expenses, medical insurance and first aid service in accordance with internal regulations. Both countries also agreed to support the University of Ljubljana to offer Chinese language courses and to promote exchanges of linguistic scholars from higher education institutions¹³⁵.

Programme of Cooperation between Governments of Slovenia and the Russian Federation in Culture, Science, Education and Sports for the period 2010-2012 encourages cooperation in these fields and attaches, *inter alia*, great emphasis on the knowledge of history and culture of the other country in schools of general and vocational education. The programme promotes the exchange of scientists, educators and students, direct contacts between the schools, administrative and professional bodies responsible for issues of education and exchange of staff which deals with international and European programs in educational institutions. The Parties will also hold consultations on mutual recognition of education. In regard to scholarships, the Slovenian side offers annually up to 10 monthly scholarships for undergraduate and graduate students from Russia¹³⁶.

Programme of cooperation in education, science, art, culture, youth, physical culture and sports with the United Mexican States for the period 2003-2007 encourages direct cooperation between higher education and research institutions, especially in the fields of biology, health sciences, social sciences and humanities, language learning and the study of diplomacy. Slovenia informs the Mexican side about mobility programmes in Slovenia and Europe. Furthermore, the Centre for Mobility and EU programmes (CMEPIUS) provides grants for up to 24 months for a short post-graduate studies, training or research to

¹³⁵ See Articles 12 to 16 of the Programme, found at:

http://www.google.si/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CE0QFjAA&url=http%3A%2F%2Fwww.mzz.gov.si%2Ffileadmin%2Fpageuploads%2FKulturno_sodelovanje%2Falternat_sl_jezik.doc&ei=H4gOUMyRDY6L4gSaw4G4CQ&usq=AFOjCNG on 14 July 2012. The programme is not published in the Official Journal of the Republic of Slovenia. According to the information provided by the Head of International Law Department at the Ministry of Foreign Affairs of the Republic of Slovenia on 27 July 2012 this was not necessary at the time when the programme was concluded. The validity of the programme is extended until a new programme is concluded.

¹³⁶The Russian side offers up to 15 state scholarships for full-year courses, "merged" instructions and training of up to 10 months duration. The University of Ljubljana and Lomonosov Moscow State University have a specific arrangement to the study of Russian resp. Slovenian language and literature, which includes exchange of two scholarships annually for participation at language summer courses. Refer to Articles 23 - 33, Decision on the approval of the Programme of Cooperation between the Government of the Republic of Slovenia and the Government of the Russian Federation in Culture, Science, Education and Sports, *Gazette of the Republic of Slovenia – International Treaties*, No. [1/2011](#).

citizens of Mexico, younger than 35 years, but not for the Slovenian language course. Individual grants may be granted for 3 to 10 months a year¹³⁷.

Statistics on mobility of international students under bilateral agreements

Numbers of international students migrating to Slovenia in the period 2006-2011 under bilateral agreements is shown in Table 4.1 Data are distributed by academic years 2006/07 to 2010/11; number of months of study in Slovenia is available for the last three years. The lowest number of students studying in Slovenia according to bilateral agreements was during the academic year 2008/09, the highest in the following academic year (41). In the year 2010/11 their number has decreased by more than 40% to 24. During the reference period 2006-2011, third-country nationals accounted for almost 58% of all students migrating to Slovenia under bilateral agreements (excluding the U.S. nationals under the Fulbright programme). Except for the academic year 2008/09, they accounted for more than a half of all foreign students under bilateral agreements; in the year 2009/10 almost three-quarters. They were mainly nationals of the Western Balkan countries: Croatia (35), Serbia (22), Montenegro (14), Macedonia (9), and Bosnia and Herzegovina (6). There were 14 students from China, 13 from Russia and 6 from Turkey. Number of students from other 18 countries ranged from 1 to 3.

Multilateral agreements

Multilateral agreement concerning the Central European Exchange Programme for University Studies is the legal basis for regional mobility program CEEPUS¹³⁸. The present CEEPUS III which is opened for the signature of participating states entered into force on 1 May 2011 for a period of seven years¹³⁹. Currently, higher education institutions from 15 countries of the Central European region are participating: Albania, Austria, Bulgaria, Bosnia and Herzegovina, Czech Republic, Montenegro, Croatia, Kosovo, Hungary, Macedonia, Poland, Romania, Slovakia, Slovenia and Serbia. National CEEPUS office in Slovenia is at CMEPIUS - Centre for Mobility and EU programmes¹⁴⁰.

