

Migration Trends

in Selected Applicant Countries

Volume VI – Slovenia
The perspective of a Country on the
‘Schengen Periphery’



IOM International Organization for Migration
OIM Organisation Internationale pour les Migrations
OIM Organización Internacional para las Migraciones





IOM International Organization for Migration
OIM Organisation Internationale pour les Migrations
OIM Organización Internacional para las Migraciones

European Commission Project:

“Sharing Experience: Migration Trends in Selected Applicant Countries and Lessons Learned from the ‘New Countries of Immigration’ in the EU and Austria”

VOLUME VI – Slovenia

The perspective of a country on the 'Schengen periphery'

By
Simona Zavratnik Zimic

Ljubljana, 2003

This country report on Migration Trends in Slovenia forms part of a publication series of six volumes, which have evolved under the roof of the European Commission funded project “*Sharing Experience: Migration Trends in Selected Applicant Countries and Lessons Learned from the ‘New Countries of Immigration’ in the EU and Austria*” managed by the International Organization for Migration Mission with Regional Functions for Central Europe in Vienna, Austria.

Publisher: International Organization for Migration
Project co-ordinator: Pier Rossi-Longhi
Scientific co-ordinator: Martin Kunze

IOM is committed to the principle that humane and orderly migration benefits migrants and society. As an intergovernmental body, IOM acts with its partners in the international community to: assist in meeting the operational challenges of migration; advance understanding of migration issues; encourage social and economic development through migration; and uphold the human dignity and well-being of migrants.

International Organization for Migration
Nibelungengasse 13/4
1010 Vienna
Austria
Tel.: +43-1-5853322-0
Fax: +43-1-5853322-30
Email: mrfvienna@iom.int
Internet: <http://www.iomvienna.at>

Opinions expressed in this publication are those of the authors and do not necessarily reflect the views of the International Organization for Migration or of the European Commission.

ISBN 92-9068-186-1

© 2004 International Organization for Migration

PREFACE

Migration to the EU

Migration to the European Union continues to be a disputed issue throughout Europe. Starting in the 1960s it began with the recruitment of migrant workers by some Western European countries and through family reunification in the 1970s, the process then continued with most Western European countries successively becoming countries of immigration. This has not necessarily been an intended process, but has become a fact in the better-off countries of the EU.

New EU members in the north and in the south have seen their immigration figures rise after accession, partly as a result of related increased economic growth. Countries like Ireland, Portugal, Spain, Italy or Greece – all situated on the EU periphery, where emigration had previously prevailed – had to adapt quickly to the new situation in the course of the 1990s. In terms of policy, the process suffered from a lack of experience, so the management of the flows was often not ideal and local societies were taken by surprise to a certain degree.

The surge in immigration has mainly been fed by people seeking protection from the armed conflicts in the former Yugoslavia and by the fall of the iron curtain, which has allowed citizens of Central and Eastern European countries (CEECs) to move. They made use of this possibility in direction of the prospering EU. Policy developments, notably linked to freedom of movement and to irregular migration, have carefully been described and analysed in two previous publications jointly produced by IOM and ICMPD: *“Migration in Central and Eastern Europe. 1999 Review”* and *“New Challenges for Migration Policy in Central and Eastern Europe”*.

With the accession of 10 new member states to the EU in May 2004 (and two more in 2007), these countries are likely to follow the path of the previous EU accession countries and, in turn, become countries of immigration. With increased global mobility and a growing number of severe conflicts and wars, people seeking shelter from Africa and Asia have become a growing source of migrants in recent years. Their paths of migration are directed to the EU and often lead through the accession countries. In this process, in spite of fortified border protection and the “safe third countries” rule, which has become a standard in the states of the EU, accession countries are increasingly becoming target countries of migration. For their societies, this means a rapid change from countries almost without migration via strong emigration to more immigration in the future. This scenario requires preparation and careful planning. On the other hand and on the background of demographic trends, this may be a rather desirable change. According to projections of the EC, the population of all accession countries in Central and Eastern Europe has a tendency to decrease, a fact likely to pose significant problems to economy and society in the future. Compared to Western European countries, where the established migration chains will soften the population losses for a longer period, the future eastern border countries of the EU will increasingly face this problem no later than 2010.

In relation to this, one very important characteristic of globalisation, that is especially relevant when talking about migration, is that causes and effects can happen in completely different parts of the world. This simple fact is even more significant if one comes to think that the interdependency of migration to social economic or political

IV

factors is extremely high. The globalisation of economy and politics, the continuous merging of cultural factors and the shortening of distances by the availability of quick and cheap transportation, makes regular migration always hard to isolate as a regional phenomenon or to control by national means. We have come to understand that Migration has its own internal dynamics. These particular dynamics – sensitive of course to external factors – can be maybe best compared with what liberals would describe as a marketplace. A place, where reality is the clash product of a demand and an offer, and where intervention can only be done with observance to these mechanisms. Arbitrary intervention can and does usually lead to unwanted results.

Before we attempt to develop this concept, let us enumerate briefly three more assumptions that are relevant for these internal dynamics, when discussing the marketplace approach: 1. First of all, the quantitative (as opposed to qualitative) degree of migratory movements always depends on the extent to which restrictive actions have hindered the migration process previously. Recent history of the continent has illustrated significantly enough this statement and comparing 1980 and 1990 statistics gives you a clear picture. 2. Very much related to the above assumption, one could safely talk about fluctuating cycles in migration, with ascending lines, peaks and regressions. In Europe, most of the Candidate Countries have passed their peaks in producing migration in the mid-90s. 3. Migration, especially the one motivated economically, is more sensitive to pull than to push factors. This assumption is very much relevant in Europe today, and it radically contradicts whoever states that the European Union has little to offer to migrants. The fact is that there are jobs available in the Union today, particularly in certain areas of the labour market. Migrants will satisfy this demand within or outside a regulated framework. Further it might very well be that legislators and policy maker who want to intervene in a certain manner on this marketplace would only be able to succeed by working precisely at these pull-factors. The way some countries do it – maybe the most relevant are the US and Canada – proving that they have understood this reality by attracting qualified migrants from all over the world, becoming preferred destinations even for people who are not that dependent on push factors in their own countries. And the moment is not far when competition between European and non-European destinations for qualified migrants may have a much more decisive impact on trends than the aforementioned demographic changes. Having taken into account these assumptions and coming back to the migration marketplace, maybe the first corollary of this analogy is the fact that as long as migration happens – with no regard to the policy of the state – it is proof enough that migrants are actually needed. As long as the movements are driven by labour related issues, the interior dynamics of migration, as said earlier, will always take precedence, no matter if the destination state will restrict it or not. The difference is only in the degree of legality within which the economic activities of the migrants (usually labour) will happen. In Europe this is both true in the member states of the EU and will be progressively more and more true in the Candidate Countries as they approach accession.

As we shift towards the particular European dimension of the marketplace analogy, one would say that state intervention has to be always in agreement with the intrinsic state of the determinant factors at the moment of intervention, and should ideally be justified by an unusual imbalance of the migratory “market”. That means that when a state designs its policy on migration or other way to control migratory movements such

intervention has to be in line with current migration realities and deal with them from within. But let us develop this. It is far from our intention to say that because of such a marketplace approach the best way to go around migration is an absolute laissez-faire, and it is also far from our intention to say that the Candidate Countries or the European Union should open their borders to whatever waves of migrants might want to enter. Like on every marketplace in our complex times, intervention might not only be legitimate and necessary but it usually is to the overall benefit. The only care to be taken when designing state intervention is that it should be in tune with the dynamics of the phenomenon, observing migration also in the context of supply and demand. And in this sense, keeping always with the market concept, let us not un-wantingly increase illegal employment nor unnecessarily expand the market share for traffickers and smugglers. Because to forget that most markets, have a black-market, may hinder the overall result that we were aiming for in the first place. The new European common policy proposal on immigration seems to have incorporated such interventions particularly by refining its employment strategy, but also by reviewing the impact of an ageing population on security and pensions and by making training more responsive to the market needs. A communication on illegal immigration has also been released, and the Candidate Countries will have to align themselves to this common policy probably before accession.

However if one looks at the entire accession negotiations in the field of Migration, the two most striking common features in all these countries seem to be: 1. Sometimes technical negotiations for accession were underestimated in favour of the political negotiations and 2. Migration realities were too rarely regarded in perspective. First, on the technical question. Beyond the status of a formal condition for enlargement (as defined in 1993 at the European Council in Copenhagen), technical criteria are of the utmost importance for the union, but especially for the country in question. No doubt that political negotiations are important and more than that, commitment to democratic values backed up by political commitment to the enlargement process are crucial factors. But it would be a mistake to underestimate the role of technical capacity. On the long term, political-only driven efforts will prove to be counterproductive, while technical efforts, resulting in a better infrastructure tailored to cope with European challenges will prove its benefits in facing very close future situations. Higher flexibility in implementing European legislation, higher efficiency in providing security to individuals, higher response of the administrative structures to fast changes, managing migration and other challenges and not least a better understanding – at all government levels – of the way the different states in the European Union work for a common interest are just some few arguments for the technical side of negotiations for enlargement. But in the end we face political and technical interdependency anyway: Accession may be a priority political objective, but migration management should not be too far behind, not least because it is the one topic in today's Europe that the electorate does not seem to be ignoring. In what regards the second common feature, the lack of perspective in approaching migration, the most common illustration of it is a state that would not diligently try to cope with the *Acquis* in the area of migration for the apparent (and obvious) reason that there were not too many migration challenges in that particular state. In a time magnified frame, that statement is true. Most of the candidate countries are not (yet) particular destinations for migrants (especially economic migrants), and when such phenomenon occurs it is typically insignificant and anyway just a "pit-stop", a transit period in the migrant's route towards the final destination (with the exception of the Czech Republic, where the percentage of

foreigners has already reached 2%). But upon accession this state of fact will change radically: as part of the Union the candidate countries will find themselves becoming very attractive for migrants over night, and not by accident: the membership in the Union's political processes will make these countries safer, the flow of capital and the development of the economic markets will increase the demand for labour and finally, the social welfare system will probably become more friendly.

All these changes will drive migration flows towards these countries, and this is the perspective that legislators and administrations have to keep in mind when designing their migration policy and when aligning themselves to the Migration Acquis. Moreover, adopting the Acquis alone, by a simple legislative process will never be enough, without the building of administrative capacity to enforce the EU framework legislation and to react in symphony to the challenges of the Union the process will be far from effective. What we all have to understand is that membership in the Union brings along a lot of advantages, in terms of strengthening the economy, consolidating democratic processes and providing for safety and security. But these advantages come along with huge responsibilities, because the way one single state deals with certain challenges – such as migration – is not only relevant for that state alone but for the whole union. And if the capacity of that state to face such challenges is lacking then there are high chances that completed enlargement may turn into weighty political embarrassment when the same state finds itself in the impossibility to strive for the values of the Union in undeniably visible situations.

Migration in the Candidate Countries is on its way to change in quantitative and qualitative presence, and these changes – in the good practice of globalisation trends – are both causes and effects of so many and complex other processes, of which the enlargement of the European Union is certainly the most revolutionary. In this context migration policies have to be carefully designed to lead eventually to migrants' economic and cultural integration in an extended area of freedom security and justice. An area which must consistently strive to balance rights and responsibilities of migrants. A balance that can only function when legal transposition is matched with both administrative and enforcement capacity. It is therefore high time to prepare the process, which must go beyond legislation and technical co-operation. Alongside emigration and established temporary migration to the west, the societies in the accession states have to be prepared for a new challenge to their cohesion: foreigners in their cities, often right in their neighbourhood, maybe competing for their jobs. Let us avoid emergency management and rather, in a timely fashion, strive for long term orderly migration supported by functional integration measures in tune with the host societies.

Research Methodology

What began as a classical multiple country case study, later developed in a comparative study with the aim of creating a certain typology distinguishing between those countries where there is immigration and those countries where there is emigration. What also emerged was the need to distinguish between countries where permanent emigration is prevailed upon by circulatory emigration. Additionally a great deal of attention needed to be paid to the phenomena of transit immigration, temporary immigration and permanent settlement immigration. Some countries used to regard their emigrants to the EU only as a source of remittances. In the 90s this pattern changed and now the same emigrants are looked at as the ones who can potentially build transnational

connectivity. The question of whether this trend is also spilling over to the accession countries was a further element which needed to be assessed. What also needed appropriate attention is the issue of nationality and naturalization. Where usually nationality has been closely related to ethnic background, the new realities may create revised views and policies on this matter. With more and more people wanting to be naturalized, it is clear that the relevant laws and policies, when less than adequate, will bear the strain. This point has also been analyzed.

In fact this booklet is part of a product of comprehensive research and analysis of migration trends in each of six participating EU accession countries: Poland, the Czech Republic, Slovakia, Slovenia, Romania and Bulgaria. The research project has been supported by the European Commission, DG Employment and Social Affairs, under the European Social Fund budget line *“Analysis of and research on the social situation, demography and the family”* and was managed by IOM Vienna.

Under the title **“Migration Trends in Selected EU Applicant Countries”**, the following volumes are available:

Volume I – Bulgaria. The Social Impact of Seasonal Migration.

Volume II – The Czech Republic. The Times They Are A-Changin.

Volume III – Poland. Dilemmas of a Sending and Receiving Country.

Volume IV – Romania. More ‘Out’ than ‘In’ at the Crossroads between Europe and the Balkans.

Volume V – Slovakia. An Acceleration of Challenges for Society.

Volume VI – Slovenia. The perspective of a Country on the ‘Schengen Periphery’.

Within the project, applied research enhancing the EU knowledge basis on migration in candidate countries to the Union has been sought. Although building on the acquired knowledge, it is no continuation of the previous IOM / ICMPD research, but is inscribed in a different logic. The particular interest here was to find out more about the effects of migration on the countries’ societies. For this purpose, a mixed methodology was conceived, taking into account the different levels of migration research in the participating countries. It has been applied and can be found in each of the six country reports as well as in the overview.

The research was developed with an attempt to align the research process as far as possible. This field of research being new for the participating countries, two major disadvantages had to be faced: little research and a low number of researchers to draw upon as well as scarce data availability. However statistics and literature was found to be better in those countries which have already experienced in-migration to a certain degree (the Czech Republic, Poland, Slovenia, to a lesser degree also Slovakia), whereas Bulgaria and Romania were still greatly lacking both research and statistical apprehension of the phenomenon.

As a consequence, the methodology has been elaborated in three steps, which accompanied the entire research process: Literature analysis, interviews and recommendations. In fact data has systematically been completed by interviews with officials, experts, and migrants themselves or their associations, depending on the gaps

VIII

in literature and statistics. Collaboration of the researchers with the respective IOM country missions has facilitated this process. For each of the countries, the interviews form the added value of the reports. Hitherto undocumented aspects of migration phenomena in the accession countries become perceivable for the first time, and besides, analysed in a systematic manner.

The research is made pertinent by analysis weighing the information against credibility and by the elaboration of conclusions to each chapter of the research. Recommendations to different stakeholders are formulated at the end of the text for optimal usability.

Through its form and result, the project *“Sharing Experience: Migration Trends in Selected Applicant Countries and Lessons Learned from the ‘New Countries of Immigration’ in the EU and Austria”* hopes to contribute to EU migration research and policy at the time of the expansion in May 2004 and beyond.

The reader may expect comprehensive information on the situation of migrants both, in and out of the countries, and the countries’ migration management approaches, with the main purpose to illustrate the impact of migration trends on the local society and the social situation in the country.

*International Organization for Migration
Vienna, Autumn 2003*

Acknowledgements

I would like to thank my colleagues with whom I share project activities in the framework of the “Migration Trends Project” during the year 2003. Above all, the author wishes to acknowledge the information, perspectives, personal opinions and suggestions of all respondents who actively participated in the project. Many valuable contributions in this report are result of the process of exchanging our ideas.

I thank Ms. Alenka Malenšek, head of the IOM Mission Ljubljana, for her attentive work on the project, both in the form of consultations and comments to the draft text. However, thanks goes also for the invitation – and for me the opportunity – to become a part of the international network of experts in the field of contemporary migration trends.

I am grateful to Ms. Barbara Velkov from IOM Ljubljana for her reliable help during the process of data collection and on all later stages of the research, when we were reflecting statistical and legal facts and translated them into social life and everyday experience of “being migrant”. Her careful readings of all parts of the text were an important part for producing the final report.

In addition, I would also like to thank Ms. Tatjana Pezdir, who helped with data and their social, cultural and political meanings.

To this important experience of team work contributed good co-ordination work during all phases of this research from the side of Mr. Martin Kunze (IOM Vienna).

Simona Zavratnik Zimic
Ljubljana, October 2003

Contents:

Preface	III
Acknowledgements	1
Contents	2
Executive summary	4
1. Historical overview	9
Migration in period 1945-1953	9
Migration in period 1954-1990s	10
The direction of migration movements	11
Educational and occupational structure	11
Age and gender structure	12
Migration flows in Slovenia in the 1990s	12
2. Overall migration scales	13
2.1. Direction of movements	13
2.2. Motivation	21
2.3. Irregular motivation	28
3. Factors contributing to migration movements	34
3.1. Push-pull factors, family and other informal links	34
3.2. Trafficking in human beings	37
4. Impact of migration movements on slovene society	40
4.1. Four images of immigration to Slovenia	40
4.2. Diversity and different dimensions of social impact	42
4.3. Temporary refugees from war areas in former Yugoslavia	43
4.4. Immigrants from non-European countries	45
5. Migration policy, legislation and procedures	50
5.1. Overview of key legislation on migration after 1991	50
5.2. Welfare provision	53
5.3. Participation in »NEW SOCIETIES«	55
5.4. "UNWANTED" migration: readmission agreements	55
5.5. Specific regulations	56
6. Integration policies and practices	68
6.1. Social integration vs. social exclusion: Bosnian refugees in Slovenia	68
6.2. Legal framework	71

7. Conclusions and recommendations	75
7.1. General guidelines	75
7.2. Proposal supporting general recommendations	79
7.3. Guidelines for preparing the integration programmes	82
7.4. Diversity of migration: Some specific approaches	84
7.5. Future research and monitoring	87
Bibliography	88
Sources	89
Appendix I: List of respondents	91
Appendix II: List of tables	92
Appendix III: Table A1 and Graphs	93

Executive Summary

After the Second World War, both international migration and internal movements of people within the borders of the federal state of Yugoslavia are presenting an important part of social dynamics with reference to migration movements in the territory of Slovenia.

The key event in the country's contemporary history is the milestone year of 1991 when Slovenia gained independence. After this period, the entire process of creating migration policy started, although it cannot be said that Slovenia had no previous experience with migration outflow and inflow. On the contrary, Slovenia was the territory of immigration from other parts of former Yugoslavia. At the same time, many Slovenes emigrated to the Western countries as "guest workers". However, it is a questionable viewpoint that the accession/applicant countries to the EU (or generally, the transitional countries of Eastern Europe) are by definition countries that only recently face immigration. It seems that a more diversified analysis is needed in order to include different forms of immigration, although not always international, but nevertheless important for particular regions. The fact remains that immigration from Bosnia and Herzegovina, Croatia and Serbia from the past have influenced nowadays' policing, especially in the field of integration of immigrants into a "new society".

To summarise migration trends after WW2, the following picture could be presented: immediately after the war the migration balance was negative, the majority of Slovene emigrants crossed the border undocumented and reasons were predominantly political. In mid 1950s the main motivation for migration became economic. In next two decades Slovenia turned from a territory of emigration to a territory of immigration. Immigration of the population from the former Yugoslav Republics is the most important feature of the period before the year 1991. Most immigrants came to so-called industrial half moon, the area of main industrial centres in Slovenia, including the capital city of Ljubljana. The second prominent territories of immigration were municipalities bordering on Croatia. Mostly young population migrated with relatively high educational background (40 percent finished vocational school and around 6 percent finished higher or university education). Migrants were in majority men, aged between 20 and 39, and women aged between 14 and 34. In the beginning of 1990s, due to political and economical changes and war conflicts in former Yugoslavia, the migration balance was negative. From the second half of the 1990s on, the migration balance was positive and Slovenia again became the country of immigration.

Another important influence in the creation of Slovene migration policy is the involvement in the European integration processes. The latter is included in the question of perspectives and possibilities of post-socialist countries, many of which are EU accession countries and for which the EU criteria in dealing with migration are the starting point and the objective. It seems that models, the national as well as the European one, are still part of an enormous creation process. No doubt, the conception of Slovene migration policy is closely linked to the European integration processes and the position of Slovenia being one of the accession countries, situated on the outer border of the EU - "the Schengen periphery". The contemporary migration policies are in the jaws of European and national realpolitik of controlling the migration on one hand, and demand to respect human rights and the implementation of humanitarian

principles on the other; the latter being a position represented as “the public policy of non-governmental organisations”.

Trends in the period 1997 – 2001

In the period 1997 – 2001 the migration balance was positive, with the exception of 1998, in terms of citizens of the Republic of Slovenia as well as in terms of foreigners. Among immigrants and among emigrants there are more men than women. The opposite feature is given within the population of temporary refugees from Bosnia and Herzegovina.

Inflow to Slovenia

The majority of immigrants come from European countries, which is the case for the whole period of the five years monitored (on average, around 96 per cent). Among individual countries the most immigrants are from the Republics of the former common country: Bosnia and Herzegovina, Serbia and Montenegro, Croatia, and Macedonia. Most foreign workers are employed in the construction industry or as seasonal workers (agriculture – border regions of Croatia). To lesser extent, they work in the metal industry, public utilities and health sectors.

Outflow from Slovenia

The main characteristic is the low level of outflow; net migration in the last two years was negative concerning Slovene citizens. The majority of Slovene citizens emigrated to other European countries; most frequently to Germany, Croatia, Austria and Switzerland.

Irregular migrants

High numbers of irregular immigrants arriving to Slovenia are part of the general migration trend in Europe. In the years 1998 – 2000 there was an increase of irregular migrants from African and Asian countries, especially from Iran, Iraq, Bangladesh, China, Pakistan, Algeria and Sierra Leone. These are economically and political migrants, bound for EU countries and to whom Slovenia was a transitional country on their way to Western Europe. Among them, men prevail, whereas women are more numerous among irregular immigrants from Moldova and Ukraine. Most immigrants are young persons, in the age group between 18 and 28. However, the existence of minors can not be overlooked.

Asylum-seekers

The greatest increase was recorded in 2000 with over 9000 asylum applications, especially from Iranian citizens. In general, the majority of asylum-seekers come from Asia, mostly from Iraq, Iran, Bangladesh and Afghanistan. They are followed by applicants from European countries: Turkey, Serbia and Montenegro (Albanians from Kosovo), from BIH and Macedonia. Regarding Africa, they come from Sierra Leone and Algeria. Male applicants dominate. 12.548 asylum applications were lodged in Slovenia in the period from 1997 to 2002 altogether. 41 of them were concluded with a positive decision.

Conventional and humanitarian status of refugees

In Slovenia, in the period from 1991 to 2002, the status of conventional refugee was granted 4 times, 37 were given the status of refugee for humanitarian reasons.

From the statistical data after 1991 it can be concluded that migration is on the rise in the extent, structure and forms and that it is strongly diversified (voluntary and forced migration, non-documented migration, children and women in migration flows etc.). It is also evident that women enter migration flows in many different ways. Their share is still lower in comparison with male migrants, however, women represent a more and more stable share in international migration. In addition, for Slovenian context the phenomenon of forced migration that followed war conflicts in former Yugoslavia is very important, especially because of the questions of temporary protection and integration.

Another characteristic in migration flows is the low level of outflow; net migration in the last two years was negative concerning Slovene citizens. The low level of mobility in terms of permanent international migration is one of main characteristics of Slovene citizens. Most frequently, explanations make reference to the relatively successful economic development in the country. In today's global village it seems that Slovenes are rather "travellers than migrants".

Push and pull factors

The most important pull factors for immigration to Slovenia are economical, predominantly search for employment. The greater part of temporary residence permits is issued on the ground of employment or work in Slovenia. The second reason for temporary staying in the country is family reunification. For irregular migrants Slovenia represents mainly a transit country on the way to the Western Europe. It can be expected that after accession to the European Union Slovenia will become more and more also a country of destination. In addition, in the case of emigration, the main push factors are very similar to pull factors; they are predominantly economic, employment and seeking for a better living.

Impact on society

The impact of migration on Slovene society can be described through four images, which locate Slovenia on the "social map" of today's migration events. It include historical link with traditional immigration from Republics of the former common state of Yugoslavia as well as contemporary diversified forms of immigration from all over the world. Two key events in migratory movements are particularly important, emergence of forced migrations and temporary refugees from areas of war conflict in former Yugoslavia and the issue of irregular immigration from non-European countries to Slovenia and negative public response towards immigrants. With regard to temporary refugees, the issues of integration and participation in societal life have to be addressed as a priority. Immigration from distant countries shows that migration is becoming part of everyday politics for countries next to the European Union. For these states it is necessary to develop a comprehensive migration policy, which can provide a suitable frame for different appearances of migrations (economic, forced political migration, temporary and permanent, regular and irregular, vulnerable groups in migration, etc.)

Under the globalization trend more and more countries are included in migrations and the migrants are originating from increasingly diverse economic, cultural and social environments. A continuous rise in global migration can be expected, which is already becoming a reality of Central and Eastern European countries, including Slovenia. These are important reasons for encouraging integration of immigrants into new societies, but at the same time it is important to encourage intercultural communication in the form of a two-side process of learning and exchange of information between immigrants and “majority” society. Integration policies concern a wide range of intercultural communication and learning, where participants and audiences are immigrant population as well as the society in general.

Legislation

The general characteristic is that the majority of legislation was written in the last decade but also changed or amended (Asylum Act, Law on Temporary Refuge, Aliens Act). Another characteristic is that the entire legislation was getting its form under strong EU influence, which is the case of all accession countries. One very general conclusion can be drawn, namely that legislation proved to be very effective in the area of preventing unwanted immigration (so called ‘illegal migration’), expulsions, readmission and similar measures. It seems to be less effective in the field of integration. After restrictive legislation was adopted and amended in the last years, the focus within migration management must be shifted from border control policies to integration policies. Therefore the question is not writing legislation but implementing existing regulations.