The aim of the CEEPUS programme is to establish and promote student and teacher mobility between participating education establishments in the Central European region, to use friendly links and the potential for a joint study programs. The programme is based on networks set up by individual universities, faculties or departments for their specific areas. The network should consist of at least three partner institutions, of which at least two are from different countries, one of these institutions is the network coordinator. Network as a whole stands for a certain number of months of exchanges that can be allocated only for hosting foreign students and professors in accordance with the approved proposal for an exchange. Students and teachers can apply for scholarship only within the network, in which their institution is involved. CEEPUS scholarships are comprehensive grants which shall cover the cost of living, expenses for laboratory fees, where applicable, as well as housing and basic medical insurance, where applicable. CEEPUS scholarships are commensurate with the cost of living in the respective host country and inflation-adjusted. They are, with the exception of travel expenses, financed by the host country. Contracting Parties announce the scholarship months for cooperation (the internal "CEEPUS currency") for each following academic year in annual intervals. The minimum CEEPUS currency amount shall be 100 scholarship months. Students registered at universities, regardless of their field of study, shall be eligible for CEEPUS scholarships, up to and including the doctoral level, provided that the period of study, training or placement is performed at a host university or a host institution and is compatible with

¹³⁷ The Mexican side each year offers two scholarships for graduate studies of Slovenian citizens with duration for up to 12 months. The programme is not published in the Official Journal of the Republic of Slovenia. According to the information provided by the Head of International Law Department at the Ministry of Foreign Affairs of the Republic of Slovenia on 27 July 2012 this was not necessary at the time when the program was concluded. The programme is still valid as both sides agreed in 2007. The text of the programme was provided by CMEPIUS.

¹³⁸ CEEPUS: <http://www.ccepus.info/default.aspx>

¹³⁹ Decree ratifying the Agreement concerning the Central European Exchange Programme for University Studies ("CEEPUS III), *Gazette of the Republic of Slovenia* – International Treaties, No. 21/2010.

¹⁴⁰ CMEPIUS - Centre for Mobility and EU programmes, http://www.ccepus.info/public/nco/ncoinformation_main.aspx?Country=SI;

Immigration of International Students

Table 4.1: International students in Slovenia under bilateral agreements, by nationality, 2006/07 - 2010/11

Study year	2006/07	2007/08	2008/09		2009/10		2010/11		Total
			persons	months	persons	months	persons	months	
Albania			1	5					1
Bosnia and Herzegovina	2	2	1	8	1	9			6
Brasilia			1	3	1	3			2
Montenegro	3	4			5	40	2	20	14
Egypt	1	2							3
Croatia	7	9	7	32	6	26	6	18	35
India							1	3	1
Israel	1								1
Japan							3	24	3
China	2	2			7	70	3	22	14
Macedonia	1	2	2	22	3	25	1	10	9
Mexico			2	22					2
Peru			1	4			1	4	2
Russia			6	14	7	9			13
Serbia	8	5			5	29	4	20	22
Sri Lanka					2	18			2
Turkey	1	1			2	9	2	6	6
Ukraine					2	10	1	3	3
Total TCNs*	26	27	21	110	41	248	24	130	139
%	54,16	58,69	48,83	47,00	73,21	71,06	51,06	47,61	57,91
Total (TCNs and others)	48	46	43	234	56	349	47	273	240
USA(Fulbright program)	7	7	6	38					
TOTAL	55	53	49	272					

*TCN -Third country national

Source of data: CMEPIUS, updated 12 July 2012

the curriculum of the home university of the respective student and forms part of his or her university studies. Scholarships shall also be granted to students for practical training or placements at a commercial enterprise, research facility, governmental institution or another organisation in the host country provided that a comprehensive proposal is made by the applicant. Scholarships may also be granted to “Freemovers”, i.e. students enrolled at a university outside a CEEPUS network and to faculty members of universities outside a CEEPUS network, provided that special arrangements for studying or teaching and supervising at such a university exist¹⁴¹. In Slovenia, members of the University of Ljubljana, the University of Maribor and the University of Primorska are participating in the CEEPUS programme since the academic year 2006/07, while the University of Nova Gorica joined in the year 2009/10.

Table 4.2 International students in the framework of CEEPUS, by nationality, 2005-2011

In Slovenia from	2005/2006	2006/2007	2007/2008	2008/09	2009/10	2010/11	Total TCN	Total from 2004/05
Croatia	12	27	22	24	15	16	116	293
Serbia	10	11	10	27	14	28	100	100
Montenegro		5	10	8	16	14	53	53
Macedonia	3	7	5	10	10	17	52	52
Bosnia and Herzegovina				13	9	15	37	37
Albania		3	2	1		4	10	10
Kosovo				4			4	4
Total TCN*	25	53	49	87	64	94	372	549
Total other**	66	82	84	103	101	105	541	1765
TOTAL	91	135	133	190	165	199	913	2314

*TCN -Third-country national

** Austria, Bulgaria, Czech Republic, Hungary, Poland, Romania, Slovak Republic

Source of data: CMEPIUS, updated 12 July 2012

Statistics on international students within the CEEPUS programme

2.314 students migrated to Slovenia within the CEEPUS programme since the start of the programme in the year 1994/95. 549 students or 23.7 % were third-country nationals, 60 % of these migrated during the period 2005/06 to 2010/11. More than a half of students within this programme (58 %) are from Croatia and Serbia. Only 10 students were from Albania and 4 from Kosovo. Data shown in Table 4.2 suggests that mobility in the framework of this Central European programme has been dominated by EU citizens. However, the share of international students is recently increasing, representing around 47 % of all.

¹⁴¹ Refer to Articles 1 and 2, Decree ratifying the Agreement concerning the Central European Exchange Programme for University Studies ("CEEPUS III"), *Gazette of the Republic of Slovenia – International Treaties*, No. 21/2010; National CEEPUS Office, CMEPIUS – Centre of the Republic of Slovenia for Mobility and European Educational and Training Programmes: <http://www.cmeplus.si/en/higher-education/ceepus.aspx> and in Slovenian <http://www.cmeplus.si/ceepus.aspx>

University agreements

Slovenian universities and their members have signed a series of cooperation agreements with universities and educational and research institutions around the world. Some of these agreements have been signed under the various mobility programmes such as for example Erasmus. Agreements have also been signed by individual higher education institutions in Slovenia, which have not hitherto been involved in mobility programmes. Therefore, I only briefly outline cooperation of four Slovenian universities. University of Ljubljana (UL) cooperates with 30 higher education institutions in the Southern and Eastern Europe and on the basis of bilateral agreements with more than a hundred institutions around the world. A detailed overview and inventory of the University's agreements until October 2011 as well as inventories of agreements concluded by its 31 members is provided by the University's website¹⁴². University of Maribor (UM) on the basis of signed bilateral agreements cooperates with 86 institutions from four continents¹⁴³. University of Maribor seeks to increase its role in the Danube region and strives for greater networking of universities within the Danube region. University of Primorska (UP) on the basis of signed agreements cooperates with 34 institutions in Austria, Italy, Croatia, Serbia, Bosnia and Herzegovina, Kosovo, Mexico, Poland, Taiwan and USA¹⁴⁴. University of Nova Gorica (UNG) has, in addition to bilateral Erasmus agreements, concluded several agreements on cooperation of which are contacts with 27 foreign institutes in Austria, Argentina, Bosnia and Herzegovina, Burkina Faso, Cyprus, Montenegro, Egypt, France, Croatia, Italy, Japan, Kosovo, China, Thailand, UK and USA are in force¹⁴⁵.

4.2 Cooperation with EU (and EU-financed mobility programmes) or international Organisations

Slovenia is taking part in mobility programs within the EU, particularly in the context of the program in Lifelong learning programme. All Slovenian universities and some individual institutions of higher education participate – or intend to do in the near future – in the Erasmus programme, which also includes higher education institutions in some states outside the EU, such as Croatia and Turkey.

Erasmus Mundus

For the mobility of international students the EU Erasmus Mundus programme is particularly important as it supports the participation of the EU Member States with the rest of the world. The emphasis is on increasing the attractiveness and interest in educational institutions, teachers and students in third countries to cooperate with the EU. The programme enables scholarships for students from third countries to study in an EU country, as well as scholarships aimed at the nationals of the EU Member States who choose to study at one of the partner institutions in third countries¹⁴⁶.