Integration

Initiatives concerning integration policies have to take into account local specifics as important contextual factor. Slovenia is a ‘new society’ for many immigrants from former Yugoslavia, for refugees coming to Slovenia as temporary refugees one decade ago and for some new immigrants from non-European environments. In future even greater ethnic and cultural diversity can be expected. Current and expected migration trends are clear reasons for establishing solid integration programmes but also these practices must become part of social and political reality. To sum up, integration is an open field in which programmes and initiatives of including immigrants still have to be established. This aspect of migration policy poses the biggest challenge to Slovenian migration policy. However, it challenges countries outside the Schengen Europe as well as those within EU boundaries, no matter if traditional or new countries of immigration.

In Slovenia, practical experience with integration can be demonstrated in the case of Bosnian refugees. In short, it has shown different results; on one side integration brought very positive results in the field of education, on the other side it failed in the field of integration to the labour market.

General guidelines and recommendations:

- A comprehensive approach to migration policy on the national level;
- co-operation of different actors on governmental level;
- connection and communication between the governmental sector, NGOs and intergovernmental organisations;

- integration of immigrants into the 'new society' and their visibility in the public dialogue;
- defining of integration policies: programmes and their contents;
- intercultural learning and intercultural communication;
- educational programmes;
- improvement of access to health care.

Proposals supporting the general recommendations:

- a group for preparing integration programmes on national level;
- an information campaign (tender – national, regional, EU level);
- preparing of educational programmes;
- sensibilisation of media and monitoring of media reports.

1. Historical overview¹

In the former Yugoslavia, contrary to the most countries of the ex-communist block, the borders were not closed for movements of people. In general, citizens have had their passports “at home” and not at some third place, i.e. in offices with communist authorities. Especially with neighbouring countries special bilateral agreements, were arranged for the locals living along the borders (e.g. along the Slovene-Austrian and Slovene-Italian border local inhabitants could cross the border very easily on the basis of special documents). To illustrate one aspect of this openness, for example the phenomenon of “shopping tourism” can be traced back to late 70s and early 80s. Quite the opposite could be observed in almost all today’s accession countries where shopping tourism began when iron curtain was finally removed in 90s. Another brief remark should be given in relation to student mobility. The student exchange schemes were well established with many African and Asian countries, mostly within the “Movement of Non-aligned Nations” (such as India, Egypt and African countries in general).

Within the following overview the historical dynamics of migration processes in the territory of Slovenia in the period after World War 2 will be presented (in that period Slovenia was one of the Republics of the Federal state of Yugoslavia). For analytical reasons it should be divided into three periods:

- The period following World War 2 up to the year 1954; Slovenia was above all an emigration country;
- In the period between 1954 and 1990 Slovenia faced immigration from former Yugoslav Republics (especially in the second half of the ‘70s) and temporary migration of Slovenes mostly to Germany and Austria (“guest workers”);
- After the 1990s the migration flows in Slovenia have changed radically, especially due to the independence of Slovenia in 1991. However, here is also the starting point for defining migration policy on the national level.

Migration in the period 1945-1953

In the period after World War 2 emigration from the Slovene territory was prominent. The migration balance was negative: the majority of Slovene emigrants crossed the border undocumented, the reason was predominantly political. Economic migrations were not characteristic because Western Europe was still in the process of post-war reconstruction and was not economically attractive. In the mid 1950s, a rise in economic migration occurred, which later became the main reason for migration. In this period, Slovenia stops being only a country of emigration.

¹ With a historical overview of migration movements we refer to time and spatial components. We differentiate between two socio-geographical territories: the territory of emigration and the territory of immigration. The process of migration is defined as a spatial shift, linked to the change of place of permanent residence. However, sociological analysis places migrations in the context of social processes and interactions between immigrants and members of the majority societies

Migration in the period 1954-1990s²

After the 1954 migration was mostly the consequence of economic factors. During this period, Slovenia turned from a country of emigration to a country of immigration. Immigration of population from the former Yugoslav Republics is the most important feature of the period before the 1980s. The dynamics of immigration can be dividend into two periods, the criteria being the number of immigrants: during the first period between 1960 and 1974, the net migration of Slovenia in comparison to the other Yugoslav Republics was positive, between 3,000 and 5,000 per year, but in the next period between 1975 and 1980 net migration was much higher – between 5,000 to 9,000 immigrants per year, as can be seen in Table 1.

Table 1. Immigration, emigration and net migration in Slovenia with the rest of Yugoslav Republics between 1954 and 1989

Year	Immigration		Emigration		Net migrations	
	number	%	number	%	number	%
1955–1959	6,842	4.4	5,251	3.4	1,591	1.0
1960–1964	7,410	4.6	4,225	2.6	3,185	2.0
1965–1969	8,348	4.9	4,374	2.6	3,974	2.3
1970–1974	7,387	4.2	3,932	2.2	3,455	2.0
1975	10,592	5.9	3,780	2.1	6,812	3.8
1976	12,050	6.6	3,965	2.2	8,115	4.5
1977	12,535	6.8	4,419	2.4	8,116	4.4
1978	12,226	6.6	4,771	2.6	7,495	4.0
1979	13,426	7.1	5,262	2.8	8,164	4.3
1980	11,623	6.1	6,066	3.2	5,557	2.9
1981	11,095	5.9	6,661	3.5	4,434	2.3
1982	10,310	5.4	5,780	3.0	4,530	2.4
1983	9,452	4.9	5,528	2.9	3,924	2.0
1984	8,972	4.6	5,489	2.8	3,483	1.8
1985	8,602	4.4	4,719	2.4	3,883	2.0
1986	8,803	4.4	4,654	2.3	4,149	2.1
1987	8,358	4.2	3,921	2.0	4,437	2.2
1988	7,302	3.7	3,819	1.9	3,483	1.7
1989	6,584	3.3	4,283	2.1	2,301	1.2

Source: Malačič 1991

Migration flows between Slovenia and other Yugoslav Republics are predominately the consequence of economic factors. Slovenia, being economically developed, has influenced the movements from the southeast to northwest. These migration movements are also the consequence of unemployment in other Yugoslav Republics and bigger job opportunities in Slovenia, where there was no unemployment during all this period. A part of job positions in Slovenia were unoccupied due to the Slovene permanent or temporary emigrants. The main feature of migration movements between

² Statistical migration monitoring (immigration statistics) was first introduced in 1763. With the disintegration of Austro-Hungarian Monarchy, the monitoring was discontinued for 40 years. In 1953 Slovenia started monitoring migration movements again. The reason for this starting point lays in the availability of data

Slovenia and the rest of Yugoslav Republics, besides the economic factors that dominated, is defined by the economic trade that did not encourage relocation of the capital, but rather encouraged the migration of the workforce. The other reason is the absence of an immigration policy in the whole Yugoslavia. Temporary migration was not uncommon between Slovenia and other republics, which was mostly seasonal, for example, construction work, tourism, etc. For these temporary migrations there are no statistical data or research (more: Mežnarič 1986; Genorio 1989; Malačič 1991).

The direction of migration movements

From which territories of Yugoslavia did immigrants come? Kodelja (1992) defines three territories: firstly, Slovene-Croatian border municipalities from Istra to Medžimurje. Zagorje, Kordun and the greater area of municipals of the city of Zagreb also belong in this territory³. Secondly, “the central Yugoslav territory” consists of the northern and western part of Bosnia, a part of Posavina and eastern Slavonia (Croatia), Bačka, Srem in Vojvodina and Mačva in western Serbia⁴. And thirdly, “the southern Yugoslav immigration territory” consists of the central part of Kosovo, Metohija, north-eastern part of Macedonia and the area of Sandžak.

Where did the immigrants from the former Yugoslav Republics immigrate to?

The most extensive and in terms of migration most prominent territory in Slovenia (based on the data in the period 1982 - 1990) extended from the Carniola region across the greater area of city of Ljubljana and city of Celje or the area of city of Velenje. The area was extremely appealing for its position, degree of economic development and especially for many job opportunities. The area was determined by the location of the main industrial centres: the cities of Ljubljana, Kranj, Jesenice, Celje and Velenje – the so-called *industrial half-moon*. The second prominent territory, where a greater number of people immigrated to, is the territory of the municipalities bordering Croatia. The most intensive immigration experienced the central and southern parts, in the territories of the municipalities on the coast, where immigrants found work in different industries and tourism (Kodelja 1992).

Educational and occupational structure

The educational structure of immigrants was relatively high; almost half of them (those over 14 years) finished primary school or lower education, around 40 percent finished secondary or vocational school, around 6 percent finished higher or university education. Among emigrants the educational structure was somewhat higher. Immigrants in Slovenia were in majority young people who finished at least primary, vocational or secondary school in their home environment. In the 1980s there was a well developed system of formal education of young people in Yugoslavia; the main problem was employment in some Republics. Among immigrants in Slovenia, the majority worked in transport, metal industry, construction industry and the health sector. Among emigrants, the prominent group is occupied in transport industry (Kreigher 1992).

³ In the years between 1982 and 1990 around 10,000 people from these territories immigrated to Slovenia

⁴ From this territory around 38,000 people immigrated to Slovenia in the years between 1982 and 1990, around 26,000 from Bosnia. From this territory immigration was the most intense in the western and northern part of Bosnia, where the population was mostly Muslim

Age and gender structure

The age structure of migrant population, as a rule, differs from the age structure of the rest of the population; this holds true for emigrants as well as immigrants. The data show that mostly younger people choose to migrate. The young age of the migrants is the manifestation of the employment policy in the area of immigration, where the most flexible groups of people who will adapt to the new demands will be employed. Migrants are in majority men, aged between 20 and 39, and women aged between 14 and 34. (Jakoš 1994) **“Guest workers”**⁵

Temporary economic migration was the most intensive in the second half of the 1960s and at the beginning of the 1970s. In the 1950s and in the 1960s, a lot of Slovenes worked in western European countries, where there were workforce shortages. In the beginning this economic migration was believed to be temporary. Later, especially since the 1970s, it became clear that the majority of these temporary migrations were turning into permanent emigration.

Migration flows in Slovenia in the 1990s

As it was already mentioned, in the beginning of 1980s the migration movements have slowed down because of a changed economic situation (reduction of GDP, decreased in employment and simultaneous rise in unemployment). Later in the beginning of 1990s, the migration flows were changed due to political crisis and break-up of Yugoslavia. In this period, Slovenia met mass influx of refugees from war areas of Croatia and Bosnia and Herzegovina.

Immigration to Slovenia

At the end of the 1990s there were 42,000 foreigners in Slovenia⁶, which represent 2.1 percent of the total population (much less than the EU average)⁷. Among them, three quarters were foreigners with temporary residence in Slovenia, 16 percent were foreigners with permanent residence and 10 percent were refugees. The majority was from the countries of former Yugoslavia (above all from BIH). On average, foreign nationals with permanent residence in Slovenia are the oldest and refugees are the youngest. Among the latter, the majority are women; men prevail among foreigners with permanent or temporary residence in Slovenia (see: Bevc / Prevolnik-Rupel / Verlič-Christensen 2000).

Emigration from Slovenia

According to the census in 1991 there were 53,000 migrant workers (2 percent less than 10 years ago) or 2.7 percent of permanent residents of Slovenia. A change was made in the definition of residents in 1995; therefore, people in this category are no longer recognised as residents of Slovenia⁸. Their number was smaller at the end of 1999 (30,000) than of the category of emigrants (emigrant workers). This can be attributed to the fact that some of them that have been in a foreign country for a long time and did not get Slovene citizenship after the independence (ibidem). They represent 1.5 percent of the citizens of the Republic of Slovenia and among them are more men than women.

⁵ “Guest workers” or migrant workers are those individuals who have a permanent residence in Slovenia, but also have a temporary residence in another county

⁶ Data are from the end of the year 1999

⁷ The EU percentages of foreign nationals population range between 3,6 and 9 percent

⁸ Statistics monitor the citizens of the Republic of Slovenia, who are temporarily in a foreign country (more than three months) and have reported this absence

2. Overall Migration Scales

2.1. Direction of movements

This chapter contains a general overview on the field of international migration movements in Slovenia for the monitored period 1997 – 2001, in some cases and if data available also for the year 2002. The main contents of the chapter are concentrated upon direction of movements, their size and composition, motivation for migration, different legal categories of migrants and overview of data according to social categories such as gender and age structure.

However, a short methodological note has to be given with reference to data availability and reliability. In the first chapter it was introduced that the statistical system of monitoring migration movements has already been established in former Yugoslavia. Therefore, basic statistics availability do not represent an open question, since even more specific data were accessed by governmental agencies or public services. The question of reliability of data is evident in the case of irregular or non-documented migration. The available data on irregular border crossings to Slovenia are introduced in this chapter. However, it must be mentioned that contrary to the statistical data on the extent, structure etc. of migration flows, where data from Statistical Yearbook are highly reliable, the same cannot be said for the data on irregular border crossings, which can at best be an estimate of a certain governmental agency. The predominant data and sources on migration to, from and through Slovenia, used in this chapter are the following:

- Statistical Yearbook of the Republic of Slovenia, 1997 – 2002, Statistical Office of the Republic of Slovenia (inflow and outflow, immigrants and emigrants by age and gender etc.);
- Statistics of the Ministry of the Interior of the Republic of Slovenia (irregular migration, asylum-seekers, duration of stay etc.);
- Data of the Governmental Office for Immigration and Refugees (temporary refugees from Bosnia and Herzegovina and Kosovo);
- Employment Service of Slovenia (data on work permits for foreign workers in Slovenia, employment of Slovenian workers abroad);
- Centre for Foreigners (data on unaccompanied minors for irregular migrants);
- Asylum Home (data on unaccompanied minors).

In addition, information collected on the basis of interviews are included both, in the form of background information or in the form of primary source.

International migration

Since the year 1992, the Statistical Office of the Republic of Slovenia has been gathering data on two separate categories of migrants: citizens of the Republic of Slovenia and foreigners. Among the citizens the Republic of Slovenia are persons with the citizenship who emigrated or immigrated and have reported their activities to the administrative unit where they have permanent residence.

According to the Statistical Office of the Republic of Slovenia, a foreigner is:

- a person with a citizenship of another country with a permit for permanent or temporary residence in Slovenia who has reported the permanent or temporary residence;

- a person with a citizenship of another country with a valid visa who has reported a temporary residence in Slovenia;
- a person with unknown citizenship and with permanent or temporary residence in Slovenia.

With regard to emigration, a special statistical category of migrant workers must be mentioned (workers who work outside their own country, and their families who live with them abroad), who have left Slovenia for the period of more than three months and have reported their activities, but still have permanent residence in Slovenia. The number of migrant workers has plummeted in the 1990s (at the end of 1999 there were 30,600). According to Bevc / Prevolnik-Rupel / Verlič Christensen (2000), this trend is the consequence of the fact that persons who had been in a foreign country for some time have not applied for Slovene citizenship after Slovenia's independence.

As the Table 2 shows, in the period 1997 – 2001 the migration balance was positive for the citizens of the Republic of Slovenia as well as for foreigners. The exception is the year 1998, when the migration balance turned negative. The increase of foreigners in Slovenia in 1999 (in comparison with 1998) can be contributed to the actual increased inflow of foreigners in this year on the one hand. On the other hand it was the consequence of the implementation of “*The Settling of the Status of Citizens of other SFRY Successor States in the Republic of Slovenia Act*” (Bevc / Prevolnik-Rupel / Verlič-Christensen 2000). In the last two years (2000, 2001), net migration turned to the negative side for citizens of the Republic of Slovenia (see Graph 1, Appendix). The coming years will show whether this trend is going to be stable during a longer period.

Table 2. International migration from and to Slovenia in the period 1997–2001

	1997	1998	1999	2000	2001
Immigrants	7.889	4.603	4.941	6.185	7.803
Citizens of the Republic of Slovenia	1.093	857	1.362	935	1.030
Foreigners	6.796	3.746	3.579	5.250	6.773
Emigrants	5.447	6.708	2.606	3.570	4.811
Citizens of the Republic of Slovenia	807	705	963	1.159	1.442
Foreigners	4.640	6.003	1.643	2.011	3.369
NET migration	2.442	-2.105	2.335	2.615	2.992
Citizens of the Republic of Slovenia	286	152	399	-624	-412
Foreigners	2.156	-2.257	1.936	3.239	3.404

Source: *Statistical Yearbook of the Republic of Slovenia 1998, 1999, 2000, 2001, 2002*

Inflow to Slovenia

Statistical data on the inflow of migration to Slovenia are presented with reference to the immigrants' country of citizenship, their age and gender structure. As recorded in Table 3, the main characteristics of the immigrant population in Slovenia, according to the citizenship, are the following:

1. the majority of immigrants come from European countries, which is the case for the whole monitored period of five years (on average, around 96% of immigrants are from European countries);

2. among individual countries the most immigrants stem from the Republics of former common state, with Bosnia and Herzegovina on the first place, followed by Serbia and Montenegro, Croatia, and Macedonia (this trend is stable throughout the monitored period); and
3. the share from non-European countries is very small, around 4%.

Table 3. Immigrants to Slovenia by country of citizenship in the period 1997–2001

Country of citizenship	1997	1998	1999	2000	2001
Europe	7.574	4.385	4.855	6.008	7.459
Albania	12	3	12	4	20
Austria	34	13	6	25	48
Belgium	2	-	-	2	11
Bulgaria	21	45	23	12	12
Bosnia and Herzegovina	1.811	1.083	1.560	2.016	2.360
Czech Republic	17	13	17	20	28
Denmark	6	5	-	-	-
France	23	32	11	28	24
Croatia	1.020	548	403	906	1.102
Italy	53	63	32	35	90
Serbia and Montenegro	2.272	680	310	660	880
Hungary	9	18	5	7	23
Macedonia	747	537	826	876	1.049
Germany	54	42	10	48	78
Netherlands	5	5	1	5	22
Poland	3	3	1	6	44
Romania	17	37	24	25	53
Russian Federation	92	57	35	58	131
Slovenia	1.093	857	1.362	935	1.030
Sweden	10	13	-	5	9
Switzerland	7	8	1	10	22
Ukraine	-	-	121	192	231
United Kingdom	15	16	2	20	36
Other countries	251	307	93	113	156
Africa	13	5	9	8	12
Asia	110	108	31	84	174
America, South America,	10	12	13	15	22
North and Central	39	34	8	48	112
Australia and Oceania	4	1	2	12	20
Unknown country	139	58	23	10	4
TOTAL	7.889	4.603	4.941	6.185	7.803

Source: Statistical Yearbook of the Republic of Slovenia 1998, 1999, 2000, 2001, 2002

The common mean age for immigrants to Slovenia is 40.5 years. However, statistics for the last year (2001) indicate a difference between foreigners and Slovene citizens (the mean age is lower for Slovene citizens with 39.7 in comparison to foreigners with 45.7).

Table 4. Immigrants to Slovenia by age groups in the period 1997–2001

Age groups (years)	Citizens of the Republic of Slovenia					Foreigners				
	1997	1998	1999	2000	2001	1997	1998	1999	2000	2001
TOTAL	1.093	857	1.362	935	1.030	1.093	3.746	3.579	5.250	6.773
0-4	73	44	67	35	66	73	233	51	140	185
5-9	79	61	83	33	41	79	168	50	120	146
10-14	66	53	91	29	48	66	141	54	117	120
15-19	68	67	92	61	50	68	231	157	246	307
20-24	84	49	95	76	82	84	618	669	970	1347
25-29	94	63	110	74	95	94	597	666	992	1228
30-34	107	74	176	68	94	107	449	568	720	894
35-39	78	66	143	86	70	78	422	469	684	754
40-44	66	54	97	73	71	66	300	405	484	680
45-49	76	74	95	81	80	76	209	234	399	480
50-54	56	46	64	64	80	56	130	120	175	298
55-59	66	60	62	63	68	66	83	67	82	133
60-64	75	51	66	83	85	75	51	33	47	88
65-69	43	42	52	63	39	43	40	20	20	42
70-74	35	23	40	29	32	35	41	6	17	35
75-79	14	16	14	9	20	14	19	9	17	23
80-84	9	7	7	3	5	9	6	1	14	7
85 +	4	7	8	5	3	4	8	-	6	6
Mean age	35,8	37,2	35,4	40,4	39,7	35,8	30,5	32,5	31,8	45,7

Source: Statistical Yearbook of the Republic of Slovenia 1998, 1999, 2000, 2001, 2002

With regard to the immigrants' gender structure it should be emphasised that female still represent a smaller share in the whole immigration population, although numbers seems to be more or less stable (see Graph 2).

Table 5. Immigrants to Slovenia by gender in the period 1997–2001

	Total			Citizens of the Republic of Slovenia			Foreigners		
	total	male	female	total	male	female	total	male	female
1997	7.889	5.388	2.501	1.093	534	559	6.796	4.854	1.942
1998	4.603	2.817	1.786	857	446	411	3.746	2.371	1.375
1999	4.941	3.683	1.258	1.362	729	633	3.579	2.954	625
2000	6.185	4.397	1.788	935	509	426	5.250	3.888	1.362
2001	7.803	5.321	2.482	1.030	547	483	6.773	4.774	1.999

Source: Statistical Yearbook of the Republic of Slovenia 1998, 1999, 2000, 2001, 2002

Duration of stay

When analysing the inflow of immigrants, the issue of staying in the country, respectively the forms of residence permits, has to be addressed. In the Slovenian case the question of duration of stay is regulated by the Aliens Act (Official Gazette of the RS

No. 61/99, No. 87/2002), specifically with Article 25, according to which “*aliens who wish to stay in the Republic of Slovenia for a longer period of time on the basis of a visa or who wish to enter and stay in the Republic of Slovenia for reasons other than those possible on the basis of a visa must have a residence permit. A residence permit shall mean a permit to enter the Republic of Slovenia and to reside for a definite period of time and for a specific purpose, or to reside for an indefinite period of time*”. Statistical figures below show the numbers of issued temporary residence permits in the period 1997 – 2002. In general, two specifics are evident: firstly, permanent residence permits represent significantly lower numbers than temporary residence permits, and secondly, the highest shares of residence permits has been issued in both cases (TRP and PRP) to persons originating from BIH⁹, followed by former Yugoslav Republics. In case of TRP issued in 2000 – 2002 it is possible to observe increasing numbers of people from Ukraine, Slovakia and Moldavia.

Table 6. Issued temporary residence permits (TRP) in the period 1997–2002

Country of origin/Year of issue	1997	1998	1999	2000	2001	2002
Bosnia and Herzegovina	3.385	3.472	8.892	15.946	16.167	15.404
Croatia	2.072	1.491	4.154	8.263	7.699	5.814
Serbia and Montenegro	1.988	2.102	4.161	6.358	5.846	5.784
Macedonia	550	935	2.442	6.547	5.972	4.642
Ukraine	171	359	661	1.420	1.242	1.050
China	86	88	173	372	490	361
Russia	101	164	209	354	359	347
Italy	176	199	190	276	277	277
Germany	119	106	137	284	212	208
Romania	22	71	125	260	236	260
Slovakia	6	9	97	214	224	361
Moldavia	5	10	61	251	285	272
Other	4.391	3.877	4.630	4.860	3.204	2.311
Total	13.072	12.883	25.932	45.405	42.213	37.091

Source: Ministry of the Interior, 2003

Table 7. Issued permanent residence permit (PRP) in the period 1997–2002

Country of origin/Year of issue	1997	1998	1999	2000	2001	2002
Bosnia and Herzegovina	336	211	1.192	3.673	913	3.638
Croatia	172	188	401	1.319	327	766
Serbia and Montenegro	196	100	275	713	332	739
Macedonia	30	34	72	135	94	295
Germany	14	28	10	4	2	24
Ukraine	3	6	11	11	3	34
Other	585	475	668	904	362	359
Total	1.336	1.042	2.629	6.759	2.033	5.855

Source: Ministry of the Interior 2003

⁹ Especially the number of issued PRP in 2002, because refugees with temporary protected status were able to apply for permanent residence status in Slovenia (Act Amending the Law on Temporary Refugee: Official Gazette of the RS, No.67/2002)

Outflow from Slovenia

The main characteristic on emigration movements concerning Slovene citizens abroad is the low level of outflow - net migration in the last two years was negative. The majority of Slovene citizens in the monitored period emigrated to other European countries, most frequently to the following: Germany 24%, Croatia 13%, Austria 12% and Switzerland 7%. The mean age for emigrants is altogether 34 years. In addition, among emigrants are more men than women, and more foreigners than citizens of the Republic of Slovenia.

Table 8. Citizens of the Republic of Slovenia who emigrated abroad by countries of next residence in the period 1997–2001

Country of next residence	1997	1998	1999	2000	2001
Europe	749	642	840	1301	1230
Austria	136	131	108	157	142
Bosnia and Herzegovina	43	35	51	88	48
France	13	14	19	37	20
Croatia	175	131	116	138	168
Italy	31	47	78	90	102
Serbia and Monte Negro	53	46	40	77	97
Macedonia	5	9	6	17	7
Germany	165	143	282	348	391
Sweden	11	12	14	35	17
Switzerland	90	49	68	79	98
other countries in Europe	27	25	58	235	140
Africa	1	3	7	9	10
Asia	2	5	12	49	28
America, South	2	2	7	18	5
America, North and Central	35	27	74	148	123
Canada	20	16	27	48	31
United States	15	11	47	96	89
Australia and Oceania	15	25	23	34	45
Unknown country	3	1	-	-	1
TOTAL	807	705	963	1559	1442

Source: Statistical Yearbook of the Republic of Slovenia 1998, 1999, 2000, 2001, 2002

Table 9. Emigrants from Slovenia by age groups in the period 1997–2001

Age groups (years)	Citizens of the Republic of Slovenia					Foreigners				
	1997	1998	1999	2000	2001	1997	1998	1999	2000	2001
TOTAL	807	705	963	1.559	1.442	4.640	6.003	1.643	2.011	3.369
0-4	30	23	55	57	75	57	53	25	18	13
5-9	46	25	52	47	67	50	146	44	63	32
10-14	31	26	46	44	67	31	149	52	84	35
15-19	76	64	73	106	90	316	218	45	120	115
20-24	122	86	94	193	139	674	703	125	159	661
25-29	78	91	156	254	207	675	1079	239	269	694
30-34	84	70	98	178	138	765	1051	261	281	561
35-39	76	52	85	136	113	583	681	242	278	420
40-44	64	47	72	102	103	474	657	211	172	341
45-49	58	55	66	125	94	328	511	164	146	189
50-54	41	43	50	91	93	217	346	97	108	113
55-59	35	33	35	61	92	214	218	64	96	60
60-64	34	35	38	72	71	152	87	35	94	62
65-69	19	29	19	44	47	54	31	16	37	29
70-74	4	17	12	24	24	10	25	11	37	14
75-79	6	7	9	15	17	17	18	7	24	11
80-84	-	1	3	5	4	16	15	2	18	13
85 +	3	1	-	5	1	7	15	3	7	6
Mean age	33,1	35,8	32,7	35,2	33,5	35,2	34,7	36,1	37,1	35,2

Source: Statistical Yearbook of the Republic of Slovenia 1998, 1999, 2000, 2001, 2002

Table 10. Emigrants by gender in the period 1997–2001

	Total			Citizens of the Republic of Slovenia			Foreigners*		
	total	male	female	total	male	female	total	male	female
1997	5447	4174	1273	807	443	364	4640	3731	909
1998	2606	1732	874	963	525	438	1643	1207	436
1999	2606	1732	874	963	525	438	1643	1207	436
2000	3570	2376	1194	1559	806	753	2011	1570	441
2001	4.811	3.503	1.308	1.442	743	699	3.369	2.760	609

Source: Statistical Yearbook of the Republic of Slovenia 1998, 1999, 2000, 2001, 2002

* Estimates of the Statistical Office of the Republic of Slovenia

To summarize the inflow/outflow data in relation to gender, it can be concluded that among immigrants and among emigrants are more men than women. In the overall monitored period the emigrants were on average younger than immigrants (distinctive trend in increase of average age is seen within category of immigrants).