In Slovenia, two universities have been involved in Erasmus Mundus programme. Since its launch in 2008, the University of Ljubljana is one of the 8 EU partner universities in the Erasmus Mundus Action 2 BASELIUS project. Now Baselius III project provides funding for academic mobility from any Western Balkan institution to the 8 EU partner universities and from the 8 EU partner universities to the 12 Western Balkan partner universities (in Albania, Bosnia-Herzegovina, Montenegro, Macedonia (Former Yugoslav Republic of Macedonia), Kosovo (under UNSCR 1244/99), Serbia and Croatia). The project offers possibilities for funding exchange or the whole study period and is intended for students who have

¹⁴² In Slovenian: Pregled sporazumov in članstev UL: http://www.uni-lj.si/mednarodne_izmenjave/pregled_sporazumov.aspx,
More modest version in English, including membership review : http://www.uni-lj.si/en/mobility_programmes/university_agreements_and_membership_review.aspx

¹⁴³ List of bilateral agreements of the University of Maribor:
<http://www.uni-mb.si/dokument.aspx?id=22398>

¹⁴⁴ See *Program internacionalizacije Univerze na Primorskem 2010-2013*, Priloga 1 (Programme of the internationalisation of the University of Primorska, Appendix1), p. 65, Available at:
http://www.upr.si/fileadmin/user_upload/mednarodno_sodelovanje/Program_internacionalizacije_UP.pdf

¹⁴⁵ Erasmus bilateral agreements: <http://www.ung.si/si/o-univerzi/sporazumi-erasmus/> ; <http://www.ung.si/en/about-university/agreements-erasmus/>

Contracts of cooperation: <http://www.ung.si/en/about-university/contracts-cooperation/>

¹⁴⁶ Erasmus Mundus Programme: http://eacea.ec.europa.eu/erasmus_mundus/programme/about_erasmus_mundus_en.php

obtained a higher education degree¹⁴⁷. Since 2010 the University of Ljubljana also participates in LOTUS Erasmus Mundus Action Two Partnership (EMA2) of European and South-East Asian Higher Education Institutions and Associations aiming at fostering mutual enrichment and better understanding between the EU and South-East Asia (China, Vietnam, Cambodia, Myanmar, Indonesia, and Thailand)¹⁴⁸. Since 2011, the University of Ljubljana participates in Lotus II project, which is funding only incoming students and teachers from South-East Asia. The third project in which the University of Ljubljana is the EU partner university is the EUROSAs Erasmus Mundus Partnership, which offers grants to talented students and researchers from South Africa in a variety of fields of study to spend a study or research period at one of the excellent European partner universities¹⁴⁹.

The University of Maribor is a partner institution in the Erasmus Mundus JoinEUSEE III (Scholarship scheme for academic exchange between EU and Western Balkan countries), which allows both students and staff to obtain grants for their mobility. Exchanges of individuals can generally take place between the EU and Western Balkan countries and some other associate members of the consortium. JoinEU-SEE consortium is coordinated by the University of Graz, the first mobility was possible in the academic year 2011/2012¹⁵⁰.

The standard application processes apply for international students migrating in the framework of Erasmus Mundus as well as for movements within the EU as for other international students. It appears that Erasmus students – those who are third-country nationals - experience no major difficulties or obstacles when studying in Slovenia and wishing to continue or complement their studies in other Member States or at least no greater difficulties than Slovenian students. In regard to student within Erasmus Mundus there has not yet been much experience in this field. There have been problems though when students were accepted by an educational establishment and could not come because they could not acquire necessary documents for the admission or have received these documents too late and cancelled their participation in the exchange programmes. No measures have been or are planned to be put in place in near future to ease international students' mobility within the EU exchange programmes or to facilitate students' mobility outside these programmes.

Statistics on mobility of international students within the EU for the purpose of study

The number of international students within EU-financed mobility programmes is increasing. According to information I have managed to collect 214 international students migrated to Slovenia under the Erasmus Mundus programme in the academic years 2008/09 to 2011/12. The University of Ljubljana hosted 180 international students under the Basilius project, accounting for 70.31% of all students participating in this project Since the beginning of the project during the academic year 2008/09 and 2010/11 the number of incoming students increased from 47 to 80 (Table 4.3). Within LOTUS I project the University of Ljubljana hosted 11 international students since 2010; most of them from China, 2 from Thailand and one from Indonesia and Vietnam¹⁵¹.