Transit migration

The phenomenon of transit migration represents one of current topics within migration issues, although not very well supported by reliable data. However, this phenomenon is widely known in the region, Eastern Europe and the Balkans and it can be supported by different data that can partially represent transit movements.

Slovenia, according to different information sources (interviews with representatives of Ministry of the Interior / Border Police – No. 1, MoI / Immigration and Naturalisation Section – No. 3), is seen in the first place as transit territory for immigrants from the Balkans and non-European countries, although it is more and more evident that for some migrants Slovenia represents also a destination country. This observation is also shared by most researchers (interviewees No. 13, No. 14, No. 15) and most of NGO dealing with migration in Slovenia.

Within the context of irregular migration, the general characteristic of Slovenia as a transit country can indirectly be concluded from the difference of the numbers of irregular migrants (noted as illegal border crossings) and asylum seekers. It seems that this kind of high disappearance rate of asylum-seekers can be somehow tolerated or be “quietly allowed” by the states (this broadly observation applies for countries of CEE in general, including Slovenia). At the same time, it is also evidence of weakness originating from the overall structure of contemporary migration and asylum policies.

Table 11. Irregular migrants and asylum seekers in the period 1997–2002

Year	Illegal border crossings	Asylum seekers
1997	7.093	72
1998	13.740	337
1999	18.695	744
2000	35.892	9.244
2001	20.871	1.511
2002	6.926	532

Source: Ministry of the Interior 2003

Two further illustrations can be given for current transit migration; one is relating to trafficking in women and children, the other to unaccompanied minors (UAMs). According to Slovene and Western European NGOs, Slovenia is primarily a transit country for organised trafficking in women and children for the purposes of sexual exploitation.

By estimates of the Slovene NGO Ključ (interview No. 21 with the representative), 1,500 – 2,000 foreign women are transiting Slovenia each year, mostly from the Eastern Europe and the Balkans on the way to the Western Europe. For some of them Slovenia represents also a destination country, which could be deducted from the statistics as well, especially on the basis of relatively high numbers of women from Ukraine and the type of working permits (bar dancers etc.)¹⁰. The same tendency can be observed in the case of UAMs. The majority believe that Slovenia is a transit country on the way to the European Union (data confirmed by interviews with the representatives from the Center for Foreigners in Postojna – No. 25, No. 27, No. 26 and by the interview with No. 28, Ministry of the Interior, Asylum sector). Current research shows that majority of UAMs who apply for asylum leave the country within a few days. The disappearance rate is extremely high, even over 85 per cent.

¹⁰ See more in chapter 3

However, transit migration can be partially monitored also on the basis of visa permits for documented cross-border mobility. Data illustrate international mobility of citizens who are obligated to apply for visa to enter a particular country, therefore the statistics on transit visa can give a partial picture on the routes through Slovenia (see table A 1, Appendix). Transit visas represent a smaller part of transit migration, therefore these figures have to be carefully interpreted and first of all in the context of diverse forms of migration.

2.2. Motivation

In order to describe different types of international migration movements with regard to motivation, the starting point in this report is the use of bipolar classification in which reasons for mobility of people are predominantly economic or political.

Employment and work of foreign workers in Slovenia¹¹

The key characteristic of the area of the employment in 2002 was the application of new solutions for effective regulation of the employment and work of foreign workers introduced by the new Employment and Work of Aliens Act (Official Gazette of the RS, No. 66/2000). The act entered into force on 1 January 2001 and provides for a completely different regulation in comparison with the 1992 act. This change had an impact on the number of foreign workers in Slovenia in 2002.

While in 2001 there was a considerable fall in the number of valid permits, mainly due to the far stricter provisions of the new act (down from 40,320 at the end of 2000 to 33,932 at the end of 2001 – a drop of over 15.7%), there was renewed growth in the number of work permits in 2002 (up by 2,127 workers, i.e. 6.3%), but on an essentially different basis than in the past. In 2002, an important shift occurred in the number and type of work permits held by foreign workers in Slovenia – there was a reduction in the number of employment permits and an increase in the number of personal work permits and permits for work.¹² The renewed increase in the number of work permits in 2002 was primarily caused by the increase in the number of personal work permits, which are issued without connection to the situation on the labour market (17,995 permits at the end of 2002 in comparison with 15,090 at the end of 2001), and the number of permits for seasonal work (2,280 permits at the end of 2002 in comparison with 937 at the end of 2001).

Table 12. Number of valid work permits in the period 1997–2002

Year	Work permits		Permanent personal work permits	Temporary personal work permits	Permits - Total
1997	20.883		13.744	661	35.287
1998	20.373		13.693	702	34.768
1999	22.965		13.680	1.146	37.791
2000	24.429		13.668	2.223	40.320
2001	16.434	2.408	10.683	4.407	33.932
2002	13.580	4.484	12.405	5.590	36.059
	employment permits				
	permits for work				

Source: *Employment Service of Slovenia (ESS), Annual Report 2002*

¹¹ Annual Report 2002, Employment Service of Slovenia (ESS)

¹² For details on the different titles see more in chapter 5.1 (Employment and Work of Aliens Act)

While the new act is far stricter when regulating the employment of foreign workers, when it comes to certain activities of a seasonal character it makes provision for seasonal work permits. In 2002, there were 5,530 permits issued (an increase of 104% in comparison with 2001); of these, 3,809 were in the construction industry and 1,652 in agriculture. Most foreign workers work in the construction industry, where there is a constant shortage of domestic workers throughout Slovenia. Seasonal workers also work on various types of seasonal work in agriculture, particularly in the border regions with Croatia, and to a much lesser extent in the metal industry, retail, public utilities, the hospitality industry and the textile industry. In 2002, a total of 26,470 employment permits and permits for work were issued.

The educational structure of foreign workers remains poor and is dominated by workers who have attained the 1st to 4th education levels (from unfinished and finished primary school to different vocational trainings). This structure is understandable in view of the basic reasons for their employment, which are according to Employment Service of Slovenia the following: structural discrepancy between supply and demand in some branches (construction industry); cheaper foreign labour; the willingness of foreign workers to work under more demanding working conditions and, to a lesser degree, the genuine professional qualifications of foreign workers.

With regard to nationality, the majority of foreign workers came from former Yugoslav countries (92.8% of all foreign workers): 17,499 from Bosnia and Herzegovina, 6,794 from Croatia, 5,527 from the Federal Republic of Yugoslavia and 3,313 from Macedonia. There were considerably fewer foreign workers from other countries and only 633 from EU countries. The law envisages new possibilities for the cross-border provision of services of foreign companies by workers sent by their employers to work in Slovenia who then continue to be employed abroad. In 2002, 2,447 such permits for work were issued, a rise of 16% in comparison with 2001.

The act regulates the work of foreign managerial staff in a new manner. In 2002, 569 permits for work were issued to foreign managerial staff (directors of joint-stock companies) and 586 personal work permits for the self-employment of private entrepreneurs and company founders.

Employment of Slovenian workers abroad¹³

The organised employment of Slovenian workers abroad took place only to a limited extent, on the basis of an employment agreement with Germany, which allows Slovenian workers to work on seasonal jobs and as hospital attendants and to be employed for a specified period for the purposes of training. On this basis, 253 people were sent to Germany to work as seasonal workers for up to three months and a further 39 to undertake training. Most seasonal workers worked in agriculture, the wine industry, hop production, forestry and the hospitality industry.

Pursuant to the Decree on the Ratification of the Agreement on the Employment of Workers on Contracts of Work from the Republic of Slovenia in the Federal Republic of Germany (Official Gazette of the RS, No. 3/92), the ESS has been, since 1 June 2001, performing tasks in connection with quotas for contracts of work for Slovenian companies in Germany; before that date they had been the responsibility of the Ministry of Labour, Family and Social Affairs.

¹³ Based on Annual Report 2002, Employment Service of Slovenia

In 2002, the ESS granted 353 quota approvals for a total of 3,942 workers from Slovenian companies for work in Germany; in 284 cases it approved new contracts and in 69 cases it extended the duration or increased the number of people working on already approved contracts.

Cross-border working migration

Cross-border migration is known predominantly in the form of daily and weekly migration of workers from one, less economically developed country to neighbour country. At this point, it should be mentioned that daily and weekly migration of workers are only possible, if the border area is open, if the high level of mobility is achieved, and if difference between two areas near borders is substantial enough. In 2000, a survey of cross-border daily and weekly migration of workers on the Schengen border of the Republic of Slovenia with Austria and Italy has shown that almost 13,000 Slovene citizens crossed the border with Austria and Italy to get to work more or less every day (Zupančič 2000). Most of these people work in tourism, some work in forestry and agriculture. On some of the modern farms they harvest crops or pick fruit. The highest numbers of daily migrants travel to the area of Graz (Austria), and a lot to Trieste (Italy) with surrounding areas. Both centres employ more than 4000 daily migrants (ibid.). Cross-border migration is of vital importance for the areas of eastern Slovenia¹⁴ near to the Austrian border, while migration near to the Italian border in western Slovenia is more the consequence of a wish to improve the everyday standard of living. Special forms of cross-border migration are migration on the basis of education; Slovenian students are especially attracted to universities in Graz and Trieste.

In addition to Austrian and Italian border there are no comparable data or research, available for Slovene-Croatian border, although some observations can be given on the basis of the research on the nature of the interethnic relations in the border territory along the Slovene-Croatian border (see Kržišnik-Bukić (Ed.) 1999) . New kinds of social relations established after independence of the two nation-states include a changing structure of cross-border contacts between local populations on both sides of state delineation. Analysis of a pilot survey shows the following tendencies in the changing structure of social contacts in this border area: Cross-border contacts diminished on both sides of the state boundary; cross-border communications diminished radically in the field of employment and education; there is a radical drop of contacts among young people from both sides; due to economic reasons, the Croat population is more attached to Slovenia than the opposite; negative evaluation of the state border as an obstacle for cross-border communication is more frequent in Croatia; the reasons for cross-border contact are very different on both sides, in Croatia they are economic in most of the cases - supply, employment, business partners in Slovenia -, while in Slovenia the reasons are visits, recreation, agricultural land in Croatia (Repolusk 1999). It can be concluded that the extent of cross-border daily and weekly migration along the Slovene-Croatian border areas is not well known or recorded, but its presence is not questionable.

Other motivation

Before concluding the overview of economic reasons and starting with political motives for migration, it seems necessary to give a brief remark about some other forms which

¹⁴ Especially Prekmurje, Slovenske Gorice and Maribor with surrounding areas

can not be described as purely economic, although they may have many common points with this dimension. As shown in table 14, these categories predominantly concern study and different types of family relations. The highest number of temporary residence permits issued in Slovenia in the period 1999 – 2002 were given on the basis of the right to family integrity and reunification. It seems that in the Slovenian case this trend could become even more important in the future.

Table 13. Number of issued permits for temporary residence in the period 1999–2002

Purpose of issuing permit	1999	2000	2001	2002
Permits for temporary residence for study purposes	423	916	1.043	1.153
Reuniting of families and right to family integrity	2.279	6.027	4.922	4.076
Foreigner immediate family members of Slovene citizens and foreigners of Slovene origin	809	3.153	1.904	2.263
Residence permits for settlement purposes	19	94	62	36

Source: Ministry of the Interior 2003

According to the latest data from the Ministry of the Interior, on the 30th of June 2003 20.319 foreigners lived in Slovenia permanently and 33.984 temporarily. Purposes for temporary residence permit on that date were as follows:

- employment and work: 15.832
- family reunification: 8.340
- seasonal work: 5.011
- daily migrants: 1.791
- directed workers: 1.125
- study: 834
- Child born in Slovenia: 291
- Slovene origin: 47
- Settlement: 18
- Other purposes: 659

Forced migration and temporary refugees

In the Slovenian context, forced migration is very much connected with war conflicts in the former common country, which have caused one of the biggest flows of refugees in Europe after the WW2. Already at the end of 1991 and in 1992, refugees from Croatia immigrated first. After them, many refugees came from the ethnically mixed areas of Bosnia and Herzegovina, all because of war conflicts in the Balkans.

Based on the estimates by Slovenian Red Cross there were around 70,000 refugees from Croatia and Bosnia and Herzegovina in the Republic of Slovenia in 1992. The first official registration of refugees from Bosnia and Herzegovina (a lot of refugees from Croatia had returned by then) was carried out no earlier than at the end of 1993, when 31,118 temporary refugees were registered. This number was changing daily for different reasons (returning to the homeland, leaving for the third country, change of status in the Republic of Slovenia, death, arrival of new refugees on the basis of family unification, and newborn babies). From the end of the registrations until today (March 2003), an

additional 4,563 persons were registered, 700 of them newborn babies. The records on temporary refugees were managed and complemented by Slovenian Red Cross until April 1997, when the Law on Temporary Refuge came into force (Official Gazette of the RS, no. 20/97). According to the Act, these records on persons with a temporary residence permit were then managed by the Ministry of the Interior. Data on outflow or on changes of status were somewhat unreliable until 1998, which can be seen in Table 16, where there is a high number in the column “unknown”, for these persons were not obliged to check out from the records or to state the reason for checking out. The data on the numbers of persons who reside in the refugee centres are completely reliable, because they were refreshed on a daily basis¹⁵.

Table 14. Refugees from BIH with temporary protection status (TPS) in the period 1997–2003

Date	Number of TPS	Accommodation in refugee centres	Number of centres
31.12.1997	4609	2263	12
31.12.1998	3453	1702	10
31.12.1999	3113	1621	10
31.12.2000	2800	1420	9
31.12.2001	2406	1226	9
31.12.2002	537	809*	7
3.3.2003	98	768*	7

Source: Governmental Office for Immigration and Refugees 2003

*Persons with TPS and foreigners with permanent residence permit, according to the Law on Temporary Refuge

Table 15. Changes of temporary protection status (TPS) in the period 1999– 2003

	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	Total
Permanent residence permit	0	0	0	0	0	0	0	0	0	1804	142	1.94
Permanent return to Bosnia and Herceg.	12	812	677	4275	2015	554	145	121	248	184	3	9.046
Permanent return to Croatia	12	503	187	177	158	15	4	0	0	0	0	1.065
Unknown *	366	4168	2645	3621	420	144	57	15	0	1	0	11.437
Deaths (in Slovenia)	17	155	135	93	59	47	39	41	33	33	2	654
Abroad	279	2934	1751	365	99	38	28	28	1	1	0	5.524
Slovene Citizens	7	89	113	55	25	41	12	11	11	19	0	383
Foreigner (temporary or permanent work permit)	22	436	831	1455	1011	307	150	132	66	48	0	4.458
Taken status	21	67	47	50	40	13	2	4	4	10	0	258
Unauthorised for status	0	0	0	0	807	13	0	0	0	1	0	821
TOTAL	736	9164	6386	10091	4634	1172	437	352	363	2101	147	

Source: Governmental Office for Immigration and Refugees, 2003

*Persons were not obligated to notify the change of residence. Many of them have returned to their home countries or have acquired foreigner status in Slovenia.

¹⁵ The Governmental Office for Immigration and Refugees 2003

In March 2003, 98 persons had the status of temporary refugee, of which some are in the proceedings to get a permanent residence permit, according to data from the Office for Immigration and Refugees. For all persons who have the permanent residence permit, based on the Act on Amendments of the Law on Temporary Refuge (Official Gazette of the RS, no. 67/2003), the Office for Immigration and Refugees implements a set of integration measures, provided by the Amendment to the Act. It is about exercising the right to the transitional period for implementing the rights connected to: accommodation in the refugee centres, payments of humanitarian help and provisions for medical help; and support with integration into cultural, economic and social life in Slovenia.

Because of the situation in the territory of Kosovo and the subsequent refugee flow, in 1999 the National Assembly agreed that the Republic of Slovenia would provide with temporary asylum 2,477 persons who fled the territory of Kosovo and came to the country, as well as an additional 1,600 persons that came to Slovenia on the grounds of family reunification. The application for acquiring temporary asylum in 1999 was actually filed by 3,667 persons from the territory of Kosovo, the status was granted to around 3,000 persons. The number of these persons had decreased until 31st Dec 1999 to 1,255, and their temporary asylum permit expired in April 2000 with a Governmental decree, because the circumstances in Kosovo had been relatively stabilised (Governmental Office for Immigration and Refugees 2003).

As seen in Graph 3, which shows the population of temporary refugees, female dominate within the group of adults and elderly people. (There are no data available for gender structure of children.)

Table 16. Refugees with temporary protection status by age and gender in the period 1997–2002

	Children			Adults				Elders		Total	
Age	0 to 1	1 to 7	8 to 16	17 to 24		25 to 60		above 60			
Gender				m	f	m	f	m	f		
31.12.1997	24	158	478	198	196	280	589	141	199	2263	
31.12.1998	15	99	349	157	138	230	457	117	163	1725	
31.12.1999	20	126	352	159	135	229	470	99	148	1747	
31.12.2000	9	69	276	127	127	198	398	81	135	1420	
	Children				Adults				Elders		Total
Age	0 to 1	1 to 6	7 to 14	15 to 18	19 to 45		46 to 59		above 60		
Gender					m	f	m	f	m	f	
31.12.2001	9	60	167	133	196	308	70	123	56	104	1226
31.12.2002	5	38	105	88	139	201	44	83	41	65	809

Source: Governmental Office for Immigration and Refugees 2003

Asylum-seekers

The number of applications started to rise after 1999. The reasons can be found in the adoption of the new Asylum Act. The greatest increase was recorded in 2000 with 9.244 applications, especially from Iran. In 2001, a substantial fall in applications was recorded. The majority of asylum seekers today come from Asia, most from Iran, Iraq, Bangladesh and Afghanistan. They are followed in number by applicants from European countries like Turkey, Serbia and Montenegro (especially Albanians from Kosovo), from Bosnia and Herzegovina, and Macedonia. Africans come from Sierra Leone and Algeria. According to a break-down of data on gender, male applicants dominate.

Table 17. Asylum seekers by year, gender and country of origin in 1997–2002

	1997			1998			1999			2000			2001			2002		
	m	f	total	m	f	total	m	f	total	m	f	total	m	f	total	m	f	total
Afghanistan	-	-	-	4	0	4	4	0	4	186	61	247	49	17	66	16	3	19
Iran	15	8	23	12	8	20	65	25	90	-	13565924	210	62	272	42	12	54	
Algeria	3	0	3	3	0	3	4	0	4	-	0	172	44	0	44	54	0	54
Bangladesh	1	0	1	8	0	8	16	0	16	270	0	270	26	0	26	1	0	1
Bosnia and Herzegovina	4	3	7	1	0	1	10	6	16	35	12	48	14	8	22	22	4	26
India	1	0	1	1	0	1	3	0	3	69	1	70	22	0	22	6	0	6
Iraq	2	1	3	1	0	1	53	5	58	421	26	447	193	21	214	111	21	132
Macedonia	-	-	-	-	-	-	-	-	-	10	0	10	62	28	90	20	1	21
Pakistan				17	0	17	25	0	25	65	7	72	12	0	12	24	0	24
Sierra Leone				15	16	31	6	12	18	64	65	149	39	13	52	5	4	9
Turkey	2	0	2	6	0	6	44	14	58	1040	79	1119	338	41	379	70	3	73
Serbia and Montenegro	4	1	5	136	93	229	216	104	320	255	142	397	145	60	205	63	28	91
Total	32	13	45	204	117	321	446	166	612	2415	1749	8925	1154	250	1404	434	76	419

Source: Ministry of the Interior 2003

According to the Asylum Act, the refugee status can be awarded for reasons specified by the Geneva Convention from 1951 (conventional refugee). In this case, it is about a person who is outside his or her country and faces reasonable fear of prosecution based on religion, race, national identity, identifying with a certain social group or certain political convictions. Based on well founded fear of persecution he or she cannot be returned to the country of origin. It is possible to grant the refugee status to persons whose reasons are not found in the Geneva Convention and in the New York Protocol (1967). These persons must be subjected to provisions from the European Convention that prohibits torture and other cruel, inhumane or degrading treatment or punishment.

Statistical data show that in Slovenia, in the period from 1991 to 2002, the status of conventional refugee was granted 4 times, and 37 persons were granted stay on the basis of humanitarian reasons. In the period 1997 – 2002 altogether, 12,548 asylum applications were lodged, but merely 41 were also positively concluded.

Table 18. Refugee statuses according to Geneva Convention and on the basis of humanitarian reasons (31 Dec 2002)

	Geneva Convention			Asylum-humanitarian reasons			TOTAL		
	male	female	total	male	female	total	male	female	total
Belarus	-	-	-	2	2	4	2	2	4
Bosnia and Herzegovina	-	-	-	0	6	6	0	6	6
Ethiopia	-	-	-	1	0	1	1	0	1
Croatia	-	-	-	0	1	1	0	1	1
Cameroon	-	-	-	1	0	1	1	0	1
Iraq	-	-	-	1	0	1	1	0	1
Liberia	1	0	1	-	-	-	1	0	1
Nigeria	-	-	-	1	0	1	1	0	1
Sierra Leone	-	-	-	6	0	6	6	0	6
Sudan	-	-	-	1	0	1	1	0	1
Zaire	1	0	1	-	-	-	1	0	1
Serbia and Montenegro	1	1	2	11	4	15	12	5	17
TOTAL	3	1	4	24	13	37	27	14	41

Source: Ministry of the Interior 2003

In the refugee population, men dominate with 66 percent, there are 34 percent of women. The majority of persons with refugee status are in the age group 35 – 44, followed by 18 – 24.

2.3. Irregular migration

As a consequence of increasingly restrictive policy, more and more migration movements pertain to the so-called irregular migration. From our starting point, irregular migrants are persons who enter the country, usually in search for employment, without the necessary documents and permits.

The following table on irregular border crossings (also see Graph 4) to Slovenia shows that the numbers of irregular crossings on Croatian and Hungarian borders were increasing up to the year 2000; in 2001, a decrease was recorded. On the Italian border the numbers of irregular crossings were on the rise until 1999; in 2000, there was a slight decrease; in 2001, the numbers rose again. The Austrian border counted a decrease in 1999 already. Most of irregular crossings are on the Croatian border, followed by Italian, Hungarian and Austrian borders.

Table 19. Irregular border crossings to Slovenia in the period 1997–2002

year	Croatia	Italy	Austria	Hungary	Other	Total
1997	3.320	1.750	254	1.733	36	7.093
1998	4.921	3.407	715	4.014	683	13.740
1999	8.212	4.160	1.060	4.200	1.063	18.695
2000	25.809	3.574	578	4.799	1.132	35.892
2001	12.687	4.815	252	2.180	937	20.871
2002	4.828	1.402	302	233	161	6.926

Source: Ministry of the Interior 2003

The Slovene-Croatian border is the easiest to cross because of its length (546 km) and because there are no geographical barriers. This border recorded an increase of irregular crossings after 1998, when armed conflicts on the Balkans were mostly finished. The number of irregular crossings on the border with Hungary decreased on account of tighter police control. On this border there were more irregular migrants at the time of the Balkan conflicts, when the route across Hungary was in use. The border with Italy is second on the scale of the number of irregular border crossings, because Italy is one of most frequent destination countries for many economic migrants. The access to countries of the European Union is easier across the Slovene-Italian border than across the Slovene-Austrian border, because of the geographical factors. With the inclusion of Austria into the Schengen space, the control on its outside borders became stricter, this may explain the decrease of irregular migration across this border after 1999. The Schengen standards are also introduced to the Slovene-Croatian border, although this border is not yet a part of the Schengen regime. However, this border will very soon become a future outer border of the European Union.

The high numbers of irregular migrants arriving in Slovenia has to be observed in connection with the same general migration trend in Europe. There was a remarkable increase of irregular migrants from African and Asian countries in Slovenia in the period 1998 – 2000, especially from Iran, Iraq, Bangladesh, China, Pakistan, Algeria and Sierra Leone (see Graph 5). These were economic and political migrants (asylum seekers), bound for EU countries and to whom Slovenia represented a transition country on their way to the Western Europe. The structure of migrants according to citizenship has been changing every year, depending on the economic and safety circumstances in the countries of origin. In 2000, Iranians dominated among the irregular migrants, but their number decreased again in 2001. The reason was that citizens of Iran did not need a visa to enter Bosnia and Herzegovina. The decrease in 2002 was contributed to the tighter police security on the borders, which also contributed to change in migration paths which now pass Slovenia. The third reason lies in the fact that Iranian citizens had the opportunity to apply for the so-called Green Card at the American embassy in Vienna, with which they could regularly continue their journey to the United States. Green Cards were granted to those who came into Austria regularly or irregularly. Because this attracted high numbers of immigrants from Iran, the European Union demanded that USA grant Green Cards only to those who come to Austria regularly (Cedilnik 2002).

Table 20. Irregular migrants by country of origin in the period 1997–2002

	1997	1998	1999	2000	2001	2002
Serbia and Montenegro	634	4.796	8.261	1.369	2.785	2.015
Macedonia	765	1.303	1.070	872	1.728	1.221
Turkey	292	871	1.139	4.892	3.159	820
Iraq	109	151	453	1.403	3.219	586
Iran	38	130	907	14.852	1.227	41
India	-	31	44	331	258	9
Bosnia and Herzegovina	274	229	427	606	405	425
Croatia	-	760	723	701	511	328
Moldova	31	88	211	865	748	295
Romania	2.649	3.244	3.050	4.304	3.844	178
Albania	89	85	44	66	22	142
Bangladesh	54	306	711	1.603	569	39
China	-	143	197	676	435	102
Pakistan	-	109	265	350	297	40
Sierra Leone	-	0	0	373	222	12
Sri Lanka	-	0	0	113	14	5
Somalia	-	0	0	96	11	10
Armenia	-	6	136	72	0	10
Afghanistan	-	10	26	930	195	14
Other	-	1.478	1.031	4.190	1.222	916
Total	7.039	13.740	18.695	35.892	20.871	6.926

Source: Ministry of the Interior 2003

Among migrants from European countries, there is an evident increase of migrants from Romania, Moldova and Turkey. Most of the irregular Romanians (the same for persons from Moldova) are on the way to Italy, especially for seasonal work and with intention of returning home later. Another figure which has to be mentioned is the number of irregular migrants from Serbia and Montenegro that rose in the years 1998 - 1999. The clear reason was the Serbian aggression in Kosovo, since migrants were predominantly Albanians from Kosovo.

In terms of gender structure of irregular migrants (see Graph 6), there is a clear dominance of male migrants. Women prevail among irregular immigrants from Moldova and Ukraine who immigrate to Slovenia or use Slovenia as a transitory country to Italy. Mostly men decide for irregular migration at the age between 18 and 28. Most immigrants are young persons; however, the existence of minors should not be overlooked either.

Table 21. Irregular migrants by gender in the period 1997–2002

Year	Male	Female	Total
1997	5938	1.238	7.176
1998	11.248	2.545	13.740
1999	14.705	4.028	18.695
2000	30.675	5.239	35.892
2001	18.227	2.644	20.871
2002	6.183	749	6.926

Source: Ministry of the Interior

Table 22. Irregular migrants by age in the period 1997–2002

Age	1997	1998	1999	2000	2001	2002
Up to 14	152	761	1.805	2.624	920	270
14-18	368	839	1.252	2.971	1.338	307
18-28	3.668	7.348	9.081	16.484	10.837	3.686
28-38	1.946	3.337	4.536	9.779	5.507	1.790
38-48	751	1.160	1.485	2.882	1.692	672
48-58	208	244	341	565	332	132
58-68	66	81	146	127	61	48
68 and more	18	39	87	482	195	27
TOTAL	7.177	13.740	18.695	35.892	20.871	6.926

Source: Ministry of the Interior 2003; Ceditnik 2002

Vulnerable groups: Unaccompanied Minors

Because of their age and the fact that they travel alone (without parents or relatives), unaccompanied minors (UAMs) represent one of the most vulnerable groups in migration flows. By the Slovene legislation the UAMs are defined as foreigners who are under eighteen years of age and arrive in Slovenia, or upon their arrival remain in Slovenia unaccompanied by parents or another legally responsible person¹⁶. In Slovenia, statistical information for UAMs is gathered in two categories: asylum seekers and irregular migrants. In both cases we are informed about small numbers of minors, although much higher numbers can be assumed in reality.

Table 23. Number of UAMs in the period 2001–2002

Categories of UAM	2001	2002
Irregular migrants	255	117
Asylum seekers	53	24
Total	308	141

Source: Governmental Office for Immigration and Refugees 2003

Irregular migrants

Based on the data gathered in the Asylum Home and Centre for Foreigners (interviews with the representatives in the Centre for Foreigners in Postojna – no. 25, No. 26, no. 27 – and the Ministry of the Interior, Asylum Sector – No. 28), the majority of UAMs come from Serbia and Montenegro. There is no information from which regions (inside the country) UAMs come from, or which national or ethnical group they belong to. According to interviews with representatives of Asylum Home (No. 28), UAMs from Serbia and Montenegro come mainly from Kosovo, and many minors coming from Macedonia or Serbia and Montenegro belong to the Roma community. As table below shows, most of the UAM were male and older minors between age 15 and 18.

¹⁶ Asylum Act, paragraph 14

Table 24: UAMs - irregular migrants - according to the county, year, age and gender in the period 2001–2003

Country of origin	Year of migration			Age		Gender	
	2001	2002	2003	-15	15-18	male	female
Albania	0	4	3	0	7	7	0
Iraq	21	18	5	2	41	44	0
Macedonia	8	4	0	0	12	10	2
Moldova	5	2	3	0	10	10	0
Romania	25	3	0	3	25	24	4
Sierra Leone	8	0	0	1	7	2	6
Turkey	28	10	0	2	35	38	0
Serbia and Montenegro	18	23	1	4	38	38	4
Total	134	71	17	16	202	200	22

Source: Centre for Foreigners 2003

*Year 2001 includes data from May on

*The age and gender of UAMs are shown together for 3 years

*There are discrepancies in the data on age, because the age of UAMs was unknown

Asylum seekers

According to data by Asylum information centre (Ministry of the Interior) for the years 2002 and 2003 (January, February), there were 27 applications for asylum by UAMs. In 22 cases the procedures were discontinued, because UAMs already left the country in that period, 5 applications are still being processed.

Table 25. UAMs (asylum seekers) in the period March 2002 – February 2003

Month	No. of asylum applications	No. of decisions	Discontinues Cases
March 2002	2	1	1 discontinued
April 2002	4	0	0 discontinued
May 2002	3	1	1 discontinued
June 2002	0	2	2 discontinued
July 2002	1	1	1 discontinued
August 2002	2	3	3 discontinued
September 2002	7	2	2 discontinued
October 2002	0	1	1 discontinued
November 2002	5	1	1 discontinued
December 2002	0	10	10 discontinued
January 2003	3	0	0 discontinued
February 2003	0	0	0 discontinued
Total	27	22	22

Source: Asylum Information Centre / Ministry of the Interior 2003

Conclusions

Analysis of statistical data for the period 1997 – 2001 shows the migration balance was positive (with the exception of the year 1998) in terms of citizens of the Republic of Slovenia as well as in terms of foreigners. Due to the European migration trends it can

be expected that Slovenia will also continue in this trend. Like Slovenia, some accession countries have already turned from countries of origin to destination countries (at least partially).

In terms of the inflow to Slovenia, the majority of immigrants come from European countries, which is the case for the whole period of the five years monitored more closely in this project (on average, around 96 per cent). Among individual countries the most immigrants have come from the Republics of the former common country: Bosnia and Herzegovina, Serbia and Montenegro, Croatia and Macedonia. Most foreign workers are occupied in the construction industry or as seasonal workers (agriculture – border regions of Croatia). To lesser extent, they work in the metal industry, public utilities and health sectors. The traditional practice of migration from BIH and other countries of former Yugoslavia can be expected in future years, too. Relating to this aspect, one of trends that can be important for Slovenia in next decade is connected to the right to family unification, especially in case of the mentioned economic immigrants from BIH, Serbia and Montenegro, Croatia and Macedonia. The future trend of immigration to Slovenia can be predicted in terms of the well known fact that the country needs immigrant workers in particular sectors of economy. However, the main obstacle can be the restrictive immigration policy, and therefore, the main practice may remain irregular migration.

From the statistical data it can be concluded that migration is on the rise in the extent, structure and forms, and that it is strongly diversified (voluntary and forced migration, non-documented migration, children and women in migration flows, etc.). It is also evident that women enter migration flows in many different ways. Their share is still lower in comparison with male migrants, however, female represent a more and more stable share in international migration. In addition, for the Slovenian context the phenomenon of forced migration that followed armed conflicts in former Yugoslavia is very important, especially because of the questions of temporary protection, asylum status and integration.

Another characteristic in migration flows is the low level of outflow; net migration in the last two years was negative concerning Slovene citizens. The majority of Slovene citizens emigrated to other European countries, most frequently to Germany, Croatia, Austria and Switzerland. A low level of mobility in terms of permanent international migration is one of main characteristics of Slovene citizens. The most frequent explanation is the relatively successful economic development in the country. It seems that Slovenes are more “travellers than migrants” and, usually, this kind of social behaviour does not change very quickly.

Therefore, the general recommendation in relation to migration trends seems appropriate, namely that continuous monitoring of the position of different groups within migration movements (in forms of academic research and policy analysis) is very important. This holds true for both, on the level of international trends (e.g. regional perspective, EU and CEE countries, etc.) and local particularities (e.g. integration in local communities, vulnerable groups, etc.). Statistical data are available in the first case; however, the shortage of proper data is evident in the second case, where one should rather rely on individual cases and good practices than on statistics.

3. Factors contributing to migration movements

In the previous chapter different migration movements to, through and from Slovenia have been analysed. Therefore, in this chapter some more specific factors are in the focus, i.e. push-pull and other factors contributing to migration movements, the role of social networks and irregular migration with emphasis on trafficking in human beings. Based on statistical information on general trends presented in the previous chapter, the aim of this chapter is rather interpretation than further elaboration of statistical data and their presentation. For the purposes of identifying the most influential factors for migration movements in the monitored period of 1997 – 2001, we mostly rely on information gathered with interviews; it should be stressed that most informative data came from the side of academics and researchers. The first central topic is relating to push and pull factors, however, before describing the Slovene case, a short note should be given to the theoretical relevance of this approach. We do believe that in current circumstances the push and pull theory can not completely cover the whole structure of motives for immigration. Therefore, other approaches have to be introduced in the analysis, such as social networks (informal networks, families and immigrants' organisations) and social capital, which are key factors within the theoretical framework of transnationalism.

In the second part of this chapter (3.2) emphasis is given to specific topics within migration studies; i.e. the issues of irregular migration and trafficking in human beings.

3.1. Push-pull factors, family and other informal links

Motives for international migration are often analysed within the push-pull model, with exception of forced migrations, which are examined apart. According to this theoretical position, the main actors contributing to migration movements are factors in the country of origin and in the receiving country, barriers between both environments and personal motivation of immigrants. The intensity of migration processes between two environments depends on different factors, mainly on social-economic conditions in the country of origin and potentially better opportunities in the destination country. Description of tendencies within the 'push and pull' model as the classical one in migration studies is quite a common approach in current social science literature. Migration movements are explained in terms of social order and social equilibrium; potential migrants are pulled to places of destination and pushed out of less desirable places. The most important variables are economic, such as higher income, greater availability of jobs and socio-economic opportunities, such as individual social mobility (see: Schmitter Heisler 1999). However, the fact remains that any political dimension is neglected within push-pull approach. It seems that this may be one of the main reasons leading towards approaches of assimilation rather than integration of immigrants into 'new societies'.

More information on the nature of contemporary migration processes is given within the theoretical framework of transnationalism, where the main factors are social networks and social capital. Transnational processes are generally located within the lives of individuals and families and particularly in the personal, economic and social connections that articulate the world they have left within the world they have entered.

Transnationalism is very connected with the concept of social network, which gained importance with the study of complex personalities and urban populations (see more: Brettell / Hollifield 2000). As Castles and Miller noted in *"The age of migration"* (1998) these informal networks include personal relationship, family and household patterns, friendship and community ties, and mutual help in economic and social matters. Such links provide vital resources for individuals and groups, and may be referred to as *social capital*. Informal networks bind migrants and non-migrants together in a complex web of social roles and interpersonal relationship. These bonds are double-sided: they link migrants with non-migrants in their areas of origin, but also connect settlers with the receiving populations in relationships of co-operation, competition and conflict. The family and community are crucial in migration networks. In a situation of rapid change, a family may decide to send one or more members to work in another region or country, in order to maximize income and survival chances. Family linkages often provide both financial and the cultural capital (needed to become aware of opportunities elsewhere) which make migration possible. Typically migration chains are started by an external factor, such as recruitment or military service, or by initial movement's of young (usually male) pioneers. Once movement is established, the migrants mainly follow "beaten paths" and are helped by relatives and friends who live already in the area of immigration. Networks based on family or on common place of origin help provide shelter, work, assistance in coping with bureaucratic procedures and support in personal difficulties. These social networks make the migratory process safer and more manageable for the migrants and their families. Migratory movements, once started, become self-sustaining social processes. The links between immigrant community and area of origin may persist over generations. Remittances fall off and visits home may decline in frequency, but family and cultural links remain (Castles / Miller 1998; Castles 2000).

Immigration to Slovenia

The most important pull factors for immigration to Slovenia are economical. *According to data gathered by our respondents (No. 11, No. 13, No. 14, No. 15 No. 19, No. 20)*, these reasons can be systematized in the following groups (the basis for this classification are data from the interview with, an expert in the field of political geography, Professor Jernej Zupančič):

- In the search for employment there are two factors which must be stressed here: Firstly, efforts to maximize the income by moving from low wage to high wage economies, and secondly, other advantages, such as changes of the living and working area in order to gain new knowledge, technique and skills. In the first case, Slovenia represents the relatively higher standard and developed economy in comparison with post socialistic Central and Southeast European countries. In the second case, when immigrants search for better advantages, Slovenia in most cases is a transit country on the way to the economically richer countries. Among this group of immigrants are managers, executives, professionals, sportsmen and artists who move either independently, or within transnational corporations or international organisations.
- Migratory chains are connected with groups which have already immigrated into Slovenia. A part of them come to Slovenia because of work or employment and another part because of family reunion. We also have to consider that concentration of one culture, ethnic and religious group usually attracts new members of these groups because of already established links in society.

- Attractive environment social and cultural diversity and access to different goods (like living space, recreation area, and access to the economic and business centres). This factor of qualitative living conditions is important as an additional motive especially to the temporary labour migrants. In the future we can also expect immigration of more elderly parts of population, who were mainly former Slovenian “guest-workers” in Western Europe (return migrants).
- Cultural closeness. For immigrants from former Yugoslavia Slovenia doesn't represent a totally different cultural environment, also because of the common historical background and therefore traditional links and interconnections. Most of immigrants coming from these areas are usually to some extent able to understand the language and they are also familiar with the social system. Social networks, established within and between members of a particular immigrants' group, play a very important role.
- In addition, personal reasons could also be the pull factor; however, here we are speaking about individual cases.
- In case of refugees and asylum seekers the pull factors could be both political and economic. The important pull factors are social networks which help to provide shelter, work, assistance with bureaucratic procedures and other support.

We can conclude that the main pull factors for immigration to Slovenia are economic. The greater part of temporary residence permissions is issued on the ground of employment or work in Slovenia, and immigrants mostly come from former Yugoslav Republics. According to data of the Ministry of the Interior, the next reason for temporary permission is family reunion (interview No. 3). However, Slovenia represents a transit country on the way to the West, especially for irregular migrants, refugees and asylum seekers coming from distant countries. It can be expected that after Slovenia's accession to the European Union it will also become a destination country, also for immigrants from non-European areas.

Emigration from Slovenia

Relating to outflow from Slovenia, our respondents defined the economic factors as dominant. Push factors (according to summary of answers of different respondents No. 13, No. 14, No. 15) are the following:

- Seeking employment and better living in developed European countries, North America and Australia. “Guest workers” who migrated for a limited period (from a few months to several years) in many cases prolonged their stay in a foreign country, especially if they had to make a decision about citizenship because of everyday life reasons (such as immovable property or marriage). Today, the main motives for emigration are better salary, higher social reputation, and acquisitions of knowledge, experience, skills, connections and acquaintances, partnership. The so-called “brain drain” is quite noticeable, because – according to our interviewers - Slovenia in some areas can not offer suitable places of work or working conditions. The Slovenian membership in the EU will probably have influences on emigration; however, mass emigration from Slovenia is not expected.
- Attractiveness of foreign environment, wishes to change the personal environment, connected with better chances, especially professional opportunities can be a strong motive to emigrate. This factor is important for a smaller number of migrants who are seeking better quality of life in foreign countries. They are usually highly skilled workers and professionals.

- Personal relations and marriages can be one of the pull factors as well. Marriages can be the motive for emigration especially in the border areas. It's the women who usually emigrate in these cases.
- Migratory chains. The motive for family reunion is quite strong for transnational groups of Slovenian population; usually it is connected with the expectations of better working conditions and living standard. There are traditional countries of emigration in Western Europe (Germany, Austria, France, Italy, etc.), but also in North America (Canada and USA) and South America (Argentina, Uruguay, Brasilia) and Australia. In all mentioned destination countries there are several cultural associations, clubs, newspapers and other organisations in which Slovenes participate.
- Migratory chains of population who immigrated to Slovenia before decades; if the conditions change, and if they foresee better professional opportunities or they have other reasons, the motive for emigration can be quite strong, too.

3.2. Trafficking in human beings

In this section, attention is given to the question of trafficking in human beings, mainly women and children. There are regional routes affecting also Slovenia¹⁷. Lack of systematic data on the scale of trafficking in women can be partially attributed to the fact that this phenomenon is still new and "invisible" in the society and policies. Also inappropriate, and/or even non-existent legislation making prosecution of traffickers very difficult or impossible is one reason for non-discovered or rarely discovered cases of trafficking in Slovenia. According to recent data¹⁸ Slovenia appears in all three forms: as a country of destination and origin as well as a transit country. Trafficking in human beings is mainly limited to the trafficking in women with intention for sexual exploitation, in which case Slovenia is, due to its geographical position, mainly a transit country. Women as victims of trafficking in human beings come from East European countries, mostly from Ukraine, and in most cases in organised forms. Their residence on Slovene territory is usually legal (they have legal documents such as visas, working permits, residency permits) and it is restricted to staying in the night clubs whose owners are usually one of the links in organised criminal groups. To the lesser extent, Slovenia is also a country of origin and a country of destination.

Trafficking through Slovenia

Recent research confirms the perception of Slovenia being primarily a transit country: The results of questionnaires¹⁹ show that 90 percent of respondents share the opinion that Slovenia is, due to the geographical position, closeness to the Balkan region and Western Europe, primarily a transit country for organised trafficking in human beings. By estimates of the Slovene NGO Ključ Society, 1.500–2.500 women coming from abroad transit Slovenia each year. They are coming mostly from Eastern Europe and the Balkans and are on the route to Western Europe.²⁰ On the other side, the numbers of cases registered by the Ministry of the Interior²¹ are much lower. In the year 2002 fifty

¹⁷ Results presented here are part of the research carried out jointly by IOM Ljubljana and Peace Institute, Ljubljana: Zavratnik Zimic / Kavčič / Pajnik / Lesjak-Tušek 2003

¹⁸ It should be mentioned that there are significant differences between NGO and governmental data

¹⁹ that were sent out to the 33 different countries in Europe for the purpose of the above-mentioned study

²⁰ *Data from the interview (no. 21); it was explicitly stressed that those numbers are estimates*

²¹ Criminal Investigation Police

women were identified who were passing Slovenia and where indicators showed that they could be considered as victims of trafficking: 21 women were from Bulgaria, 15 from Moldova, ten from Romania, two from Estonia, one from Serbia and Montenegro and one from Albania. Statistical data for previous years is not available.

Additional information provided on the basis of questionnaires also point to the Slovenian transit role; a Ukrainian NGO²² stated that it had 110 appeals during the whole period of their work (1999 – 2003) of young women who had left to Italy, Germany, Greece and Portugal, and had passed through Slovenia. Furthermore, according to the cases profile information from an NGO in Moldova²³, two women mentioned to have been transported via Slovenia to another country (Italy) for further exploitation. Also a Norwegian NGO (Pro Sentret) reported that they have information on Slovenia being used as a transit country, as this information was given to them by a Ukrainian women who described the route to Norway through several countries, including Slovenia.

Trafficking to and from Slovenia

Slovenia is also a country of destination for victims of trafficking. The majority of foreign female citizens, who were brought to Slovenia with the aim of sexual exploitation, are in possession of working permits relating to professions like exotic dancer or performing artist. Clearly, not all women who possess this kind of working permit are victims of trafficking; however, there are often links between the two.

Table 26. Working permits for exotic dancers by countries

Country	1998	1999	2000	2001	2002
Bulgaria	15	5	3	9	9
Belarus	10	4	4	4	15
Czech Republic	34	56	28	31	13
Dominican Republic	0	2	7	10	14
Moldova	5	25	31	45	40
Romania	62	81	84	41	38
Russia	61	63	70	73	64
Slovakia	0	4	9	10	12
Thailand	6	2	3	9	9
Ukraine	313	346	401	457	421
Other countries	12	20	12	31	20
Total²⁴	518	608	652	720	655

Source: *Employment Service of Slovenia, Department for the Employment and Work of Foreigners*

Furthermore and despite of the lack of data, the issue can be observed more directly. Concrete data on trafficking in human beings in Slovenia for the years 2001 and 2002 are available by three different sources that gathered data on victims of trafficking: Criminal Investigation Police, NGO Ključ Society and IOM Ljubljana (see next table). It is

²² Donetesk Regional League of Business and Professional Women – Women for Women Crisis Centre

²³ International Centre for Women Rights Protection and Promotion Centre La Strada

²⁴ The number of issued working permits is not equivalent to the number of persons who get those working permits. One person can theoretically get four working permits in one year

reasonable to believe that small numbers do not reflect the real extent of problems connected with trafficking in women and children.

Table 27. Reported number of victims in Slovenia

Source	2001	2002
Ministry of the Interior	32	25
NGO Ključ Society	No data available	5
IOM Ljubljana	3	3

Sources: as written in the table.

The data provided by different sources indicate that Slovenia is also a country of origin in the process of trafficking in women. By the estimates of local Slovenian NGOs is Slovenia country of origin for around 100 Slovenian girls and women. Mostly they have been trafficked to the Western European countries such as Italy, Spain, The Netherlands and Germany when they were still minors. In addition, some international sources reported about Slovene victims found in other Western European countries such as Austria, the Netherlands, Spain, Germany and United Kingdom.

Conclusions

According to data of our respondents, the most important pull factors for immigration to Slovenia are economic. The reasons are predominantly the following:

- search for employment (Slovenia represents a relatively high standard economy in comparison to some Central and Southeast European Countries);
- migratory chains (part of the immigrants within migratory chains come to Slovenia because of employment and another part because of family reunion);
- in the case of refugees and asylum-seekers the pull factors can be both, economic and political (important are social networks which can help providing shelter, work, assistance with integration in the new society and other support);
- personal reasons and cultural closeness can also be pull factors (especially in the case of traditional immigration from the former common state).

The greater part of temporary residence permits is issued on the ground of employment or work in Slovenia. The second reason for temporarily staying in the country is family reunification. For irregular migrants and refugees Slovenia represents mainly a transit country on the way to Western Europe. It can be expected that after accession to the European Union Slovenia will become more and more also a country of destination. In addition, in the case of emigration the main push factors are very similar to the pull factors; they are predominantly economic, employment and seeking for a better living.

4. Impact of Migration Movements on Slovene Society

4.1. Four images of immigration to Slovenia

The first issue when analysing the impact of migration on Slovene society is the question of the suitable time frame and consequently the social and political context of contemporary migration movements. To be able to locate Slovenia on the “social map” of today’s migration events it is necessary first to recall not very distant history.

As illustrated in Figure 1, the time-space map on migration can be defined through four main images, starting with migration within the federal state of Yugoslavia and going back to the period when Slovenia became a country of destination for many immigrants from other Republics. There is a key book describing immigration to Slovenia and immigrant’s everyday life reality; it was published already in the year 1986 by the sociologist Silva Mežnarič and has a very informative title: “Bosnians. Where do Slovenes go on Sundays?” The title suggests a crucial dimension of social reality connected to the experience of being an immigrant in Slovenian “host society”, namely the existence of different worlds, one of major population and the other of immigrants, or even for immigrants. When the empty streets are put forward and the question is posed of where Slovenes go on Sundays, when the inhabitants of the capital city are seemingly mainly immigrants, predominantly concentrated around the bus and railway station, this clearly points to the lack of contacts and communication between the two worlds. The existence of two parallel societies – one of those who are at home at this place and the other of those who are “guests” – can by no means be hidden.

Figure 1. Slovenia in migration currents



History - immigration from Bosnia, Croatia and Serbia



Forced migration Croatia (1991/92 →); BIH (1992 →); Kosovo (1999 →);



2000-2001 “irregular immigrants crisis” immigration from non-European countries



*EU enlargement
“Schengen periphery”
Bridging
EU 15 to EU 25*

The next picture, important for presenting the general overview on migration flows in Slovenia, makes reference to events from the beginning of the 1990s and the phenomenon of forced migrations caused by war conflict on the territory of former Yugoslavia. Refugees left war areas first in Croatia (1991, 1992) and soon after in Bosnia and Herzegovina (1992 and later). In this period, Slovenia was for the first time faced with questions of forced migrations, refugee policy and asylum protection. The main question concerning social impact is: How did Slovenian state and society –governmental institutions, civil society, NGOs and intergovernmental organisations – react to mass migrations? A short answer would be that reactions were similar to those in other European countries, namely the pragmatic solution was group protection for refugees, introduced on a temporary basis. In the Slovenian case the outcome was having temporary refugees for ten years. As it will be discussed more in detail later (see chapter 6), two main problems relating to temporary protection are time criteria and non-integration into new society. We use the term “new society” instead of the term “host society”. The latter implies the return of migrants to the country of origin while “new society” makes reference to the processes of integration of immigrants and their active participation at different levels of social life.

One decade later, as written in the third picture, Slovenia was faced with a quite different type of immigration. This time immigrants came from more distant non-European countries and they were more diversified than ever before. First reactions were not positive, quite the opposite. In public images, especially in media discourses, immigrants were described as “the others”, “the foreigners”, those with “different identity” or “different cultural, ethnical, religious background” and those who could potentially be a “threat to national identity” because of “high numbers”. Threats, produced on the basis of populist use of identity difference, but in reality on the basis of the lack of information and knowledge, have resulted in manifestations of open xenophobia toward immigrants. On the other hand, at this point it became clear that immigration to Slovenia represents a continuous phenomenon, rather a process than a single act over a short limited period. The latter is very much connected with the last picture presented in the figure and links migration and European integration processes.