¹⁴⁷ See Mednarodno sodelovanje in izmenjave: http://www.uni-lj.si/mednarodno_sodelovanje_in_izmenjave.aspx and also project Basilius: <http://www.basileus.ugent.be/index.asp>

¹⁴⁸ See Mednarodno sodelovanje in izmenjave: http://www.uni-lj.si/mednarodno_sodelovanje_in_izmenjave.aspx and also project Lotus: <http://www.lotus.ugent.be/index.asp?p=1131&a=1131>

¹⁴⁹ See Mednarodno sodelovanje in izmenjave: http://www.uni-lj.si/mednarodno_sodelovanje_in_izmenjave.aspx and also project EUROSAs: <http://www.ua.ac.be/main.aspx?c=EUROSA>

¹⁵⁰ See JoinEUSEE: <http://www.joineusee.eu/> and <http://www.uni-mb.si/povezava.aspx?pid=7018>. The value of student scholarship is 1000 € per month for undergraduate studies for a maximum of 10 months or 22 months in the case of Master's studies, and € 1,500 per month from 6 to 34 months for doctoral studies and 1,800 € per month for 6 to 10 months for postdoctoral studies, Univerza v Mariboru, Služba za mednarodno in meduniverzitetno sodelovanje: *Mobilnost na Univerziji v Mariboru v obdobju 1999 – 2011 v luči statistike* (University of Maribor, Department of International and Inter-university cooperation: Mobility at the University of Maribor in the period 1999 - 2011 in the light of statistics), Maribor, April 2011, pp. 40-42.

¹⁵¹ Data provided by Bibi Ovaska Presetnik, 25 July 2012.

Table 4.1: Number of students in Erasmus Mundus – Baselius project, University of Ljubljana (UL), 2008-2011

Study year/persons	2008/09	2009/10	2010/11
To UL (incoming)	43	57	80
From UL (outgoing)	23	20	36
Total	63	77	116

Source of data: Bibi Ovaska Presetnik, International Relations Office, UL, July 2012.

During the academic year 2011/12 the University of Maribor hosted 21 international students (11 male and 9 female students) within the Erasmus Mundus JoinEU-SEE project. Half of them were there for 4 to 10 months undergraduate exchange, approximately one-fifth (4 persons) are pursuing a doctorate. Others attended the doctoral or master's exchanges, while two students are on master's degree studies. Half of all students come from Serbia (11) (Table 4.4). During the academic year 2012/13 the University of Maribor is going to host 28 students in the framework of this project¹⁵².

Table 4.2: Number of international students in Erasmus Mundus JoinEU-SEE, University of Maribor (UM), in the study year 2011/12, by type of mobility and nationality

Country/Type of mobility	Undergraduate exchange / 4-10 months	Master exchange / 10 months	Master study/ 22 months	Doctorate exchange / 10 months	Doctorate exchange/ 12-34 months	TOTAL
Serbia	10				1	11
Kosovo			2		2	4
Montenegro	2			1		3
Macedonia					1	1
Bosnia and Herz.		2				2
TOTAL	12	2	2	1	4	21

Source of data: Suzana Rizani, ERASMUS MUNDUS JoinEU SEE coordinator, UM, updated 2 August 2012

4.3 Other forms of (non-legislative) cooperation with third-countries

Active participation of universities in international associations of universities and contacts established between the faculties, departments and individuals working in certain academic areas are important factors in mobility of international students. All Slovenian universities are members of many international associations. University of Ljubljana, for example, is also the coordinator of the Central European Initiative University Network - UniNet for the Republic of Slovenia. UniNet programme via joint doctoral or master's courses, summer schools, seminars and other activities allows for greater mobility of students and teachers in the fields of economics, social sciences, administration and transport within the Central European Initiative countries. These are: Italy, Austria, Hungary, Slovakia, Czech Republic, Poland, Bulgaria, Romania, Croatia, Bosnia and Herzegovina, Serbia, Montenegro, Albania, Macedonia, Moldova, Ukraine, Belarus and Slovenia. CEI UniNet-approved to promote the implementation of joint programmes in at least two CEI Member States to provide scholarships to students and teachers. Though not eligible for funds also students and teachers from other countries can participate.

Other forms of cooperation between countries such as international development cooperation and economic and cultural diplomacy in the broader sense are also an important factor. In this context the a visible role plays the International Center for Promotion of Enterprises (ICPE) is a intergovernmental organisation, with its headquarter in Slovenia set up on a United Nations initiative in 1974, with member countries from Latin America, Asia, Africa and Europe, mandated to pursue and promote international cooperation in areas related to the transfer of technology, sustainable entrepreneurship and promotion of knowledge-based societal change through research, training, consultancy an information services in these fields. In addition to hosting international expert group meetings, global fora, seminars and training

¹⁵² Suzana Rizani, ERASMUS MUNDUS JoinEU SEE coordinator, University of Maribor, International Relations Office.

programs for public officials, businesses and scientists, the ICPE conducts an international MBA program in collaboration with the University of Ljubljana, Faculty of Economics, which has produced over 600 participants from 45 countries over the last 21 years. One of the ICPE's programmes is the Continued Professional Education Programme, which provides opportunities for continued professional development and transregional exchange throughout an individual's career.