The process of bridging EU-15 to EU-25 could also be observed from the perspective of defining common frames for migration management, although it can not be claimed that the European Union in fact has a common migration and asylum policy. The whole concept of Slovene migration policy, including the fundamental legislation, is closely linked to the European integration process. The latter is included in the question of perspectives and possibilities of post-socialist countries, many of which are EU accession countries and for which the EU criteria in dealing with migration are both, starting point and objective. It seems that models, the national as well as the European one, are still part of an enormous creation process. No doubt, the key factors in defining national migration policies are current European processes of integration. On the other hand, the response of the European Union is almost always one of restrictive policies, based on different strategies of immigration control (see Brochmann and Hammar 1999). It appears this area experienced a fundamental misunderstanding, when migration policies were somehow replaced with border policies. It seems that the latter are a kind of “substitute” for more effective migration policy. However, this is only a narrow and inaccurate concept. There must be ways to identify the areas where the migration policies can be modeled outside the traditional (and proven ineffective) border control. From the perspective of EU enlargement and building bridges between

all new members, the emphasis within migration policy should be devoted to integration policy, the inclusion of immigrants into new societies rather than focused just on mechanism of immigration controls.

The European Union is the key actor; however, also the concepts such as “the fortress Europe” and “the Schengen periphery”, the experience of being on the other side of the border, in front of the fortress, have importance, too. Therefore, the conceptions of migration policies in Central and Eastern Europe are linked to the position of being accession countries, situated on the outer border of the EU – the Schengen periphery. The contemporary migration policies are in the jaws of European and national *realpolitik* of controlling the migration on one hand, and demand to respect the human rights and the implementation of humanitarian principles and law on the other. The latter is a position represented as “the public policy of non-governmental organisations”.

Undoubtedly, there is a need for a coherent migration policy based on the long-term systematic monitoring (including academic and policy research) of migration trends and which at the same time incorporates these new pieces of information. For the area of contemporary migration it is characteristic that it changes very fast under the influence of many factors. The same is true for migration policy. Unquestionably, migration is a dynamic social phenomenon. Therefore, one must perceive it as a process with its historical implications that includes also the future, the second and the third generation of immigrants. At this point, the question arises of social cohesion in the societies of Central and Eastern Europe that are gradually becoming more culturally diverse.

4.2. Diversity and different dimensions of social impact

Based on findings presented in chapter 2 (Overall Migration Scales) it can be concluded that main contemporary migration movements from, through and to Slovenia in last decade have first of all social and cultural dimensions regarding their impact on society. Only in the second place and to a more limited degree it is possible to speak directly of an economic dimension, although this aspect should by no means be neglected. The latter is defined by the fact that Slovenia needs labour force in certain sectors, mainly traditional areas such as construction industry, seasonal agriculture and the health sector (especially nurses). Economic migrations are regulated with a quota system. In Slovenian case this quota amounts to 5 percent of the active work population. As also mentioned in chapter 2, daily and weekly seasonal or temporary migration from Slovenia to neighbouring countries – Italy and Austria – or from Croatia to Slovenia contribute a certain impact on local areas or regions. First of all, it has influence on the population’s living standard – without difference if registered or non-registered work across the state border.

It seems that a common characteristic of economic migrants is their visibility and demand for them in the labour market on one hand, and their invisibility in other spheres of social life on the other hand. Marginal position and non-integration into new societies, described by using the term “parallel societies”, represent one of the major challenges for future migration policy. There is a very clear need for policy to promote and encourage the extension of the social role of immigrants, who today are more or less limited to their right to work. Access to the labour market implies the right to work,

however, this is only one of the aspects of identity in individual life. There are many others which should be developed just on the basis of integration and intercultural communication (see more in chapter 7: Recommendations).

The central aspect for forming migration policy outside of the field of border control is integration policy, the aim of which is to actively include immigrants into new societies. Integration policies concern a wide range of intercultural communication and learning, where participants and audiences are the immigrant population as well as the society in general (meaning the individuals). In the following description two important events for migration in the Slovenian context will be presented. The first issues relate to temporary refugees mainly from Bosnia and Herzegovina and the second regard the so called “illegal immigrants crisis”, and the question of diversity of migration and its impact on society.

4.3. Temporary refugees from war areas in former Yugoslavia²⁵

The war in former Yugoslavia has created the largest concentration of refugees and internally displaced persons in Europe since World War II. According to UNHCR data, some 3.7 million people who have been displaced or affected by the war are receiving assistance from the United Nations in 1994, of which 2.7 million in Bosnia and Herzegovina (The State of the World's Refugees, 1995). Following the mass migration of uprooted people fleeing the war conflict in Bosnia, UNHCR reports of about 1 million internally displaced persons inside Bosnia and Herzegovina, more than 600,000 refugees in other states of former Yugoslavia and an estimated 700,000 people granted temporary protection in Western European countries.

Slovenia first met with a mass influx of refugees at the end of 1991, when refugees from Croatia arrived. Already by the spring of 1992, an even greater influx of refugees from Bosnia began to come to Slovenia. Many of them transited through the country, but many also remained. According to data by Slovenian Red Cross and Governmental Office for Immigration and Refugees there were around 70,000 refugees from Croatia and BIH in Slovenia in 1992 (approx. 3 percent of the total population in Slovenia). At the first registration, which took place in October 1993, 31,118 refugees were registered. In the two following years the number of temporary refugees decreased by __, although in this period more than 3,600 new refugees have been registered, mostly following the family reunification of refugees sur place rule. At the end of 1995, approximately 20,000 refugees, mostly from BIH, had a temporary “home” in Slovenia. In this time temporary refugees included some 8,000 children under 18 years of age, of which around 2,800 were under 7 years old. Some 3,100 persons were over 60 years of age. In terms of nationality and religious background, muslims dominated with 75 percent, 14 percent were Croats, 3 percent Serbs and 8 percent belonged to other nationalities²⁶.

As an institutional response from the governmental side, a special agency – the Governmental Office for Immigration and Refugees – was established in 1992 in order to implement the entire policy in relation with temporary refugees in Slovenia. With regards to accommodation facilities, Slovenia began by using all available structures to accommodate refugees, especially at the beginning, when the largest collection centres

²⁵ For different aspects of forced migration from this period and related status of temporary protection see more: Doupona Horvat / Žagar / Verschueren 2001; Zavrtnik 1996i; Vrečer 1999; Mikuš-Kos / Pagon 1998; etc.

²⁶ Data source: Red Cross of Slovenia, 15. nov. 1995

were former military premises and tent camps. This way, centres for refugees were soon established in most Slovenian municipalities. At the end of 1995, approximately 2/3 of the Bosnian refugees in Slovenia lived with families and 1/3 in the centers.

The legal definition describes the refugee²⁷ as an individual who, on the grounds of fear of prosecution (on the basis of race, religion, national identity, being a member of a certain social group, or political beliefs), is fleeing from a given country. The Geneva Convention insures that countries protect the lives of people on the run from undemocratic politics, and that they consistently implement the principle of *non-refoulement*.

As already mentioned, in the Slovenian case the question of refugees is closely linked to the mass forced migrations that were the consequence of war conflicts in the territory of former Yugoslavia. In these circumstances a mass inflow of people happened. They had to instantly leave their, up till then, safe environment, the reliable family and other micro-social networks of everyday life, which formed the individual's social and cultural microcosms. But it was not merely individual people who moved; whole groups, based on ethnic characteristics, fled their homes. The Balkan crisis instigated one of the greatest exoduses that fundamentally touched Western Europe and the western world in general. The response of the UNHCR was the institute of temporary protection, which is a partial or – the name suits it – temporary solution that defines the basic rules of providing asylum to the groups of people on the run. The basic difference lies in the fact that in the case of conventional refugees the individual is approached, while the institute of temporary asylum is a legal tool for protecting groups. As a rule, these group approaches are focused on numbers and this puts less importance on the needs of the individual.

The sociological argument is inclined toward the distinctively heterogeneous composition of the group. Therefore, the shift from numbers and the notion of a 'group' to the individual as the only reasonable point of departure seems essential in the long run. Undoubtedly, temporary refugees are very vulnerable individuals that violence had torn out of their home environment, and whose exodus is the consequence of most brutal attacks on their lives. The sociological definition of temporary refugees should first emphasise on the individual who is heading into insecure future. Insecurity is a feature of the new societies and their responses, which are marked by social cohesion as theoretical concept and with integration models in the language of public policy.

As described in chapter 2, first refugees arrived in Slovenia at the end of 1991 and continuously in the following years till the year 1999. The status of temporary refugees has been regulated since 1997 by the Law on Temporary Refuge (LTR) which was adopted in Slovenia after five or more years of temporary refugees having been present in the country. In July 2002, the LTR was amended. The law lays the basis for granting temporary refuge and takes into consideration basic humanitarian norms (such as the unification of families), while it also defines rights and obligations, and repatriation. Although the law itself represents a positive instrument, because it gives legal foundations for immediate help to persons in need of protection, the main general problem of such laws seems to be the starting-point philosophy of the repatriation of refugees. Repatriation actually presents an integral element of refugee policy, but it can neither be its basis nor its sole alternative. The question: 'Why don't refugees go home?' has been raised several times in various public contexts in Slovenia. However,

²⁷ Geneva Convention on the Status of Refugees, 1951 and New York Protocol, 1967

the answer of governmental policy was not explicitly uniform, i.e. that in many cases repatriation is not possible, and even more importantly, that repatriation programmes cannot be the main focus of refugee policy.

As has been mentioned, temporary refugees have been present in Slovenia for ten years now. When individuals are in question who have spent ten years of their lives as temporary refugees in new societies, it is necessary to take into account the question which environment they feel to be home, theirs and intimately close to them. A lot of time has passed, wars have happened in between, also a new generation with different post-war perspectives has emerged in the (former) home environment. There are no longer many similarities between today and the flight ten years ago. This is why many returns can never happen, be it for objective factors (ethnically cleansed environments, demolished villages or neighbourhoods) or subjective circumstances (an intimate choice to stay in the new society and the hope to be able to become a part of it).

In case of temporary refugees in Slovenia the shift from repatriation to integration has been supported all along by NGOs and individuals from different civil initiatives and experts. Amendments to the Law on Temporary Refuge (2002) suggest a move towards a stronger emphasis on integration policy, since an article on integration therein has now been elaborated. At this point, the state is bound to guarantee help in the integration in cultural, economic and social life, to guarantee information on rights and obligations as well as to help in their assertion. The article on integration lays down the organisation of courses in Slovenian language, knowledge of Slovenian history, culture and the Constitution. Further on, it guarantees the means for taking exams in Slovenian language and refers to the organisation of courses and other forms of professional training. It is important to stress the fact that the very intention for integration should be legally supported since the opposite case, vagueness in articulation, cannot be beneficial to integration policies. The provision that state institutions can partly or wholly leave the implementation of integration measures to humanitarian organisations is one of the positive sides of the law, which leaves space for many already well established activities. The amendments to the LTR primarily entail the following key change: Persons with temporary protection can acquire the status of an alien with a permanent residence permit (Article 1). The institute of permanent residence puts former temporary refugees into a completely different category of migrants; they are equated with foreigners who have been staying in the country for eight years. According to this provision, integration is crucial and very much needed for this category of refugees, because it represents the link between the two legal statuses. Further necessary activities have to be focused on building this link and at the same time overcoming the risk of exclusion and non-integration.

4.4. Immigrants from non-European countries

The most illustrative current dilemmas in migration movements that influenced also migration policies occurred at the end of the year 2000 and at the beginning of the year 2001. That period is connected with an upsurge in the number of irregular migrants and the so-called "illegal immigrants crisis" (see: Jalušič, Kuzmanič, Kuhar, Pajnik, Lesjak-Tušek, Gregorčič)²⁸. The high numbers of irregular migrants arriving to Slovenia should

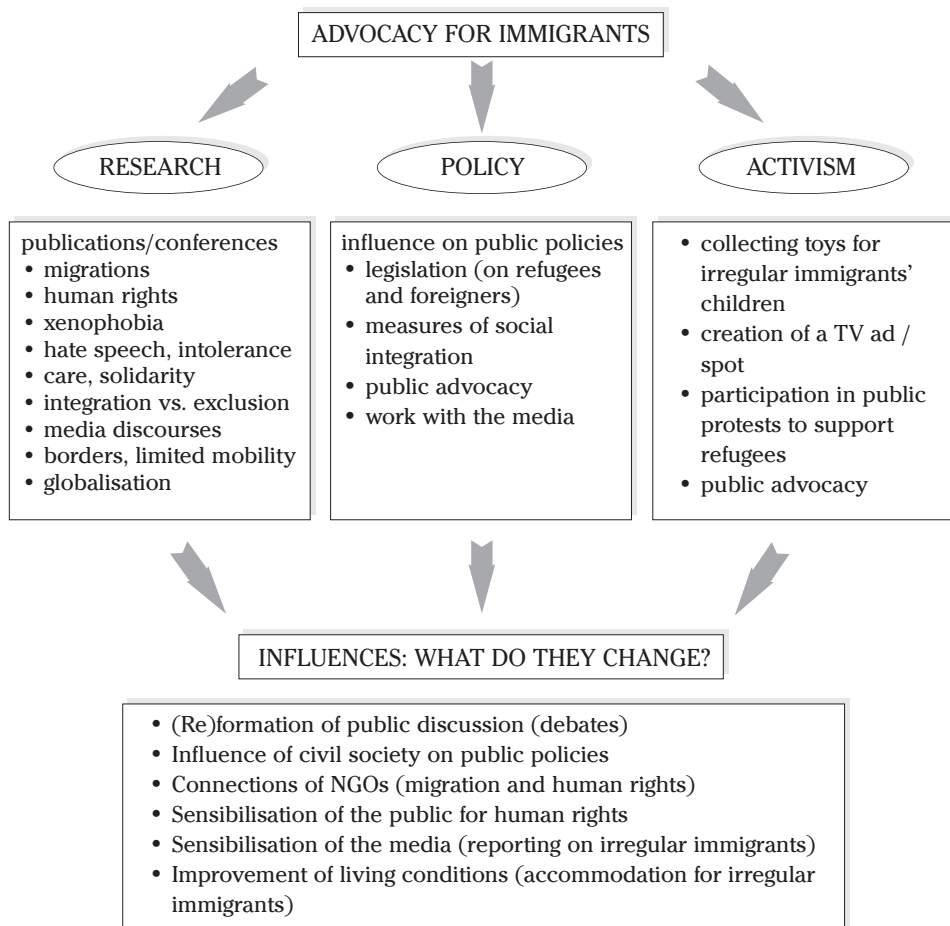
²⁸ The so called "illegal immigration crisis" is analysed in detail in texts by the following authors: Vlasta Jalušič, Tonči Kuzmanič and Roman Kuhar in the Peace Institute's Intolerance Monitor Report, No 1, 2001. A concrete answer in the form of field research is presented in the work of Mojca Pajnik, Petra Lesjak-Tušek and Marta Gregorčič: "Immigrants. Who are you?", 2001. For additional analysis also reflected these events see: Lipovec Čebrov 2002

be observed in connection with the same trend in Europe, but also in connection with increasingly restrictive immigration policy in Western European countries. Most migrants came from non-European countries, especially from Iran, Iraq, Pakistan, China, Bangladesh, Algeria and Sierra Leone (see data on irregular migration in chapter 2).

Public responses to this new type of immigration were quite diverse, yet in general not positive. In the spring of 2001, an atmosphere of expressed intolerance towards immigrants and at the same time the denial of xenophobia along with the victimization argument ('We Slovenians are the victims – They, the newcomers, endangered us') resulted in a wider public response to the question of immigration, as confirmed by respondents from NGOs and researchers (No. 11, No. 12, No. 16, No. 15, No. 17, No. 18, No. 30). Media presentations were full of stereotypes and fears in connection to immigrants. The first characteristic was reporting on immigrants by leaning on numbers; this was supposed to be a reflection of objectivity, and therefore seemingly provided facts. Next to reporting on numbers, the second characteristic was the reference (directly or indirectly) to a threat to the national identity. Jalušič (2001) identified main elements of the public media discourse on immigrants. Above all, two elements has to be stressed: firstly, victimization of the 'autochthonous' inhabitants (placing stress on excessive rights granted to immigrants and sympathizing with the treatment of immigrants as a problem) and secondly, normalization and socialization of xenophobia and racism as 'normal, understandable deviations' or biologically motivated reactions.

On the other hand, the support of NGOs, individuals, various initiatives, professional associations etc. which put themselves into the position of advocates of human rights and solidarised also with the irregular migrants became a practice of civil society. These organisations and individuals were actively involved at different levels of advocacy for irregular migrants; they gave the immigrants the possibility of a public voice and public representation. The following "advocacy model" (see Figure 2) gave frames of activities relating to immigration in that period (2000, 2001). It could be seen as a case of good practice, especially because of the clear response of civil society to xenophobia, hostility and intolerance towards immigrants and also because of the created durable network of different NGOs working in the fields of migration and human rights protection. The 'action model' refers to activities of the Peace Institute as one of the protagonists within the network of NGOs, but also includes a broader civil society perspective. The pattern offers a combination of three kinds of activities: research, policy initiatives and activism that is simultaneous action ranging from academic discussions to street-level campaigns.

Figure 2: “Advocacy for immigrants”, Peace institute, 2001



Source: Simona Zavrtnik Zimic: *Fortress Europe or open Europe? Challenges facing the countries on the »Schengen periphery« in: Migration – Globalisation – European Union, Peace Institute, Ljubljana, 2003, p.204 (forthcoming)*

Since the so-called “illegal immigrants crisis”, the most important laws have been changed, i.e. the Aliens Act and the Asylum Act,²⁹ which are the two most important elements of migration regulation. The basic documents that demonstrate the state's immigration policy are the 1999 Resolution on the Immigration Policy of the Republic of Slovenia (ReIPRS)³⁰ and the Resolution on the Migration Policy of the Republic of

²⁹ The process of adoption of the Asylum Act is presented by Neža Kogovšek (2001). The author addresses the views, remarks, achievements and eventual compromises that resulted in the new Asylum Act, in the formulation of which NGOs actively co-operated (the group of seven NGOs engaged in the areas of migration and human rights in Slovenia)

³⁰ <http://objave.uradni-list.si/bazeul/URED/1999/040/B/521991630.htm>, access 9 September 2002

Slovenia (ReMPRS)³¹ from the year 2002. These Resolutions roughly define immigration policy according to three areas: 1. the regulation of immigration policy; 2. asylum policy as an integral part of refugee policy; 3. integration policy, which relates to measures by state and society to provide favourable conditions for a high quality of life for immigrants and enable their integration. The resolution lays down the basic values of integration policy: equal rights (social, economic and civil rights), freedom (to express cultural identity on the basis of the integrity and dignity of the individual) and mutual co-operation (as the right to participation and the responsibility of everyone). The main instruction deriving from this document would therefore be: integration is a social project that must not and cannot be a matter for individual groups but is only possible with the responsibility and co-operation of everyone.

Conclusions

The impact of migration on Slovene society has been addressed through four images, which locate Slovenia on the “social map” of today’s migration events. It includes the historical link with traditional immigration from Republics of the former common state of Yugoslavia as well as contemporary diversified forms of immigration from all over the world. Two milestones are particularly important: the emergence of forced migrations and, hence, temporary refugees from areas of armed conflict in former Yugoslavia, and the emergence of irregular immigration from non-European countries to Slovenia and negative public response towards migrants.

With regard to the first category, temporary refugees, their changed status and the issue of integration have to be addressed. According to the amendments to the Law on Temporary Refuge, persons with temporary protection can acquire the status of an alien with a permanent residence permit. The institute of permanent residence puts former temporary refugees into a completely different category of migrants; they are equated with foreigners who have been staying in the country for eight years. According to this provision, integration is crucial and very much needed for this category of migrants, because it represents the link between the two legal statuses. Further necessary activities have to be focused on building this link and at the same time overcoming the risk of exclusion and non-integration.

The so-called “illegal immigrants crisis” (2000, 2001) has showed that migration is becoming part of everyday politics for countries next to the European Union. Therefore, it is necessary for the state to develop a comprehensive migration policy, which provides a frame for different forms of migrations. This means that different forms of migration movements have to be included, for example economic and forced political migrations, temporary and permanent, forced and voluntary, regular and irregular, vulnerable groups, etc. Under the globalization trend more and more countries are included in migrations and the migrants are originating from increasingly diverse economic, cultural and social environments. A continuous rise in global migration can be expected, which is already becoming a reality of Central and Eastern European countries, including Slovenia. These are important reasons for encouraging integration of immigrants into new societies, but at the same time it is important to encourage intercultural communication in the form of a two-side process of learning and exchange of information between immigrants and “majority” society. Integration policies concern

³¹ <http://objave.uradni-list.si/bazeul/URED/2002/106/B/5252653023.htm>, access 9 September 2002

a wide range of intercultural communication and learning, where participants and audiences are the immigrant population as well as the society in general. The creation of a multicultural policy as an alternative to the policy of assimilation is the practice in some of western societies, which have been countries of immigration for a long period of time.

The tendency towards a change towards 'new societies of immigration' is present in the Mediterranean area and can be partly noticed in the countries of the once closed Central and Eastern Europe. Restricted by the iron curtain and behind an ideological wall the countries of east of the divide were seen as countries of political emigration in the period of European east-west division. Today, their status in migration studies is generally one of "transitional countries". Slovenia also belongs to this category; it is one of the countries on the way of migrants to the west, especially to Italy, Austria and Germany. This fact is supported by different sources of information. However, other data indicate that Slovenia is also a country of immigration.

Speaking about impact of migration on society and future strategies of cultural pluralism, it is necessary to address the question of education. It is important to encourage continuous education in the areas of human rights, migration, culture and intercultural communication that includes formal and institutionalized as well as informal and alternative educational approaches. This kind of education on human rights should not be pushed to the later stages of education (see chapter 7: Conclusions and Recommendations).

5. Migration policy, legislation and procedures

The year 1991 was a turning point in the development and creation of independent migration policy in Slovenia. The general characteristic is that most of the legislation was written in the last decade. The entire legislation was receiving its form under strong EU influence. The project of Slovenia's joining the EU inspired and demanded the harmonisation of national legislation in all fields, including the field of alien legislation. The two fundamental laws, Aliens Act and Asylum Act, are 'European' in the sense that they contain EU tendencies regarding the alien legislation. The simple rule that comes up in practice is: if the EU legislation is restrictive, then the legislation of the EU candidates is restrictive as well. Neither in Slovenia nor in the region there is a known example of circumventing the EU directives in its legislation regarding aliens or asylum. In this chapter, an overview of the most important legislation on migration in Slovenia is given. It will be limited to the following:

- the key acts (Aliens Act, Asylum Act, Law on Temporary Refuge, Employment and Work of Aliens Act);
- some of the most important documents in the field of welfare state (education and social security);
- some provisions, in function of establishing the integration of migrants and
- Readmission agreements regulation of "unwanted" migrations.

5.1. Overview of key legislation on migration after 1991

Aliens Act (Official Gazette of the RS, No. 61/99) and **Act Amending Aliens Act** (Official Gazette of the RS, No. 87/2001) regulate the entire alien policy; e.g. entering the state, visa policy and issuing of visas and residence licences, measures against the illegal entering and residing, forced removal of aliens, etc. The act introduces generally accepted rules that are in force in the EU states. The basic strategy can be described as the following: the legal guarantee and the protection of rights of those aliens who legally reside in Slovenia and at the same time the most efficient possible prevention of migration that is considered by EU policy discourse as "illegal".

Some important points in the Aliens Act (cf. Kavkler 2002):

- **Separating between the issues of entering and residing;** the entering issues are different kinds of visas, which are issued to enter the state, considering their duration as short. On their basis, it is also not possible to perform any lucrative activity in Slovenia. They are given to aliens who need a visa and come to Slovenia as tourists or for business. The visa does not give the alien the right to work (Employment and Work of Aliens Act, Official Gazette of the RS, No. 87/2002). The residing issues are the permits that allow longer residence in Slovenia (within fixed time period) or even permanent stay. Such regulation is in accordance with the regulation of EU member states. The Act considers the fact that the entering visas in the EU states are to a great extent harmonised, meanwhile the residing visas (temporary and permanent residence permits) are in majority left to the inner regulation of a particular member state.

- **Compulsory discussion on immigration policy in the parliament every two years** and admission of the appropriate parliamentary act that is the Resolution on Immigration policy. The Government of Republic of Slovenia can, in accordance with the resolution, determine the number (quota) of residence permits for Slovenia that can be issued in the current year. It should consider the conditions of the labour market and the labour force needs in the particular branches and/or areas.
- **Alien integration assistance** for aliens that have the permit to live in Slovenia.
- **Special rank and rights of the citizens of the EU member states** because of the principles of free movement of people, goods, services and capital within the EU. On the day of being accepted as a full EU member state, Slovenia will put into force all the regulation on entering, residing and free movement of the citizens of EU member states in the country. With Slovenia joining the EU as a full member state, the Aliens Act for the citizens of EU member states will be annulled (except for some special provisions that consider aliens from those countries).

Asylum Act (Official Gazette of the RS, No. 61/99) and **Act Amending Asylum Act** (No. 113/2000) handle the conduct of asylum procedures and decision-making on the recognition of the refugee status. At this point, it also means legal adjustment of the Slovenian asylum legislation with the asylum legislation of the EU member states. The Asylum Act of 1999 was revised and got additional provisions.

Law on Temporary Refuge (Official Gazette of the RS, No. 20/97) regulates the status of persons that massively come from countries where there are special circumstances, as e.g. war, occupation, mass violation of human rights and the like. The name of the Act that regulates the temporary refuge tells us that the assistance and care are provided for a shorter period of time, i.e. for the time these conditions are still considered as an emergency.³² In 2002, the Act was revised (**Act Amending Law on Temporary Refuge**, Official Gazette of the RS, No. 67/2002).

The main supplement refers to the provision that persons with temporary residence in Republic of Slovenia from BIH can be granted the status of alien with permit for permanent residence, not considering the provisions of Aliens Act. The permanent residence permits are issued the Ministry of the Interior (Article 1). The Act also provides cultural, economic and social integration assistance to persons who hold the permanent residence permit under this Act (Article 2). The supplements of this Act influence the legal and social status of refugees from the area of the former Yugoslavia who, under this Act, are equal to the aliens with permanent residence permit.

Employment and Work of Aliens Act (Official Gazette of the RS, No. 66/2000) is the key instrument that regulates the economic migration. In this Act the conditions that have to be fulfilled in case of employment of aliens in Slovenia are stated. The Act regulates the following fields of work:

- Limitation of the number of aliens in the labour market (setting the maximum number of aliens, setting the priorities, prohibiting further employment and work)

³² Defining the beginning and cessation of the situation for granting the temporary refuge falls in the competence of the Government, whereas the National Assembly of the Republic of Slovenia, according to Government's proposal, defines the number of persons that will be granted the temporary refugee status

- Work permits (the kinds of work permits, the duration period of work permits, seizing the work permits, the competent bodies)
- Cross-border provision of services of foreign enterprises with workers on secondment
- Recruitment of foreign workers
- Training of aliens
- Seasonal alien work
- Work of foreign agent workers
- Contractual services of aliens on the basis of work permits
- Contractual services of aliens on the basis of registration of work (Contractual services of foreign artists and professionals; fair services; services in connection with the delivery of goods or reparation; intervention services)
- Registration and reporting of the completion of work of aliens
- Control (the competent controlling body, obligations to the bodies exercising control)
- Personal data protection
- Fees and supplements of special costs
- Evidence
- Penal provisions

In the contents of the Act the definitions of work permits are the most important:

- *Personal work* permit that allows free access to the labour market for a fixed time; one to three years or permanently.
- *Work permit for the purpose of employment* that is in concordance with permanent employment needs of employers on the basis of systematized work places. With this permit, aliens can be employed only by the employer that asked for granting the permit.
- *Work permit* is a type of work permit with time limit set ahead. With the work permit the alien can temporarily get work in Slovenia, namely in the field of work for which the permit was issued.

On the basis of this Act the Government annually defines the quota of work permits and therefore limits the number of aliens on the labour market. The number of annually issued work permits cannot exceed 5% of the active population in Slovenia. In addition, there are additional limitations possible in the field of regional employment, enterprises and occupation, when this has its ground in the public or general economic interest. The aliens that on the basis of the Agreement with European Union have an equal status to citizens of Republic of Slovenia are not included in this quota. As also are excluded those aliens who are not obliged by this Act to be in possession of work permit, the aliens with personal work permit and workers on secondment.

5.2. Welfare provision

Access to educational institutions

In the field of access to the educational institutions there is a regulation on rights to education of children of foreign citizens. **The Elementary Education Act** (Official Gazette of the RS, No. 12/96) defines in its Article 10 that those children who are foreign citizens or stateless persons and reside in the Republic of Slovenia have the right to compulsory elementary education under the same conditions as the citizens of the Republic of Slovenia. In accordance with the international contracts, the training in their maternal language and culture is organised.

The following Act is **The Secondary Education Act** (Official Gazette of the RS, No. 12/96). It determines that Slovenians without Slovenian citizenship³³ can be educated on the same conditions as the citizens of the Republic of Slovenia. Foreign citizens also have access to education in Secondary schools on the same conditions as the citizens of the Republic of Slovenia. In compliance with interstate contracts, the minister annually determines the number of enrolment places for the foreign citizens that may receive education on the principle of reciprocity in secondary schools (Article 9).

The higher education is regulated with **The Higher Education Act** (Official Gazette of the RS, No. 67/93) that in Article 7 determines that Slovenians without Slovenian citizenship can receive education on higher education institutions in Slovenia under the same conditions as the citizens of the Republic of Slovenia. Provided the reciprocity principle is implemented, foreign citizens get education at higher education institutions in Republic of Slovenia under the same conditions as the citizens of the Republic of Slovenia. The more detailed conditions regarding available enrolment places, the fee payment, residing in student homes and other rights and obligations of students are set by the minister competent for higher education. In the statutes of public higher education institutions, more favourable conditions of enrolment can be determined for Slovenians without Slovenian citizenship. With the **Act Amending the Higher Education Act** (Official Gazette of the RS, No. 99/99) they also have the right to education at higher education institutions in the Republic of Slovenia under the same conditions as citizens of the Republic of Slovenia and the citizens of EU member states.

The citizens of the Republic of Slovenia and the citizens of EU member states can not be obliged to pay the scholarship fee for education in the framework of undergraduate study programmes with public validity that are implemented as public service, with the exception when its implementation exceeds the standards determined by the national programme on higher education (Article 77).

Social Welfare and Pensions

This area is regulated in the framework of the **Social Welfare Act** (Official Gazette of the RS, No. 54/92), where Article 5 determines that the rightful claimants under this Act are, besides the citizens of the Republic of Slovenia with permanent residence in Slovenia, also the aliens in possession of a permit for permanent residence in Slovenia³⁴.

³³ Slovenians without the Slovenian citizenship are under this act the descendants of persons with Slovenian nationality three generations back

³⁴ The citizens of Republic of Slovenia without permanent residence in Slovenia and aliens without permanent residence permit in Slovenia, can assert their right to particular services and fees in the circumstances and under conditions set in this Act (Article 5)

Pension and Disability Insurance Act (Official Gazette of the RS, No. 106/99) in its Article 13 determines that also aliens that are employed at international organisations and foundations, and at foreign diplomatic and consular missions in the area of Republic of Slovenia should be compulsorily insured, if such insurance is defined by an international agreement. Aliens can voluntarily insure themselves, if it is so determined by the international agreement (Article 34) :

- when he is on unpaid vacation;
- during the suspension of the employment contract;
- of undergraduate or postgraduate education;
- when doing military service, performing the tasks of civil service in reserve or being trained for the police reserve;
- when providing for a child younger than 7 years, or a disabled person that is not capable of independent life and work or for the beneficiary of the assistance and attendance allowance;
- when performing independent agricultural activity and not fulfilling the conditions of the second line of the first paragraph of Article 16 of this Act;
- when being an unemployed person registered in one of the registers of one of the Employment offices (The Employment office of Republic of Slovenia informs the institution of the deletion of this person out of the register of the unemployed.);
- when residing abroad as the spouse or partner of an insured person, when sent to work or training abroad;
- as a disabled person who is a protégé in workshops;
- when being professionally trained or specializing after the cessation of the compulsory insurance;
- when being employed part time to full time, but only for the time lacking.

Health

The rights in the area of health care are granted in accordance to the Health Care and **Health Insurance Act** (Official Gazette of the RS, No. 9/92). The article 15 is especially important for migration and therefore also the aliens who are the beneficiaries of health care. It states those insured persons are also:

- persons employed at foreign and international organisations and foundations, foreign consular and diplomatic missions with the headquarters in the Republic of Slovenia, if it is not otherwise defined in the international contract;
- persons with permanent residence in the Republic of Slovenia employed by a foreign employer who are not insured with the foreign holders of health insurance;
- persons with permanent residence in the Republic of Slovenia that get pensions from a foreign holder of pension insurance, if it is not otherwise defined by an international contract;
- persons with permanent residence in Republic of Slovenia insured by a foreign holder of health insurance that during their residence in Slovenia cannot prove their rights in this field;
- the family members of the persons insured by a foreign holder of health insurance

with permanent residence in the Republic of Slovenia which are not insured as family members by a foreign holder of health insurance;

- aliens that are educated or trained in Republic of Slovenia that are not insured by some other party;
- persons with permanent residence in the Republic of Slovenia who receive permanent financial support as the only source of finances following the regulation of social welfare.

Family members of the insured persons are insured if they have permanent residence in the Republic of Slovenia, with the exception of other provisions in the international contract for the closer family members (Article 20).

5.3. Participation in “new societies”

Integration of immigrants in new societies concerns several areas, from economic to social, political and cultural. Integration is one of the pillars of migration policy as is defined in the resolution. Two acts that support the integration policy should be mentioned here.

Act Amending Local Election Act (Official Gazette of the RS, No. 51/2002) brings novelties in the field of political participation. The novelty in this Act that regards the aliens in the Republic of Slovenia is that also those aliens with permanent residence in the country have the right to vote the members of municipal council. The voter has the right to vote in the municipality of his/her permanent residence (Article 1).

The other act that should be mentioned as a possibility and support in the direction of development of integration policies pertains to the field of culture. **Act on Exercising the Public Interest in Culture** (Official Gazette of the RS, No. 96/2002) in its Article 65 determines that the state financially supports the projects that are especially intended to cultural integration of minority communities and immigrants, if their cultural programmes or projects exceed the local interest. Article 66 defining the competence of municipalities determines that municipalities support amateurish cultural activities, including those in purpose of cultural integration of minority communities and immigrants.

5.4. “Unwanted” migration: readmission agreements

Agreements that regulate the returning and readmission of citizens, of which the entering or residing on the territory of the other state are illegal according to national law, have been made with 19 European states (see below) and with Canada. There are also agreements in preparation with Switzerland, Albania, Bosnia and Herzegovina, and the Czech Republic (Source: Ministry of the Interior, 2003).

The states on the outer borders of the EU make readmission agreements with a broad range of states that are potential countries of origin for migrants. In this field, Slovenia follows the practice of the EU and has prepared readmission agreements with all neighbouring countries.

5.5. Specific regulations

Admission

A. Acceptable/unacceptable travel documents: Aliens Act (Official Gazette of the RS, No. 61/99, No 87/2002)

Article 7 on *Obligation to possess a travel document* demands that: (1) “For the purpose of entering and staying in the Republic of Slovenia, aliens must be in possession of a valid travel document, unless otherwise determined by law or by an international agreement.” In addition to valid travel document, Article 8 on *Permit to enter the Republic of Slovenia* specified demands that aliens must be in possession of a visa or residence permit, unless otherwise determined by law or by international agreement.

B. Admission for employment: Aliens Act (Official Gazette No 61/99, No 87/2002)

Article 30 on *Issuing of permits for temporary residence* determines:

- (1) Aliens shall be issued with a permit for temporary residence, if they intend to reside in the Republic of Slovenia for the purpose of:
- employment and work, and the performance of independent professional or other lucrative activities;
 - study, education, specialisation or advanced professional training, practical training, co-operation or participation in international volunteer exchange programmes and other programmes for young people which are not deemed to be part of formal education;
 - seasonal work;
 - family reunion;
 - settlement;
 - other legitimate reasons justified by law, international acts, or international principles and practice.
- (5) A permit for temporary residence shall be issued for the period of time required to achieve the purpose of residence. A permit for temporary residence shall be issued to aliens in possession of a valid travel document, the period of validity of which must exceed the period of time for which the permit is issued by at least three months.
- (6) A first permit for temporary residence may not be issued for a period exceeding one year.
- (7) Aliens who are in possession of a permit for temporary residence may reside in the Republic of Slovenia until the expiry of the validity of the issued permit.
- (8) Aliens who are issued with a permit for temporary residence for a specific purpose may reside in the Republic of Slovenia only in accordance with the purpose for which the permit was issued.

The definition of residence permits for employment and work purposes is provided in **Article 32**:

- (1) A permit for temporary residence may be issued to aliens who wish to settle in the

Republic of Slovenia for employment, self-employment and work reasons, for the performance of work, or for the performance of any independent professional or other lucrative activity if:

- the permit is issued within the framework of the number (quota) of permits that may be issued to aliens in accordance with the second and third paragraphs of Article 5 of this Act;
 - they are in possession of a work permit or any other permit required in accordance with the Act covering the employment of aliens, or if they fulfil the conditions which are prescribed by laws and other regulations of the Republic of Slovenia for the performance of specific activities.
- (2) Aliens shall be issued the permit for the first residence in the Republic of Slovenia specified in the preceding paragraph of this Article for the same period for which the work permit or other appropriate permit is valid, but for no longer than one year.
 - (3) Once it expires, the permit specified in the preceding paragraph of this Article may be extended if the conditions specified in the first paragraph of this Article are fulfilled, but for no longer than two years.
 - (4) Aliens who reside in the Republic of Slovenia uninterruptedly for three years on the basis of the permit specified in the first paragraph of this Article may be issued a permit for a period exceeding two years by the competent body, if the conditions specified in the first paragraph of this Article are fulfilled.
 - (5) The Government of the Republic of Slovenia shall issue a regulation setting out the cases in which the quota specified in the second and third paragraphs of Article 5 of this Act need not be observed in the process of issuing the permit specified in the first paragraph of this Article.
 - (6) In the filing of an application for the permit for the first residence specified in the first paragraph of this Article, an alien must specify whether he/she intends to exercise the right to the immigration of his/her spouse and unmarried children (minors), otherwise he/she may not exercise the right to family reunification. If they fulfil other legally prescribed conditions, the spouse and children of an alien shall be issued a permit for first residence as an unrelated permit, on the basis of which they shall not be permitted to perform lucrative activities.
 - (7) The Act regulating the employment of aliens shall set out those cases in which the residence permit specified in the first paragraph of this Article may be issued even if the alien is not in possession of a work permit.

Employment and Work of Aliens Act (Official Gazette of the RS, No. 66/2000) regulates the highest permissible number of aliens on Slovene labour market (**Article 5**):

- (1) In accordance with its migration policy and taking into account the conditions and fluctuations of the labour market, the Government shall annually determine the quota of work permits through which it restricts the number of aliens on the labour market.
- (3) The quota shall not include aliens who, on the basis of an agreement with the European Union, have been granted equality with citizens of the Republic of Slovenia, nor shall it include aliens for whom this Act does not prescribe that they must obtain a work permit, aliens in possession of a personal work permit, or managers.

- (5) The quota referred to in the first paragraph of this Article **may not annually exceed five per cent of the actively working population** of the Republic of Slovenia according to data provided by the Statistical Office.
- (6) The quota referred to in the first paragraph of this Article shall include quotas for permits which the Republic of Slovenia agrees upon in international agreements with countries whose citizens do not enjoy equal status with citizens of the Republic of Slovenia.
- C. Admission for self-employment: *Employment and Work of Aliens Act* (Official Gazette of the RS, No. 66/2000)

(Article 5)

- (9) The Government may also adopt special measures to restrict the number of self-employed aliens by individual area of activity, if an increase in the number of self-employed aliens results in growing domestic unemployment.
- (10) An initiative for adopting the measures referred to in the preceding paragraph may be put forward by the responsible minister, a professional association, a responsible chamber or representative trade union at the national level.
- (13) Bodies which decide on the registration of aliens to perform independent professional or other for-profit activities carried out on the basis of individual sole trader status shall be under obligation to take into account the restrictions and measures adopted by the Government in the adoption of their decisions.

D. Admission for study purpose: *Aliens Act* (Official Gazette of the RS, No. 61/99, No 87/2002)

Article 33 *Permits for temporary residence for study purposes* defines:

- (1) Aliens accepted as students for study, education, specialisation or advanced professional training purposes in suitable educational institutions in the Republic of Slovenia shall have the right to reside in the Republic of Slovenia for the duration of their study, education, specialisation, advanced professional or practical training.
- (2) The aliens specified in the preceding paragraph of this Article shall be issued with a permit for temporary residence for the duration of their study, education, specialisation or advanced professional training, but for no longer than one year. In the event that the study, education, specialisation or advanced professional training lasts longer than one year, the permit shall be extended annually.
- (3) The conditions for issuing the permit specified in the preceding paragraph of this Article shall be evidence of:
- acceptance into the study, education, specialisation or advanced professional training course issued by the educational institution which accepted the alien as a student, or confirmation from the state body which is responsible for the implementation of international or bilateral agreements or which is the grant-awarding body, or confirmation issued by the state-authorised organisation responsible for the implementation of a specific course;
 - sufficient funds for support during the alien's stay in the Republic of Slovenia;
 - health insurance.
- (4) The spouse and unmarried children (minors) of an alien specified in the first paragraph of this Article shall also have the right to temporary residence in the

Republic of Slovenia. The spouse and minor children shall be issued with a permit for temporary residence in the form of an unrelated permit.

- (5) The permit specified in the second paragraph of this Article shall be issued exclusively on the basis of the evidence specified in the third paragraph of this Article and of a valid travel document.

Stay

A. Family reunification: *Aliens Act* (Official Gazette of the RS, No. 61/99, No. 87/2002)

Article 5 on *Migration policy* defines that temporary residence permits, issued with the aim of family reunification, do not qualify within the quota.

As mentioned above, Article 30 defines that family reunification is one of the reasons for the issuing of permits for temporary residence.

Article 33 defines *Permits for temporary residence for study purposes* and within this frame, that:

- (4)“The spouse and unmarried children (minors) of an alien (...) shall also have the right to temporary residence in the Republic of Slovenia. The spouse and minor children shall be issued with a permit for temporary residence in the form of an unrelated permit.”

Article 36: *Family reunion and the right to family integrity*

- (1) Aliens who are in possession of a permit for permanent residence or a permit for temporary residence for the purposes of employment, the performance of independent or other lucrative activities, study, education, advanced professional training or specialisation, or who have refugee status in the Republic of Slovenia shall, under the conditions of and in accordance with this Act, be recognised the right to the preservation or re-acquisition of family integrity with immediate family members who are aliens.
- (2) In accordance with this Act, immediate family members are defined as spouses, unmarried children (minors) and parents of minors. The responsible body may, exceptionally and at its own discretion, deem other close relatives to be immediate family members, if there are any special circumstances in favour of the reuniting of the family in the Republic of Slovenia.
- (3) A residence permit for family reunification shall be issued at the request of an alien specified in the first paragraph of this Article, who must submit evidence of sufficient funds to support those immediate family members who intend to reside in the country and of his/her ability to provide them with accommodation which meets the minimum standards laid down in the Republic of Slovenia.
- (4) A residence permit for the reunification of a family or the preservation of family integrity shall be issued to a member of the alien's family for a period of time equal to that granted to the alien who is exercising the right to family integrity, and may be extended in parallel with that alien's permit.
- (5) The competent body may extend the residence permit of an immediate family member of an alien specified in the first paragraph of this Article even in the event of the death of the alien concerned or the end of the marriage, in the case of which the duration of the marriage in the Republic of Slovenia must be at least three years.

Article 37: Alien immediate family members of Slovene citizens and aliens of Slovene origin

- (1) Alien immediate family members of Slovene citizens shall have the right to reside in the Republic of Slovenia under the conditions of and in accordance with this Act.
- (2) Slovene citizens who have registered residence in the Republic of Slovenia may file an application for the issuing of a residence permit for their immediate family members.
- (3) A residence permit shall be issued to alien family members of Slovene citizens as an unrelated permit for a period of three years, and may be extended under the conditions set out by this Act until the conditions for the issuing of a permit for permanent residence are fulfilled.
- (4) Aliens of Slovene origin shall have the right to reside in the Republic of Slovenia if:
 - they have sufficient funds to support themselves or if they have otherwise secured sufficient funds to support themselves in the Republic of Slovenia;
 - they have housing or have secured suitable accommodation for themselves;
 - they have secured health insurance for themselves.

Law on Temporary Refuge (Official Gazette of the RS, No.20/97), **Article 3:**

- (1) Temporary refuge may be obtained by persons who are citizens of a state referred to in the previous article, and by stateless persons:
 - who at the time of commencement of the circumstances referred to in the first paragraph of the previous article, had permanent or temporary residence in such a state and have come, due to these circumstances, directly to the Republic of Slovenia;
 - or who were at the time of commencement of the circumstances staying legally in the Republic of Slovenia and have been, after the expiration of their legal stay, temporarily prevented from returning to their state of origin.
- (2) Temporary refuge may also be obtained by persons who, at the time of the commencement of the circumstances referred to in the first paragraph of the previous article, had been staying in that state permanently or temporarily:
 - and are close family members of persons referred to in the first subparagraph of the previous paragraph and have come together with them directly to the Republic of Slovenia,
 - or they are close family members of persons referred to in the second subparagraph of the first paragraph of this article and have come directly to the Republic of Slovenia.
- (3) Close family members are, as per this Law, spouse, minor children and their parents. If minor children have no parents, the persons authorised to take care for them are considered as close family members.

Asylum Act (Official Gazette of the RS, No. 61/99) defines the question of Integrity of the family and rights of close family members. **Article 3:**

- (1) Pursuant to this Law, the right to asylum shall be recognised to close family members as well. In this Law, close family members are considered to be the spouse

and minor unmarried children and parents of minor refugees. A close family member of unaccompanied minors shall be considered as the authorised custodian of the child.

- (2) According to the paragraph above, the right to asylum is recognised to a spouse of a refugee only if the marriage was entered into effect before arriving in the Republic of Slovenia;
- (3) In the asylum procedure, family members referred to in the first paragraph of this Article shall have the same legal status as the asylum applicant.

B. Illegal employment of third country nationals: *Employment and Work of Aliens Act* (Official Gazette No 66/2000)

Illegal employment of third country nationals is covered by *Chapter XVI, Penal provisions* of Employment and Work of Aliens Act. Two basis regulations are given within Articles 36 and 37, however, the whole chapter (from Article 36 – Article 49) give information on the different amounts of a fine.

Article 36: An alien who commits the offence of performing work for which his work permit was not issued (sixth paragraph of Article 4) shall be liable to an on-the-spot fine of SIT 100,000.

Article 37: (1) An employer (legal person) that commits the offence of assigning an alien to third persons (seventh paragraph of Article 4) shall be liable to a fine of between SIT 5 million and 10 million.

C. Residence permits and other regularisation procedures: *Aliens Act* (Official Gazette of the RS, No. 61/99, No. 87/2002)

Within *Chapter IV: Residence of Aliens*, definitions on different types of residence permits, conditions for issuing residence permits for aliens and their family members etc. are described. The two types of residence permits are the following:

- **Permit for temporary residence:** A permit for temporary residence is given for a specific purpose (employment and work, study, family reunification, seasonal work, etc.) and for a specific period of time. A permit for temporary residence without reference to a specific purpose may be issued to certain aliens as an unrelated permit for temporary residence under the conditions determined by the Act.
- **Permit for permanent residence:** A permit for permanent residence is given without any restrictions regarding the duration and purpose of stay in Slovenia. According to Article 41, a permit for permanent residence may be issued to an alien who has resided in the country uninterruptedly for 8 years on the basis of a permit for temporary residence.

In addition, aliens of Slovene origin, aliens whose stay in Slovenia is in the interests of the country, immediate family members of Slovene citizens and aliens who have a permit for permanent residence or have a refugee status, may be issued with a permit for permanent residence even prior to the expiry of the required period (of 8 years).

Aliens who apply for a permit for permanent residence permit must enclose together with the application evidence of funds required to support themselves, evidence demonstrating their entitlement to contributions from pension or other suitable insurance, and other evidence or documentation which demonstrates well-founded reasons for application for the permit.

D. Citizenship issues

Citizenship Act of the Republic of Slovenia (Official Gazette of the RS, No. 1/91, No. 30/91, No. 38/92, No. 13/94, No. 96/2002)

Article 3, Citizenship of the Republic of Slovenia is acquired:

1. by origin,
2. by birth on the territory of the Republic of Slovenia,
3. through naturalisation, meaning admission to citizenship upon a filed petition,
4. in compliance with international agreement.

Return, detention and expulsion

A. Expulsion: procedures and enforcement: *Aliens Act* (Official Gazette of the RS, No. 61/99, No 87/2002)

According to the **Article 50** on Deportation of aliens:

- (1) An alien who fails to leave the territory of the Republic of Slovenia pursuant to the first paragraph of Article 47 of this Act shall be deported from the country.
- (2) An alien against whom the additional sentence of expulsion from the country or the security measure of deportation from the country has been passed shall be deported from the country.
- (3) An alien may be deported from the country only if the decision on the basis of which the alien is obliged to leave the country is executable.
- (4) An alien who has to be deported from the country shall be brought to the state border by the police and directed across the border.
- (5) The police shall also bring to and direct across the state border an alien who is being deported on the basis of an international agreement.

Article 51, Prohibition of deportation of an alien:

- (1) The deportation or expulsion of an alien to a country in which his/her life or freedom would be endangered on the basis of race, religion, nationality, membership of a special social group or political conviction, or to a country in which the alien would be exposed to torture or to inhumane and humiliating treatment or punishment, shall not be permitted.
- (2) The prohibition of deportation or expulsion of an alien referred to in the preceding paragraph of this Article shall not apply to an alien in relation to whom there are well-founded reasons for believing that they might threaten national security, or to an alien who has been convicted in a court of law of an exceptionally severe criminal offence and therefore poses a threat to the Republic of Slovenia.

B. Pre-expulsion detention and other forms of detention of migrants: *Aliens Act* (Official Gazette of the RS, No. 61/99, No. 87/2002)

Article 56 defines restriction of movement of aliens who are obliged to leave the country:

- (1) Until the time they are deported, but for no longer than six months, aliens who do not leave the country by the specified deadline and whom it is not possible to

deport immediately for any reason shall be ordered by the police to move to the Centre for the Deportation of Aliens at the Ministry of the Interior (hereinafter: Centre), until their removal from the country, where special rules regarding accommodation and movement shall apply.

- (2) The provision of the preceding paragraph shall also be applied in cases where the identity of the alien is not known.
- (3) An alien specified in the first paragraph of this Article whom it is not possible to accommodate at the Centre due to special reasons or needs may, in agreement with the social security office and with the costs borne by the Centre, be accommodated at a social security facility or provided with other appropriate institutional care.

Article 57 regulates stricter police supervision. Accommodation under stricter supervision may be ordered at the Centre for aliens who were not permitted to enter the country, against whom an additional sentence of expulsion from the country or the security measure of deportation from the country has been passed, or whose identity has not been determined. Accommodation under stricter police supervision may be ordered by the police if there is a suspicion that the alien is attempting to avoid a measure and shall apply for the time required for the alien to be deported, but no longer than six months. Stricter police supervision means the restriction of movements to the premises of the Centre.

C. Readmission

Agreements that regulate the return and readmission of citizens of which the entering or residing on the territory of the other state are illegal according to national law, have been made with the numerous states: Belgian, Luxembourg and Holland (since 1992), Bulgaria (2000), Denmark (1997), Estonia (1997), France (1993), Greece (1996), Canada (1996), Latvia (1998), Lithuania (1997), Macedonia (1999), Poland (1998), Romania (2001), Slovakia (1995), Yugoslavia (2001), Austria (1993), Italy (1997), Hungary (1995), Croatia (1995). Agreements are in preparation with Switzerland, Albania, Bosnia and Herzegovina, and the Czech Republic (Source: Ministry of the Interior, 2003).