This study has not been focused on student behaviour but on policies and instruments. Nevertheless, students themselves play a significant role in international education and cooperation with third countries. Many international students move for a variety of reasons and outside the framework of supporting instruments and mobility programmes. Information acquired during the course of this study suggests that some international students come to study or to conduct research in Slovenia due to direct contacts between educational institutions and/or professors in Slovenia and third countries, but even more often, particularly in undergraduate level, one student triggers another to pursue studies in Slovenia.

5. IMPACTS OF INTERNATIONAL STUDENTS IN SLOVENIA

In this chapter I attempt at an assessment on what are or are considered to be the main impacts of international students in Slovenia in terms of competition for study places, experiences following completion of their studies and the risk of 'brain drain' as well as on effects in relation to revenues generated and to demographic challenges, misuse of 'student route' to migration and public perceptions about international students in Slovenia.

In the light of experiences regarding competition for study places there is no negative impact on EU students. As was briefly described before, the number of places is limited for all study courses. Each year higher education institutions announce places available for new applicants; separately for undergraduate and postgraduate degree programmes (see section 2.1). Since study is organised as a full-time and part-time or e-study, for each of these an additional number of study places for students outside EU/EEA and for Slovenians without Slovenian citizenship can be additionally set. For undergraduate study programmes, the additional number of study places should normally not exceed 10 % of available places for full-time study or 50 % for part-time study for individual study programme. At least half of places for full-time study are intended for Slovenians without Slovenian citizenship. The number of places for students from third countries also depends on bilateral agreements with third countries. If study places reserved for Slovenian national, EU citizens and third-country nationals permanently residing in Slovenia remain vacant, students from non EU states can also register for those places. Notwithstanding the foregoing, students participating in exchange programmes pursuant to international agreements or agreements between higher education institutions may enrol in higher education institutions for a limited period of time.

Thus, the presence of international students has no implications on EU students regarding competition for study places as for them the enrolment procedures remain the same as for Slovenian students and are included in the quota of places for Slovenian students. The same applies to third-country nationals authorised for permanent residence in Slovenia. Competition for available places for these students, therefore, depends on how individuals meet the general and, when applicable, specific requirements for enrolment and other criteria and procedures for the selection of candidates in case of limited enrolment. Notwithstanding the theoretical equality of access for EU students to the Slovenian higher education area, it may be noted that in practice this access might be more affected by other factors such as those concerning the social dimension and other aspects of ensuring equal treatment and adequate integration into the learning and extracurricular study processes.

The question of 'brain drain', defined as the loss suffered by a country as a result of the emigration of a highly qualified person has more dimensions. Slovenian policy, as outlined in strategic documents such as

economic migration strategy for the period 2010 to 2020 should promote employment of highly skilled migrants and reduce the risk of brain drain from the countries of migrants' origin as well as Slovenia (see section 2.2). Implementation of mobility policies and immigration of highly qualified persons should not encourage brain drain from countries of origin, while at the same time it would be necessary to carefully assess the positive effects of emigration on those countries. Measures provided by this document already give some answers to the challenges of brain drain which are also recommended by the Commission for organising and facilitating legal migration and mobility under the first pillar of the Communication on the Global Approach to Migration and Mobility (GAMM)¹⁵³. Slovenian strategic documents on international development cooperation however, do not as yet dedicate special attention to migration and development and will be discussed at the Slovenian Development Days later this year. In terms of achieving development effects, the Slovenian Ministry for Foreign Affairs is inclined to mandatory return of international students who have received scholarships and graduated to their countries of origin that »regulations do not allow us to demand«¹⁵⁴. Return of international students to their home countries is the prevailing expectation of both the authorities and the educational institutions. Some of the latter consider international students who graduated in Slovenia to be more competitive in their domestic labour markets, especially in the Western Balkans. Careers of international students are not being monitored and, as told by the University of Ljubljana, it is only from March 2012 that the University maintains regular contact with all of its graduates. There are no mechanism for a closer cooperation between higher education institutions and relevant authorities in Slovenia, which would encourage monitoring of employment of highly skilled persons, labour demand and matching within international students' population in Slovenia. The same applies for the cooperation and coordination between the relevant Slovenian authorities and authorities in partner countries and other stakeholders.