Other area matters

A. Illegal migration, including trafficking/smuggling in human beings

Illegal migrations are regulated by different measures described above (readmission agreements, return, detention and expulsion of immigrants). When discussing trafficking in human beings, as far as the legislative framework is concerned, three relations have to be mentioned³⁵: Firstly, Slovene legislation, secondly, international human rights instruments and thirdly, measurements related to the EU enlargement and the Acquis. Slovene Constitution and legislation in general do not include a specific article on trafficking in human beings, nor do they explicitly refer to the prevention of trafficking in women. However, according to the second report of the Republic of Slovenia on the implementation of the provisions of the Convention to the Committee on the Elimination of Discrimination against Women (CEDAW), the Slovene government considers that “trafficking in women with the intention of sexual abuse is a crime under the Criminal

³⁵ Detailed analysis in Zavrtnik Zimic / Kavčič / Pajnik / Lesjak-Tušek 2003

Code of the Republic of Slovenia.” It is also said that, following its international obligations, Slovenia should amend the Criminal Code by the end of 2003. An article on trafficking in human beings is to be added in the Criminal Code. Indirect connections and elements of trafficking in human beings are partly addressed in the Slovene Criminal Code, Law on Public Order, Law on State Prosecutors and Constitution.

Within the Criminal Code should be mentioned the articles addressing criminal prosecution for enslavement, the article on pimping, the article on presenting persons for prostitution (pandering by force, threat or deception) and the article related to irregular crossings of the borders, i.e. smuggling.

The Law on Public Order has indirect connections to trafficking, where trafficking and pimping can be interpreted as an offence under the law condemning minor offences to public order that do not belong to the Criminal Code. The Law on State Prosecutors includes trafficking in women, pimping and pandering and other crimes with international elements in the definition of organised crimes. Constitutional articles that are relevant to trafficking and pimping are the following: the article on protection of the human personality and dignity, the article on freedom of movement, the article on right to personal dignity and safety and the article on freedom of work.

The Slovene laws do not explicitly refer to children as victims of trafficking. So far, the only measure that was taken in juridical fields is reflected in the punishment; if the victim of a crime is a minor then the sentence to the traffickers is higher, e.g. prosecution for enslavement. If the victim is an adult, the sentence is one to ten years imprisonment; if the victim is a minor, the sentence cannot be less than three years of imprisonment.

In addition, applying international human rights instruments has been ratified by Slovenia, such as European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment and the Convention for the Protection of Human Rights and Fundamental Freedoms. Within the UN framework must be mentioned the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (this is an agreement signed but not ratified by Slovenia). And finally, the Brussels Declaration on Prevention and Combating Trafficking in Human beings that outlines a comprehensive set of policy and operational recommendations towards countering trafficking at the enlarged European Union, has to be pointed out.

B. Vulnerable groups: Unaccompanied Minors (UAMs)³⁶

Slovene legislation uses the term unaccompanied minors, who are by the Asylum Act (Article 14) defined as *aliens who are under eighteen years of age and arrive in Slovenia, or upon their arrival remain in Slovenia unaccompanied by parents or another legally responsible person*. The second paragraph specifies that UAMs who applies for asylum shall be assigned a legal representative by the competent authority in the Republic of Slovenia. The law also specifies that asylum applications submitted by UAMs shall have priority and shall be resolved in the shortest time possible. In the shortest time possible, authorities shall also establish the minor's identity and verify whether he is actually unaccompanied. UAMs shall not be deported to their country of origin or to a third country willing to accept them, unless adequate reception and basic living conditions are provided for them in such country. In no case shall UAMs be deported contrary to the adopted international instruments.

³⁶ see Zavratnik Zimic / Pezdir: Unaccompanied Minors in Central and Eastern Europe, IOM, Menedek. Contry Report Slovenia (forthcoming)

For UAMs who do not apply for asylum, the Aliens Act applies, which specifies in Article 60 (*Measures relating to minors*):

An underage foreign citizen who enters the Republic of Slovenia in an irregular way, without the company of a parent or other legal representative, or having lost a person in this capacity after arriving in Slovenia, cannot be deported to the country he or she came from, or be handed over to the representatives of the country he is the citizen of. Police temporarily places them in the Centre for Foreigners, and notifies the social workers³⁷. Centres for social work are, since the change in immigration law adopted on 16th November 2002, obliged to appoint a guardian for the special case of UAMs. Under no conditions a minor can be deported in violation of the *European Conventions on Human Rights and Basic freedoms*, the *European Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*, or the *Convention on the Rights of the Child*.

Both laws treat UAMs as separate groups. Acts define the appointing of a legal representative that will take care of the minor during the prioritized asylum procedure. It also defines the provisions for deportation of UAMs and draws attention to the international legal instruments relating to children.

C. Asylum and other forms of humanitarian protection

Asylum Act (Official Gazette of the RS, No. 61/99), **Article 1**, on the right to asylum:

- (1) This law lays down the principles, conditions and procedure for obtaining asylum status, its termination, as well as the status, rights and obligations of refugees in the Republic of Slovenia.
- (2) The Republic of Slovenia shall grant asylum to aliens who request protection on the grounds stipulated in the Geneva Convention Relating to the Status of Refugees and the Protocol relating to the Status of Refugee (hereinafter: the Geneva Convention).
- (3) The Republic of Slovenia shall also grant asylum on humanitarian grounds to aliens who request protection, if their deportation to their country of origin might pose a threat to their safety or physical integrity in the sense of the European Convention on Human Rights and Fundamental Freedoms as amended by Protocol No. 3, 5 and 8 and complemented by Protocol No.2 and its Protocol No. 1, 4, 6, 7, 9, 10 and 11 (Official Gazette RS-MP No. 7/94), under circumstances not laid down in the Geneva Convention.

Law on Temporary Refuge (Official Gazette of the RS, No. 20/97, No. 67/2002.), **Article 2**:

- (1) If the Government of the Republic of Slovenia determines that, for example, a situation of war or warlike circumstances, occupation, massive violations of Human Rights and suchlike, has occurred in a foreign state, it will offer temporary refuge to persons from that state.
- (2) With consideration to the economic and other capabilities of the Republic of Slovenia, the reasons of national security and public order, and other similar [constraints], the Parliament of the Republic of Slovenia shall, upon Government proposal, determine the number of persons to whom the Republic of Slovenia will offer temporary refuge, as well as it shall determine conditions for eventual exceeding of this number.

³⁷ In Slovenia there are two Centres for social work that are responsible for UAMs; the one in Ljubljana is responsible for the Asylum Home in Šiška and the other in Postojna covers the Centre for Foreigners in Postojna

D. Social rights and health issues

Social rights and access to health services are defined within *Law on social protection* (Official Gazette of the RS, No. 54/92, No. 41/99, No. 26/2001) and *Law on health protection and health insurance* (Official Gazette of the RS, No. 9/92). Special provision for refugees is given with Asylum Act and Law on temporary Refuge (see chapter 6: Integration Policies and Practices).

E. National minorities

Legal foundations relevant for the status of national minorities in Slovenia are included in the **Constitution of the Republic of Slovenia** (Official Gazette of the RS, No. 33/91). Special emphasis is given to rights of two autochthonous minorities, the Italian and Hungarian ethnic communities in Slovenia. The status of Roma is also mentioned, although not defined by special rights.

Article 61 (*Profession of National Allegiance*)

Each person shall be entitled to freely identify with his national grouping or autochthonous ethnic community, to foster and give expression to his culture and to use his own language and script.

Article 64 (*Special Rights of the Italian and Hungarian Ethnic Communities in Slovenia*)

- (1) The autochthonous Italian and Hungarian ethnic communities and their members shall be guaranteed the right to freely use their national symbols and, in order to preserve their national identity, the right to establish organisations, to foster economic, cultural, scientific and research activities, as well as activities associated with the mass media and publishing. Those two ethnic communities and their members shall have, consistent with their statute, the right to education and schooling in their own languages, as well as the right to plan and develop their own curricula. The State shall determine by statute those geographical areas in which bilingual education shall be compulsory. The Italian and Hungarian ethnic communities and their members shall enjoy the right to foster contacts with the wider Italian and Hungarian communities living outside Slovenia, and with Italy and Hungary respectively. Slovenia shall give financial support and encouragement to the implementation of these rights.
- (2) In those areas where the Italian and Hungarian ethnic communities live, their members shall be entitled to establish autonomous organisations in order to give effect to their rights. At the request of the Italian and Hungarian ethnic communities, the State may authorise their respective autonomous organisations to carry out specific functions which are presently within the jurisdiction of the State, and the State shall ensure the provision of the Means for those functions to be effected.
- (3) The Italian and Hungarian ethnic communities shall be directly represented at the local level and shall also be represented in the National Assembly.
- (4) The status of the Italian and the Hungarian ethnic communities and the manner in which their rights may be exercised in those areas where the two ethnic communities live, shall be determined by statute. In addition, the obligations of the local self-governing communities which represent the two ethnic communities to promote the exercise of their rights, together with the rights of the members of the

two ethnic communities living outside their autonomous areas, shall be determined by statute. The rights of both ethnic communities and of their members shall be guaranteed without regard for the numerical strength of either community.

- (5) Statutes, regulations and other legislative enactments which exclusively affect the exercise of specific rights enjoyed by the Italian or Hungarian ethnic communities under this Constitution, or affecting the status of these communities, may not be enacted without the consent of the representatives of the ethnic community or communities affected.

Article 65 (Status and Special Rights of Gypsy Communities in Slovenia)

The status and special rights of Gypsy communities living in Slovenia shall be such as are determined by statute.

For the position of the **Roma community** the *Law on local self-government* (Official Gazette of the RS, No. 72/93) and its amendments (May 2002) has brought some changes in terms of possibilities for political participation. For local communities on the territory of autochthonous Roma settlement law defines that **at least one representative from the Roma community must be included in municipality council.**

Act Exercising the Public Interest in Culture (Official Gazette of the RS, No. 96/2002) in its Article 65 determines that the State financially supports the projects that are especially intended to cultural integration of minority communities and immigrants, if their cultural programmes or projects exceed the local interest. Article 66 defining the competence of municipalities determines that municipalities support amateurish cultural activities, including those in purpose of cultural integration of minority communities and immigrants.

Conclusions

The year 1991 was a turning point in the development and creation of independent migration policy in Slovenia. The general characteristic is that the majority of legislation was written in the last decade, but also changed or amended (Asylum Act, Law on Temporary Refuge, Aliens Act). Another characteristic is that the entire legislation has obtained its form under strong EU influence, which is the case of all accession countries.

At the end of this overview, one very general conclusion can be drawn, namely that legislation proved to be very effective in the area of preventing unwanted immigration (so called 'illegal migration'), expulsions, readmission and similar measures. It seems to be much less effective in the field of integration, as already discussed in the previous chapter. After restrictive legislation was adopted and amended in the last years, the focus within migration management must be shifted from border control policies to integration policies. The question here is not writing legislation but implementing existing regulations.

6. Integration policies and practices

Integration policies are representing one of the most important aspects in migration policies of Western European countries. Quite the contrary is true in Eastern Europe, where the concept of integration is a rather new approach of managing migration movements. In the case of Slovenia, this issues became relevant when it was clear that temporary refugees, mainly from Bosnia, would stay in the country for a longer period. In the following chapter, a brief overview is presented in relation to the case of Bosnian refugees in Slovenia, followed by the state of the art in the field of legislation and identified limitations as a basis for future initiatives.

6.1. Social Integration vs. Social Exclusion: Bosnian refugees in Slovenia

The opening question is about integration possibilities for refugees originating from the area of war conflict in former Yugoslavia. Social and legal criteria, based on values of equality and justice, emphasise the integration model. The notion of social integration tied to the notion of human rights implies a core issue of decent livelihood as well as a collective obligation towards less secure groups and individuals. With its multidimensionality – economic, political, social and cultural dimensions – it offers an applicable analytical framework for monitoring the refugee question. The principle of equal access and equality of opportunities seems to be one of the major strategies to combat social exclusion in the case of refugees and migrants.

For cases of forced migration, the system of international refugee protection applies for individual refugees. However, limitations of the conventional system (exclusion of victims of armed conflict and the notion of group persecution) were clearly evident in the case of Bosnian war refugees. The fundamental problem of refugee law relates to those persons who objectively need international protection, but do not qualify as refugees by Convention's definition. Non-Conventional refugees (fleeing war, ethnic conflicts and generalised violence) are an important task for the international community in general, but they are not adequately protected by international legal standards. It seems that in many western countries increasingly restrictive interpretations of Convention have narrowed the definition. The war in former Yugoslavia showed that upon mass influx, owing to those circumstances, no individual processing of applications for refugee status was possible. UNHCR called in 1992 for countries to institute a more flexible approach.

Upon UNHCR request, a temporary protection status was established, involving admission of victims of war and violence; non-refoulement or non-return; humanitarian treatment and repatriation when conditions in the countries of origin improve. Temporary protection status for Bosnian refugees was largely introduced by European governments as a parallel system to the regular asylum procedure. The protection was based on various legal constructions: refugee status, asylum-seeker status, humanitarian status, special governmental decisions, etc.

Policy responses to this particular refugee question were formulated and executed in the sense of dealing with the internal policy context ('consequences'), by which policy-makers did not have an influence on the external policy context (the war conflict). Basic guidelines encompass the principle of humanitarianism, observation of international legal norms and responsibility of the state for refugee matters, mainly the Governmental Office for Immigration and Refugees, established in 1992 as an institutional response to refugee crisis.

NGOs were included in different activities from the very beginning, i.e. work with children, psycho-social help to individuals in need, organisation of different courses such as language training, vocational training, etc. (see more: Box 1, Box 2, Box 3). Some projects were jointly carried out by the Governmental Office for Immigration and Refugees and different NGOs.

Two key problems of temporary protection status must be mentioned: time criterion (“How long is one allowed to be/ acceptable to be a temporary refugee?”) and non-integration into “host” society. The main question of integration is given within the framework of participation and access to major institutions of social life (labour market, health and social security services, educational system). The Slovenian case has shown different results. On one side, integration brought positive results in the field of education; on the other side, it failed in the field of integration to the labour market. Bosnian temporary refugees in Slovenia were not granted the right to work; they were excluded from the Employment and Work of Aliens Act, which regulates work for Convention refugees. Quite to the contrary, access to educational institutions and the educational process itself represents a Slovenian case of good practice, especially for primary level education. At the beginning, school lessons took place in some collection centres and in certain other locations outside centres. In the years 1992 – 1995, a programme of primary education in mother tongue was organised by the Ministry of Education and Sports. At the beginning of the school year 1995/96, the school children were integrated into the Slovenian educational system. Education on the secondary and higher level was available in accordance with capacities in schools; a lot of pupils and students were included also into secondary and higher education. In addition, the right to social assistance was important for persons with temporary protection status. In Slovenia, refugees received all round assistance: material, health care and psychological care. Refugees were entitled to health insurance and health care (preventive and curative), received humanitarian assistance, and financial support if they lived with families. If they were living in centres, they were not entitled to financial assistance.

Box 1: Good Practice Description :

Therapeutic Activities in Schools for Refugee Children in Slovenia (1992-1995)

source: <http://www.cemes.org>, database: Managing Multiethnic Communities: 'Best practice' case studies, prepared by: Dr. Anica Mikuš Kos (President of the Slovene Philanthropy) and Vahida Huzejrović (Slovene Philanthropy) and Simona Zavrtnik Zimic, January 2001.

Background:

In 1992, about 70,000 refugees arrived in Slovenia. Half of the total number of refugees were children. The Consulting Centre for Children, Adolescents, and Parents in Ljubljana wanted to offer psycho-social help to a large number of traumatised children. As soon as refugees arrived, the Ministry for Education and Sports of the Republic of Slovenia organised primary schools for refugee children. The teachers who worked in the schools were refugees from Bosnia and Herzegovina.

One of the most suitable strategies, which could be used to protect and promote the mental health of all children, was the implementation of the therapeutic approaches in the school's activities. Therefore, a model of education and empowerment was developed for Bosnian teachers who worked in schools for refugee children from Bosnia and Herzegovina. The model proved to be efficient and later on was used in Bosnia, Kosovo, Chechnya and Ingushetia.

Box 2: Good Practice Description**Projects: Legal Assistance and Social Work with Refugees**

Source: Foundation GEA 2000, November 2003 (Foundation GEA 2000 is a non-governmental organisation with the purpose of general assistance and welfare in the field of humanitarian and environmental protection and assistance)

Providing legal assistance through the "Asylum Lawyers Network" (ALN)

ALN's beneficiaries are asylum-seekers, refugees, stateless persons, Temporarily Protected Refugees and others in need of legal assistance. Through its network ALN is providing legal advice to its beneficiaries and representing individuals during procedures with the competent administrative and judicial bodies.

In Slovenian case, the lawyers of Foundation GEA 2000 are daily present in the Asylum Centre for 2 hours. They offer legal advises and assistance to the Asylum seekers.

Social work with refugees

Multilateral social assistance is provided through the network of volunteers and students in the project of Social work with refugees.

The project is designed to acquire practical experiences in the field of social work with refugees in an organised way and under qualified professional supervision. The project is based on gaining practical experience, supplemented by training, lectures and literature from this field as well as on visiting institutions and organisations that are directly involved with immigrants. The project activities are focused at accelerating the process of refugees integrating with Slovene environment as well as facilitating the process of gaining self-sufficiency.

In May 2003, they managed to arrange a room for non governmental organisations in the Asylum Centre through this project. The room is exclusively for the needs of NGOs to implement their activities. At the moment there are 6 NGOs that offer their activities through the whole week. The room is open each afternoon and one goal is to arrange whole day presence of NGOs at the Asylum Centre.

Box 3: Good Practice Description**Slovene Language Courses**

Source: Slovene Philanthropy, NGO, October 2003

For the last four years, Slovene Philanthropy has been offering assistance with language trainings. In the beginning Slovene language courses were organised in Ljubljana, later they managed to expand these activities to other cities: Celje, Maribor, Postojna, Kozina, Črnomelj and Kranj.

These programmes are carried out by ten volunteers. Slovene language courses are free of charge and are organised for refugees, asylum-seekers and persons with the status of foreigner in Slovenia. The aim of the project is to support integration in Slovene society.

6.2. Legal Framework³⁸

Rights and obligations for persons enjoying temporary refugee are defined in the **Law on Temporary Refuge** that was adopted in 1997 and amended in 2002. It certainly meant a progress in terms of regulating the status, first of the Bosnian refugees, and later also of those from Kosovo (1999). In Article 20 the following rights are stated:

- accommodation and care during enjoying refuge in the Republic of Slovenia, subject to availability,
- medical care,
- education,
- employment, as per the conditions in this Law,
- humanitarian assistance, subject to availability,
- personal assistance and assistance in implementing the rights as per this Law.

Article 21 defines possibilities of accommodation. Persons enjoying temporary refuge can be accommodated in the accommodation centres or elsewhere.

The accommodation centres may be established for care and accommodation of persons enjoying temporary refuge. The Office for Immigration and Refugees (OIR) shall establish the accommodation centres as its internal organisational units or, with the approval of the OIR, by humanitarian and other organisations. Rules of conduct in the accommodation centres shall be regulated by house regulations. The OIR shall issue the final decision on accommodation (moving in/out, amount of care and other conditions of accommodation).

Persons enjoying temporary refuge must contribute, according to their capabilities, means for maintenance, accommodation and accommodation for his/her family in the centres.

Persons enjoying temporary refuge who do not stay in the accommodation centres may receive humanitarian assistance, subject to availability.

The government of the Republic of Slovenia defines the contribution of persons enjoying temporary refuge for care and accommodation in the accommodation centres and the amount of humanitarian assistance granted.

The amendments to the Law on Temporary Refuge (2002) primarily bring the following key change: persons with temporary protection status can acquire the status of a foreigner with a permit for permanent residence.

Aliens Act defines assistance in the integration process for aliens. According to the Article 82:

- (1) The Republic of Slovenia shall ensure conditions for the inclusion of aliens who have a permit for residence in the Republic of Slovenia in the cultural, economic and social life of the country. In relation to this, it shall, in particular:

³⁸ The overview of the legal framework is based on the paper: Integration in Slovenia, by Mirko Vaupotič, Governmental Office for Immigration and Refugees in Slovenia, which was presented at the IOM conference on "Integration and Immigration in the Capitals of Central Europe" in Vienna, October 2002. See also: <http://www.iomvienna.at/dynasite.php?mdsfid=79>

- organise courses in the Slovene language for aliens;
 - organise courses and other forms of further education and professional training for aliens;
 - provide information necessary for the inclusion of aliens in to the Slovene society, particularly with regard to their rights and obligations, and opportunities for personal and social development;
 - acquaint aliens with Slovene history, culture and constitutional order;
 - organise joint events with Slovene citizens for the purpose of promoting mutual recognition and understanding.
- (2) National and other bodies, organisations and associations shall co-operate in particular with:
- competent bodies - for the purpose of promoting the more rapid inclusion of aliens into the cultural, economic and social life of Slovenia;
 - international organisations - for the purpose of addressing issues relating to the migration and integration of aliens;
- (3) Within their overall operations, national and other bodies, organisations and associations shall ensure protection against any type of discrimination against aliens based on racial, religious, national, ethnic or other types of difference.

Asylum Act defines integration assistance in Article 19:

The Republic of Slovenia shall establish conditions for the integration of refugees into the cultural, economic and social life of the Republic of Slovenia. In doing so, it shall pay special attention to:

- organising Slovenian language courses for refugees;
- organising courses and other forms of further education and vocational training for refugees and
- informing refugees about the Slovenian history, culture and constitution.

In addition, rights of refugees are more in precise defined in Article 47, followed by rights of aliens with permission to remain in Slovenia, such as health care provision and right to legal assistance, in Article 62.

Article 47:

- (1) Refugees who have been granted refugee status by virtue of Article 1, second and third paragraphs of this Act shall have the right to:
- permanent residence;
 - financial assistance;
 - basic housing;
 - health care;
 - schooling and education;
 - assistance to integrate;
 - right to work and inclusion in programmes for active search of work.

- (2) The Minister of the Interior shall define all the details regarding the implementation of rights from the previous paragraph in accordance with the Ministry of Health, Ministry of Education and with the Ministry of Work, Family and Social Welfare.

Article 62: Rights of aliens granted permission to remain:

An alien with permission to remain in the Republic of Slovenia shall be entitled to health care in accordance with the regulations on health care and health insurance, to the provision of the basic living conditions and legal assistance.

In addition, the **Resolution on Immigration Policy (1999)** and **Resolution on Migration policy (2002)** represent basic documents relating to migration policy on national level; especially from the perspective of established system of values in the society. Therefore, these documents are highly relevant for defining integration activities, both legal and social measures for inclusion of immigrants into new societies. Basic principles can be summarised in two items:

- Migration policy or, in a restricted sense, immigration policy towards current and future migrants that involves measures of the state and society and provides immigrants with acceptable conditions for their quality of life, promotes integration and facilitates the immigrants to become responsible participants of the social development of Slovenia;
- The time of legal and actual residency and consequently the expansion of integration of foreign residents (through denizenship) with acquiring the permit for permanent residency and, finally, full citizenship. Resolution therefore arises from the standpoint that integration is an important process as much for the individual immigrant as it is for the society.

The following section of the resolutions should be quoted with respect to integration:

“Bearing in mind the social multiculturalism, with respect for the richness of diversity, peaceful cohabitation, social stability and cohesion, the Republic of Slovenia intends to implement integration policy, aiming at fundamental principles and values of equality, freedom and mutual co-operation. We understand:

- *the equality as granting everybody the same social, economic and civil rights;*
- *the freedom as a right to express one's cultural identity and providing the respect for integrity and dignity of every individual and cultivation of one's own culture in accordance with the laws and fundamental values of the Republic of Slovenia;*
- *mutual co-operation as the right to take part and responsibility of all in continuous process of creating the common society.*

To enable the biggest social coherence possible, the integration policy will contain respective legal frameworks and social measures to encourage integration of immigrants into Slovenian society, prevent discrimination and social marginality and to enable immigrants to express and cultivate their own culture and values on the basis of respect for personal integrity and dignity in accordance with the laws of the Republic of Slovenia.”

One of important achievements relating to integration of aliens in to the Slovene society is the right to vote in the local elections. The right was included in the Act on Local Elections for aliens who have permanent residence permit in Slovenia.

Conclusions

There are many informations relating to integration of immigrants in Western Europe, however, there are very few or at least a limited extent in Eastern Europe. This fact seems to be a consequence of historical development; traditional countries of immigration in Western Europe have had defined integration programmes in the past, while Eastern European countries as potential new countries of immigration do in general not have much experience with international migration. Although it was emphasised that Slovenia for several decades represents a country of immigration for workers from the former Yugoslav Republic, it has to be added that no integration programmes existed ever. Social and cultural integration was not an issue for the communist states or for the society.

The general observation is that Slovenia already has an appropriate legal foundation for integration policies focusing on diverse groups of immigrants. Another conclusion is that legal provisions must be placed in current migration policies (see more in chapter 7) in terms of concrete programmes and initiatives. The lack is not in the regulations, but in its implementation. We do believe that integration policies represent one of the important challenges for social cohesion of the future multicultural EU and that mutual intercultural learning is the necessary basis for living together. Perspectives can be given within the scope of more open societies and states, both for participation of immigrants and exchanging knowledge and cultural capital.

Further initiatives concerning integration policies have to take into account also local specifics as important contextual factors. Slovenia is a 'new society' for many immigrants from former Yugoslavia, for refugees coming to Slovenia as 'temporary refugees' one decade ago and for some new immigrants from non-European environments. In the future, even greater ethnic and cultural diversity can be expected. Current and future trends are clear reasons for establishing solid integration programmes, but these practices must also become part of social and political reality. To sum up, integration is an open field in which programmes and initiatives of including immigrants still have to be established. This aspect of migration policy poses the biggest challenge to Slovenian migration policy. Nevertheless, it challenges countries outside the Schengen Europe as well as those within EU boundaries, no matter if traditional or new countries of immigration.

In Slovenia practical experience with integration can be demonstrated in the case of Bosnian refugees. In short, it has shown different results; on the one hand side integration brought positive results in the field of education, on the other hand side it failed in the field of integration into the labour market. Temporary refugees were not permitted to work. In general, the nature of the temporary protection arrangement stresses the option of repatriation and thus causes the integration model to fail.