Furthermore, due to increased emigration of Slovenian highly qualified persons, real or perceived, considerable attention has been dedicated to the 'exchange' and the risk of brain drain from Slovenia. In July 2012, the Minister for Education, Science, Culture and Sport announced that 5 million Euros is to be allocated for attracting and integrating Slovenian potential abroad into educational and research institutions in Slovenia¹⁵⁵. At the same time, funding for higher education decreases. This may have adverse consequences on further development of higher education in Slovenia, including international education. Information on the impact of international students in relation to the revenues generated is hard to come by. According to the Rector of the largest Slovenian university, this effect is small or simply put: there is no income. Nevertheless, recent policy documents suggest a planning of a variety of study programmes taught in a foreign language (English) intended primarily for international students. With diminishing public funds for higher education and a trend of liberalisation of tuition fees, particularly of postgraduate programmes, which public authorities support, this might change the situation in international sales.

This trend is partially embedded in the context of demographic challenges and the size of student population in Slovenia, which is expected to decrease. Mobility of Slovenian students and Slovenians studying abroad is increasing as well the number of international students in Slovenia. An analysis of the demand for higher education in Slovenia however pointed out that even if the inflow of foreign students would be greater than the outflow of Slovenian students this will not compensate the decline in demand

¹⁵³ Communication from the Commission to the European Parliament, the Council, The European Economic and Social Committee and the Committee of the Regions, The Global Approach to Migration and Mobility, Brussels, 18.11.2011, COM(2011) 743 final, available at http://ec.europa.eu/home-affairs/news/intro/docs/1_EN_ACT_part1_v9.pdf

¹⁵⁴ Written communication, Matej Kramberger, Department for Implementing International Development Cooperation and Humanitarian Assistance, Ministry of Foreign Affairs of the Republic of Slovenia, 2 August 2012.

¹⁵⁵ RTV Slovenia, *Odmevi*, 25. 7. 2012, available at <http://tvslo.si/#ava2.141830548>; (in Slovenian)

for higher education among young people; even taking into account the constantly increasing need of adults for higher education, which is consistent with the concept of lifelong learning¹⁵⁶.

There is no evidence that would support misuse of the student 'route' to migration. To a certain degree this is also the result of admission procedures and measures that prevent such a misuse, which despite of certain shortcomings and even rigidity, do not leave much space for misuse. At the same time, this also suggests that international students come to Slovenia with a serious intention to pursue their studies rather than - after rather often a hard way of obtaining necessary permissions and/or scholarships, as pointed out by one of the informants - to engage in undeclared work or having some other purposes in mind.

Perhaps because of the above described, public opinion perception of international students is mostly positive, especially compared to attitudes towards immigration in general. Only rarely are international and foreign students the subject of a wider public discussion, but if and when this happens, their rights are defended. For example, the abolition of state scholarships for foreign students in January 2012 caused public demonstrations of students, supported also by the Student Organisation of Slovenia, under the slogan "Knowledge has no nationality"¹⁵⁷. Hence, one might conclude that perhaps the most important impact of international students in Slovenia is "to feel the internationalisation of Slovenian culture, enriched by heritages of other countries complementing each other. It is a matter of time, a matter of change in general thinking about foreignness and about respect of our own and other cultures"¹⁵⁸.

6 CONCLUSIONS

During last few years the internationalisation of Slovenian higher education has evolved at a greater pace than before. Slovenian students study abroad in ever greater numbers and in addition to the number of exchange students growing through intra-EU mobility patterns as Erasmus with ever greater participation of Slovenian educational institutions, both universities and single establishments the number of international students is growing as well. Increasing efforts are being made towards the internationalisation of national education and training systems and Slovenia has been involved in the development of intra-EU internationalisation in education and in supporting education in countries surrounding the EU, particularly in the Western Balkans, including those that would become future EU Member States.

A desire to improve quality of home education system led to considerable changes in the tertiary education system, currently comprising higher vocational college education (short-cycle, sub-degree level, *ISCED 5B*) and higher academic and professional education (first and second cycle *ISCED 5A* and third cycle *ISCED 6*). The European Credit Transfer and Accumulation System (ECTS), Diploma Supplement in the Slovenian language and in one of the EU languages, accredited programmes and system of quality are founded in the entirety of tertiary education. With the Slovenian language being the language of instruction, under certain conditions, partial or entire study programmes are offered in another language. For students from non-EU countries the number is set additionally to the annual quota for Slovenian students. Investment into new instruments is also reflected in activities concerning quality assurance and the recognition of qualifications/education.

Policies and strategies relating to international students have been designed in different policy areas, such as economic migration, higher education area, language policy, international development cooperation or foreign policy as well as at some educational establishments. These policies are rather separated and coexist with various instruments, programmes and projects, not yet linked into an integrated policy with a

¹⁵⁶ Cepar, Žiga: *Visokošolsko izobraževanje v Sloveniji: analiza povpraševanja*. Koper : Založba Univerze na Primorskem, 2010, str. 27 – 34. (Higher education in Slovenia: an analysis of demand), Available at: <http://www.hippocampus.si/ISBN/978-961-6832-03-8.pdf>

¹⁵⁷ See e.g.: <http://www.rtvlo.si/slovenija/foto-studentje-opozarjajo-da-znanje-nima-drzavljanstva/274937>

¹⁵⁸ Tatjana Mikelić Goja, Head of Department for International Relations, University of Primorska, 30 July 2012.

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clear external dimension. Nevertheless, the financial incentives and some other measures can be grouped into several sets given their strategic direction. Types of scholarships and incentives for education are targeted at specific groups of international students, geographical areas or specific countries with an orientation towards postgraduate programmes and certain research disciplines:

- in terms of attracting prospective staff and increase human resources in relation to labour demands grants for doctoral and postdoctoral studies in science, engineering and medicine are announced since 2003 (by the Slovene Human Resources Development and Scholarship Fund). There are also other incentives in connection with research training (Young researchers programme as a scientific policy instrument of the Slovene Research Agency - ARRS) and a new Innovative scheme for co funding doctoral studies promoting cooperation with the economy and solving current social challenges - the generation of 2011 (Universities);
- in terms of preservation and promotion of Slovenian culture and language among Slovenians abroad there are scholarships for entire undergraduate studies in Slovenia (with an additional enrolment quota);
- in accordance with the priorities of Slovenian foreign, economic and strategic policy and international development cooperation policy as well as the historical links and traditional forms of cooperation there is an orientation to the region of the Western Balkans. In addition to scholarships for various forms of education, *inter alia*, within the framework of bilateral agreements, activities also aim to strengthen cooperation or assistance in the education system reforms as well as the processes of stabilisation and the EU accession;
- in terms of strengthening links with neighbouring countries, Slovenia is a participating state in the regional mobility partnership and provides CEEPUS scholarships under the multilateral Agreement concerning the Central European Exchange Programme for University Studies and contributes to efforts for free movement and residence of individuals;
- in the context of international development cooperation there are scholarships for candidates from target countries: accordingly to identified thematic priorities and assessed effectiveness of investment in potential (Cape Verde); in conjunction with the strategic and political reasons (Egypt, Tunisia) and also connected to economic, cultural and scientific reasons in the framework of in the framework of bilateral programmes (Russia, China, Mexico).

At the same time Slovenian scholarship policy through legal changes concerning exercise of rights to public funds has closed or rather cancelled access to state scholarships for EU/EEA students and third-country nationals residing in Slovenia, i.e. 'foreign students' under UNESCO / OECD definition.

There is a trend in international cooperation from bilateral to multilateral cooperation, with an increased interest in regional multilateral programmes such as CEEPUS. The development of transnational education through EU instruments such as Erasmus Mundus is still modest and indicating that globalisation of the Slovenian higher education is just at its beginnings. The vast majority of activities relate to mobility programmes and institutional cooperation including joint degrees and academic cooperation. The focus on promotion and marketing activities is not yet developed. Though information on study in Slovenia is improving, it has not been widely spread abroad not even at diplomatic and consular representations of the Republic of Slovenia or other bodies. Slovenia has not as yet followed an example of those countries that have banded their education systems or actively participate in fairs around the world.

In my view, for the Slovenian higher education to go global it would be wise to invest more into policy dialogue to develop a clear external policy with branding entire Slovenian higher education system rather than encouraging competitive character of universities in their international activities which would seek an extra income in view of declining student population and financial means from the state budget. While the international dimension in education appears to have received general support from the government and additional financial recourses to be allocated to the implementing instruments have been announced in

policy documents, the future internationalisation of Slovenian education will in many ways depend on the ability and equipment of educational institutions to find an equilibrium between their desire of becoming an integral part of global education and the roles they represent and perform in the protection of values, particularly the language, as traditional Slovenian institutions.