7. Conclusions and Recommendations

On the basis of the historical review of migration movements in Slovene territory after the Second World War and the analysis of the dynamics and structural characteristics of migration movements in Slovenia in the period between 1997 and 2001/2002, it is possible to conclude this report with a few recommendations. Some are formulated as general guidelines and some as very concrete suggestions and proposals for policy makers on the national level, however, in some cases extended to the regional level³⁹. As mentioned, factors of inner and outer context influence the creation of state migration policies; it is an interaction of global, regional and local factors. What can be said in this light about Slovenia and its migration policy; what are possible recommendations and guidelines that should be followed? What are possible suggestions that support the guidelines; is it in Slovenian case about the direction towards the multicultural model? What should be the starting point of integration programmes; who should prepare, implement and evaluate them?

7.1. General guidelines

1. A comprehensive approach to migration policy

It is necessary to develop a holistic policy for dealing with migrations. It means that different forms of migration movements have to be included, for example economic and forced political migrations, permanent and temporary, voluntary and forced, documented and undocumented, etc. As a starting point, types of international migrants should be taken into the account, as described in literature:

- temporary working migrants (“guest-workers”),
- highly skilled, educated migrants, managerial and business migrants (“elite”),
- irregular migrants (undocumented migrants),
- refugees and asylum seekers,
- temporary refugees,
- family members (the principle of reuniting families),
- return migrants (persons who return to the country of origin after a period of living in a foreign country).

But also some additional migrants must not be overlooked, first of all vulnerable groups such as unaccompanied minors or victims of trafficking or migrants within the Roma community.

On the governmental level, it is necessary to enforce a holistic policy which provides a frame for different appearances of types of migrations. The globalisation trend is

³⁹ Some of the basic recommendations were prepared for the project *Slovenski model migracijske politike: perspektive in možnosti države na schengenski periferiji (Slovene Model of Migration Policy: The Perspectives and Possibilities for Country on Schengen Periphery)*, Zavratnik Zimic et al., Peace Institute, 2001 – 2002. The project was supported by the Ministry of Education, Science and Sports, and the Ministry of the Interior of the Republic of Slovenia. Here is presented an extended insight, which includes an economic component, the integration issues, area of education, etc. that are based in the analysis of the recent trends of the monitored period between 1997 – 2001

spreading, more and more countries are included in migration movements; the migrants will also originate from increasingly more diverse economic, cultural and social environments. A continuous rise in global migration can be expected, which is already becoming a reality also for Central and Eastern European countries, including Slovenia. Therefore, the characteristics like types of migration and contemporary trends have to be considered while creating such a comprehensive frame for migration policy. The state is the central agency for dealing with migration policy. However, it is not the only one that does the job. For quite some time now, NGOs and intergovernmental organisations have been playing an important role in this 'market' as well. This aspect must also be more explored, especially from the perspective of more partnership relation between the three actors.

2. The connection, co-operation, communication between responsible actors

Following the starting point that the state has a crucial role for implementing migration policies, the necessity of co-ordinated work is an integral part of this kind of approach. It includes two levels, at least:

- *The working of participants on governmental level* where a gap in harmonisation of different activities can be identified, i.e. in relation to integration in the first place. It is not to be expected that it is possible to simply put together different areas under the jurisdiction of one Ministry or office. This kind of work would not necessarily be more effective. On the other hand, the practice in different countries proves that closer connections among the participants contribute to more effective governmental policy in dealing with migration. In the case of Slovenia it seems prudent to highlight the role of the Government Office for Immigration and Refugees that was established for the purpose of dealing with refugees from war areas of former Yugoslavia. The office continuously implemented a limited range of activities that involved a small segment of migration population, namely the priority group of temporary refugees. On the other hand, there is small visibility in the light of other activities that concern the "new immigrants" who came after 1991 as well as the "old traditional" ones. However, a kind of central office seems to be sensible for development of needed programmes in less visible areas, especially integration policies.
- *The co-operation of governmental sector with non-governmental and intergovernmental organisations* is becoming the usual practice in some countries. The greatest value is the know-how of the IGOs. Also the skills and practice of working of NGOs that – as seen in Slovene practice – have access to the up-to-date information of what is actually happening in the field. The capital of NGOs is their field contact and communication with individual groups of migrants and single migrants. The following fact must also be taken into the account: numerous NGOs work and will continue to work in any circumstances in the field of advocating human rights, legal counselling, support to migrants in the form of information or counselling, etc., in co-operation with governmental agencies or without them. In numerous areas it is possible and sensible to unite the knowledge from both sides. The side of NGOs, it seems, could assure the individual migrant to be in the centre of the policing and would not get lost inside the immense bureaucracy of public administration.

3. Integration of immigrants into the “new society” and their visibility in the public dialogue

It is necessary to encourage the integration of immigrants in different spheres of social, economic, political and cultural lives of the “new societies” (the term “new society” is used instead of “host society” because the latter is deemed inaccurate, for it does not imply the integration of immigrants, but a temporary hosting that is expressed with immigrant contribution to the labour market and is limited to the area of economy).

It is necessary to encourage the visibility of immigrants in public life; that is, to encourage intercultural communication and intercultural learning, and not the opposite - the existence of the parallel worlds of migrants and majority population. The solutions must be provided in adequate integration policies that would in their core aim at integration of all. It must be clearly aware of the challenge of dealing with immigrants in oversimplified manner: great heterogeneity is the characteristic of the majority population and also of immigrant populations.

4. Defining integration policies: programmes and their contents

It is necessary to form integration programmes with the purpose of establishing a comprehensive migration policy. They should be diverse, in accordance with different populations and individuals that these integration programmes are created for. The government has to help integrate migrants, as written in the Resolution on Migration Policy of the Republic of Slovenia, which is the basis for the actual implementation of legal, social, economic, cultural and political integration of immigrants. The basis of integration programmes is to respect the cultural plurality, expressed by Slovene Constitution.

Slovenia is, after more than a decade of independence, still at the beginning of creating integration policies, especially in the area concerning classic economic immigrants. The latter represent the majority of immigrants in Slovenia who came from the former Yugoslavia as workers. This group is in the greatest need for integration programmes and this represents a very present issue. The first steps in the field of integration policies were made in the legal and partly social and economic integration of refugees with the status of temporary protection (from Croatia, Bosnia and Herzegovina, and Kosovo), but there are still some unanswered questions (see Chapter 4 on social impact).

The question of integration policies involves other groups of immigrants (beside economic migrants) that hold different legal statuses. What they have in common is that they are in the territory of Slovenia, therefore, they should be considered for integration. They are connected to and dependent on the integration policies, legal standards and ethical values, implemented by a certain country. Here, some of the cases should be pointed out where disappearance of migrants and deportation presents a final solution just at first sight and other alternatives are urgently needed:

- The cases of unaccompanied minors or separated children where it is necessary to work on an integration programme which would take these children off the streets and discontinue the circle of possible abuse connected to human trafficking. According to international legal instruments, the countries are obligated to respect the children's rights, therefore, this segment needs an integration programme that would respect the specific needs of UAMs.

- Similarly, the migration policies are based on deportations of women migrants to the countries of origin in the cases of trafficking in women for the purpose of sexual exploitation. The possibility of repeating of the same cycle is not considered, and on the other hand the victim is often not provided with the assistance for reintegration in the home environment.
- Specific situations are relating to the practice of family reunification. It is existing practice that family members, usually children and spouses, follow migrant workers to a new destination country. The family nowadays still represents the fundamental social unit, where a significant part of an individual's life is formed; therefore, the principle of family unification has to be supported in integration as well. Especially working with the youth should be the priority.

5. Intercultural learning and encouragement of intercultural communication

It is important to encourage intercultural communicating and intercultural learning among immigrants and members of the so-called majority society. The creation of multicultural policy as an alternative to the policy of assimilation is the practice in some of western societies, which have been countries of immigration for a long period of time.

The tendency towards change towards 'new societies of immigration' is present in the Mediterranean area, and can be partly noticed in the countries of once closed Central and Eastern Europe. Restricted by the iron curtain and behind an ideological wall the countries of Eastern Europe were seen as countries of political emigration in the period of European east-west division. Today, their status in migration studies is one of "transitional countries". Slovenia also belongs here; it is one of countries on the way of migrants to the west, especially to Italy, Austria and Germany. This fact is supported by different pieces of information; however, other data indicate that Slovenia is also a country of immigration.

Based on such tendencies, it is important to think about and introduce appropriate strategies of cultural pluralism. In this case cultural differences must be seen as an opportunity for society and not traditionally as a limitation. To reach this perspective and to become a part of everyday life, different channels of communication must be opened; the school is the most important for long term effects, and the media for immediate effects spread to different publics.

6. Education programmes

It is important to encourage continuous education in the areas of human rights, migration, culture and intercultural communication that includes formal and institutionalised, as well as informal and alternative educational approaches. This kind of education on human rights should not be pushed to the later stages of education.

It seems this area represents both, one of the greater challenges and also possibilities for national educational systems in general. Although the effect cannot be seen instantly in one generation, not even indirectly, this must be seen as an important investment that cannot be omitted from the school curriculum. In the field of education this represents continuous work; at present, it seems the educational contents must be more clearly defined (or defined at all) in the way they would include the global context and at the same time local information on migrations.

Furthermore, certain forms of formal education inside the existing educational system or outside it in the informal approaches could be implemented (or complemented) by qualified NGOs, which have knowledge and experience in this field. Undoubtedly, the educational activities of NGOs in the domains of human rights and migrations could attribute to positive results. Of course, to achieve this, the work of NGOs would have to become a part of migration policy. More attention could be given to alternative forms of education, not necessary formal ones, where NGOs should play an active role in its provision. The state should support these forms of educational activities, either in formal school institutions or outside them.

7. Improving access to health care

For background, it is important to note that 70% of the demographic growth in the EU in 1999 was the result of migratory flows (Eurostat, August 2000), and that this is the trend which is very likely soon to become a reality also in Slovenia. In this regard, migrant's right to health and their vulnerability becomes an important policy question.

Health care for migrants guaranteed by the State of Slovenia is limited and differs according to the status of different groups. Undocumented migrants are e.g. entitled only to minimal, life saving interventions and for refugees who have the coverage of basic health care, additional resources are still needed. Often they are excluded from health care due to limited knowledge or access to information about the healthcare system itself.

Since migrant population is in constant growth and as they are one of the most vulnerable populations, it is very important that they are provided with more accessible basic healthcare.

7.2. Proposals supporting general recommendations

1. The group for preparing the integration programmes

It seems prudent to form a group who would take care of preparing, implementing and monitoring integration programmes. Governmental and non-governmental organisations could co-operate on this project, together with specialised intergovernmental organisations in Slovenia, and with co-operation of experts. The basis for this is the connection between governmental agencies (in Slovene case at least the Ministry of the Interior, Ministry of Foreign Affairs, Ministry of Culture, Ministry of Labour, Family and Social Affairs, Ministry of Education and a specialised Governmental Office for Immigration and Refugees and Governmental Office for Nationalities), public agencies (for example, Employment Service of Slovenia) and with NGOs and IGO. When designing integration programmes a close co-operation of mentioned participants is needed in order to combine resources. At least the following basic areas have to be covered:

- question of legal status of immigrants and their rights,
- employment and the question of economic integration,
- enrolment of immigrants in the educational system,
- the question of social security and rights,

- the question of housing policy and access to housing,
- access to health system for immigrants and their family members,
- the preservation of cultural, religious and language identity,
- access to media and visibility in the public media space,
- possibility to participate in political arena (for example, the right to vote).

This can only represent an outline and does not actually identify all the areas that integration policies should take into account. Beside economic integration, that is, in cases of established traditional migratory links between countries and usually on the basis of migrants' networks, the easier part when immigrants come into a new society, the programmes must also deal with social, cultural and political integration. However, economic integration in terms of real access to labour market can be the main barrier for refugees and temporary refugees, both due to legal or social barriers. For implementing such an immense project, the establishment of a well co-ordinated group would undoubtedly be of great help⁴⁰.

2. Information campaign

The purpose of the information campaign – in the form of a public tender of the governmental or regional institution on the level of EU or a group of countries (CEE and the Balkans) – is to achieve a higher level of sensitivity of the widest possible public in the field of human rights, migrations, integration and intercultural co-existence. The main objective would be the increased sensibility of the public for questions of migrants, and with this, the acquiring of the cultural capital for all. Migration is after all about interdependence.

For implementing the information campaign a strategy has to be formed that would reach different target groups, the marginalised groups as well as the majority society. The people to prepare such an event would have to be from NGOs and governmental agencies and groups, who are responsible for integration programmes. They should prepare necessary reports, materials, information, etc. for specific media who would then publish them. A large circulation of the media and media coverage should be of paramount importance.

The contents should be based on showing the migrations as opportunities and not as limitations. The aim is to send out a positive message, to form a “positive image” of migrations as a fact of contemporary global society. As mentioned above, a public tender by Slovene government or a European organisation could spread this kind of information campaign across countries. This kind of European campaign could positively influence on, for example, reaching across stereotypes about images of migrants from the Eastern Europe to Western Europe. Media reports seldom portray the positive feelings; they are often covered with a veil of fear.

3. Preparing of educational programmes/contents

Education in the field of human rights, migrations and intercultural learning is seen as a part of promoting the communication and contacts among cultures; it is deemed a part of migration policy. It is necessary to prepare the educational programmes; again,

⁴⁰ At the MOI a working group on migration issues was established while this research was finalised. One of the aims of this working group is also the concern for an effective integration policy

questions are raised about experts who could prepare and make sure that programmes are implemented. The work of specialised agencies and offices from different fields of expertise and levels is very important for the educational programmes. Beginning of the educational activities has to be planned for kindergartens and later for different stages of formal educational system. As mentioned, NGOs could play an important role in promoting and actually dealing with alternative ways of education inside or outside the official curriculum. Nevertheless, these topics form part of a whole-life learning process. From the viewpoint of global society and its mixture of cultures, preparing the adequate educational contents is at least welcome, if not indeed necessary. It represents the work, which is never finished, for it goes on from generation to generation. It is believed that the area of education needs a close co-operation among traditional countries of immigration and the new ones. It seems that this kind of school/educational perspective of Western European countries on the questions of multiculturalism and migrations could be a welcome experience for countries of Central and Eastern Europe.

4. Sensibilisation of media and monitoring of media reports

The work in the field of education and informing the public predominantly runs through mass media, nowadays the most important informational services. It is important how the media cover the migrations, what kind of means they use when dealing with migrants, which columns the topic appears in, what are the consequences of the choice of certain approaches, etc. For example, portraying immigrants in connection with criminality is a part of an image people can continually see on the pages of newspapers that deal with crime; from there it comes to people's minds. These kinds of images are difficult to change because it demands rational arguments that are not always popular.

As it was described in case of the so-called "illegal immigrants crisis" in Slovenia (2000, 2001), media can be the channel for promotion of identity panics, but it can also be channel for positively oriented information campaigns. The systematic monitoring of media and drawing attention to the unacceptable ways of covering migrant topics and other similar subjects is very important. Monitoring systems are known in different areas and can be here described as examples, which turned out successfully. The major role in this field play NGOs in co-operation with individual experts. In the case of Slovenia, the media cross the line of intolerance exactly on the subject of foreigners, refugees, ethnic and other minorities⁴¹.

5. The establishment of a network of multicultural houses in Slovene environment⁴²

Slovene society does not have public places that would support intercultural learning as a more than one-way process, where the new quality of intercultural knowledge and exchange, and a source of information could be established. The aim of a "Multicultural House" project would be to establish an actual house, a physical and public place, where different activities in the spirit of encouraging multicultural communication could be held among the members of the majority population and various groups of people, generally described as immigrants. The immigrants represent individuals and

⁴¹ For in-depth information see in the two reports Intolerance Monitoring Group, Peace institute, year 2001 and 2002

⁴² As a part of the analysis of models for encouraging intercultural communication a project proposal has been developed by the Peace Institute for establishing a first multicultural house in Slovene environment, planned in Ljubljana

groups, who are economically, socially, politically and culturally marginalised (with the exception of some of the elite, highly educated specialists). Their cultural identities are kept alive in the private environment, communication with the social environment is weak or non-existent.

Overcoming this kind of marginalised position can be achieved by establishing this kind of places that could be the meeting point of three elements: cultures, information and communication. The fundamental objective would be to encourage the integration of immigrants into Slovene society, and at the same time the intercultural learning of members of the majority. The bottom line is free integration of everyone and all, no matter their immigrant status, “old and new” immigrants, members of Romany community, other ethnic minorities, etc. The contents of the programmes should include cultural, educational, informational, etc. activities. Furthermore, they should also include programmes for individual target groups (for example, pre-school children, juveniles, women, etc.). While establishing a first multicultural house in Ljubljana, which would stand as an example, a whole network for exchanging experience, knowledge and information could also be established. This model could successfully be applied in other environments outside Slovenia, where it could contribute to richer contents and flow of information. At the same time, for example, the multicultural house in Ljubljana and Sarajevo could represent an important connection between the “old and the new environment”, especially in the case of this traditional migratory link between Slovenia and Bosnia and Herzegovina. Furthermore, in the context of these houses, programmes for members of the Roma community could be implemented in the wider European or regional (Central and Eastern Europe) context.

6. Establishing a Migration Information Centre

In order to fill the information gap in migration issues this kind of Centre⁴³ would be opened to the interested public, and would provide up-dated, accurate and comprehensive information about legal migration options. The Centre would not only cater for Slovene nationals who might like to take up studies or jobs abroad, but also provide information structured to the needs of immigrants thinking of settling in Slovenia. To a certain extent, a MIC would also be able to provide information to third country nationals currently in Slovenia on irregular grounds. The overall aim of establishing it would be to improve transparency and administrative effectiveness as well as fulfilling two wide goals: one of preventing irregular migration and promoting regular migration, and the other of harnessing the development potential of migrants who are returning and reintegrating into the new community.

7.3. Guidelines for preparing the integration programmes

Slovenia is still at the beginning of defining its integration policy in the form of a coherent policy with diverse programmes. Singular parts have already been under consideration, especially the question of temporary refugees mostly from Bosnia and Herzegovina, where Slovenia achieved reasonable success in integration of refugee pupils and students into the educational system. But the fragmentation is obvious; it should be overcome by preparing coherent integration programmes by a specialised

⁴³ Similar Migration Information Centres (MICs) have already been successfully established by IOM in Portugal, Greece and other countries. IOM Ljubljana aims to establish one in the Slovene capital and more are under discussion possibly to be opened in the Czech Republic, Slovakia and Hungary

groups. The basic premise is that the assimilation model, which demands from the migrant to renounce its culture, cannot be a frame for Slovenia. In the Slovenian case, Constitution gives everyone the right to “freely express his or her national identity or belonging to a national community, to cultivate and express their culture and use their language and writing” (The Constitution of the Republic of Slovenia, Article 61). This constitutional provision is the first background for forming the integration policy, the second one should be attention devoted to special needs of different immigrant populations living in Slovenia. Different measures should be developed and adapted for specific groups and for individuals.

While preparing integration programmes that have been highlighted, the starting points have to be well considered. According to Roman Bešter, some fundamental guidelines can be the following⁴⁴:

- Programmes should be based on a pluralistic model that is based on the Resolution on Immigration Policy of the Republic of Slovenia (1999) and is also followed by the new Resolution on Migration Policy of Republic of Slovenia (2002);
- the programmes must clearly define jurisdiction and tasks of individual parts, which will be responsible for their implementation;
- the programmes must clearly define whom these measures refer to and who is responsible for their financing;
- integration programmes should be voluntary, but the state should, with special measures, actively encourage immigrants to enrol in the programmes;
- integration policy should take into account that immigrants are not a homogenous group of people with the same characteristics, interests and needs – therefore, the stress should be on individual integration plans, that would be adopted for an individual immigrant, or (if there is an interest) individual immigration communities;
- the programmes should include measures to prevent the pressures for assimilation of immigrants;
- planning and implementing of integration programmes should include NGOs;
- all the measures concerning integration policy should be collected in one single document, which should ensure their clarity;
- to establish a mechanism of monitoring and measuring the long-term effects of integration measures (for example, monitoring school achievements of the children of immigrants and achieved level of education in comparison to the majority population; the comparison of levels of unemployment between immigrants and the majority; recording the incidents of discrimination on ethnic, cultural, language basis, etc.) in order to be able to assess their success, and correct them or remove those which would prove ineffective;
- integration programmes should stress that integration is a process that concerns the whole society; they should take care of the measures that would inform the public on this process and encourage the representatives of the majority to actively participate in them.

The last paragraph on the necessity of intercultural communication to work in all directions is often forgotten, although it is very important. The question still remains, if it is at all reasonable to expect positive results from integration programmes, if the

⁴⁴ The basis for these guidelines on integration programmes are interviews with Romana Bešter, MA in political sciences, expert from the Institute for Ethnic Studies, Ljubljana

society does not become an open society and integration initiatives an important issue for many involved sides (immigrants, NGOs, governmental institutions, specialised publics and wider society). It seems that one main issue is recognition of cultural differences and their treatment. As stressed in this report several times: integration happens or fails on the local level, in villages, neighbourhoods and quarters, in local communities and communes, and also in schools and kindergartens, cultural institutions, village sport clubs, etc. The local level represents the micro contacts of everyday life, where people are connected no matter their legal status, cultural background or preferences.

7.4. Diversity of migration: some specific approaches

1. The economic component of “realpolitik” of the market

Economic motivation is one of main push factors influencing migration movements, which also holds true for inflow and outflow to and from Slovenia in the period after the Second World War. A look into the future reveals that migrations are simply a fact and that Slovenia will need them in the next decades to survive as economic and social entity. According to Bogomir Kovač⁴⁵, this is a premise on which the state should build its strategy and policy of regulating migration flows. The author defines the following steps in defining migration policy:

- Every migration policy has first to define the number of regular immigrants. If Slovenia should follow relatively conservative European standards, the Slovene state should accept around 20,000 immigrants (1% of the whole population) per year, and around one third should be economically and socially integrated into Slovene society.
- The second level of migration policy is a certain differentiation among foreigners that meet the needs of Slovene labour market and interests of the economy. This means that migration policy classify migration flows according to the needs of the market, which is one of the criteria applied when granting the rights to foreigners.
- The third spot is the system of economic, social and cultural integration of foreigners into the Slovene society on the basis of the respect of human rights of individuals and their identity. At the same time, immigrants should be economically and socially integrated in the system of the welfare state.
- And at the end, not at the beginning as a main focus of migration policy, come questions of irregular migration.

Therefore, are refugees and immigrants Slovenia's opportunity or Slovenia's economic burden? According to Bogomir Kovač they are both, the only question is how to turn the burden into opportunity and capital for the country and society. Migrants are undoubtedly connected with the beginning costs of accommodation, housing and integration in the socio-economic environment of the country. How Slovenia will deal with migration issues, how migrants will be integrated into Slovene cultural, political and economic reality will show if they are also the opportunity. It would be imprudent to see immigrants as a 'problem' which makes costs for the state. On the contrary, the country has to be able to identify strategic advantages, which means also through

⁴⁵ Source: Bogomir Kovač, professor at the Faculty of Economics of the University of Ljubljana, public appearance on the Forum of Peace Institute: Immigrants, Slovenia, Europe, Ljubljana, 1st March, 2001

suitable migration policy. However, the conclusion is evident for most EU members: immigrants present an economic opportunity, even (demographically) survival in the long term. Slovenia and some other countries in Central and Eastern Europe already started to follow this demographic pattern.

2. Civil society perspective: labour market vs. human rights “market”

The question of migration policies does not concern only institutions, governmental and international. It is also about the responses of civil society; individuals, NGOs and other civil initiatives. Migrations are not only about defining individual groups of immigrants, the needs of economy and labour market, but are there also clearly defined questions of human rights and politics. The perspective of NGOs in relation to the questions of migrations bases from consistent advocacy of human rights, including different models of advocacy for immigrants in relation to the governmental policy. In situations when immigrants cannot be ‘heard and seen’, NGOs can give them a public voice and representation (as illustrated for the Slovenian case in chapter 4).

One of the important topics on the political agenda, involving also civil society actors, is the question of political participation of immigrants and possibilities of political integration. This particular aspect is quite often overlooked. The predominating opinion of immigrants as guests in our societies does not support the option of integrating them in the arena of political decision-making. Not long ago the right to vote in Slovenia was reserved for Slovene citizens exclusively. With the change of the Act on Local Elections from June 2002 (Official Gazette of the RS, No. 51/2001) immigrants were granted the right to participate in local elections, while they cannot vote in national elections for the Parliament. The latter is point of criticism of some individual members and NGOs. The act specifies that foreigners with a permanent residence permit in Slovenia can vote members of community councils in the local elections.

3. Vulnerable group in migration: Unaccompanied Minors (UAMs)

Unaccompanied minors are one of most vulnerable groups in migration movements. On their way, minors are in a great danger to be exploited in various ways. Basic guidelines for monitoring this question can be put forward (See Zavrtnik Zimic / Pezdirt 2003 (forthcoming)):

- Policies related to UAMs have to become part of existing national migration policies;
- UAMs’ opinion must be introduced; this is a social group which is especially vulnerable and needs its own ‘advocate’ – in the broad sense, the state already has this role, together with intergovernmental and non-governmental organisations and their Ombudsman or Child Rights Ombudsman (if it exists);
- it is our obligation to get UAMs “off the streets” and break the circle of abuse originating from the possibility of trafficking in human beings;
- integration policies have to be clearly defined, and at the same time the broader public should be informed about the question of UAMs and their specifics;
- integration must be based on an individual approach;
- continuous monitoring of the position of UAMs is also important, in form of research and policy reactions in different national environments;
- better long-term results can be given on the basis of information and knowledge exchange;

- the key problem is relating to the duration of asylum procedures (even more years); the time must be the shortest possible.

Main proposals given from the side of intergovernmental organisations (UNHCR and IOM, Ljubljana, 2003) are relating to the shortage of central databases, inadequate co-operation between responsible services and institutions, the question of guardians for UAMs, accommodation of UAMs and a system of foster families, integration programmes for all UAMs, an appropriate way of return of the child to the country of origin and, finally, fight against child trafficking.

It seems important to address one of the key problems; this is disappearance rate of children. We refer to the cases when UAMs leave Slovenia in short time and “without a trace”. It seems that the state cannot find the right approach to prevent this – very unflattering – phenomenon. It is clearly evident, that a regional approach is needed in order to both, prevent and assist UAMs when they are in a certain country. More has to be done on the European level, including co-operation of NGOs from the region (bridging sending-transitional-receiving countries).

4. Vulnerable group in migration: women and children, victims of trafficking

Analysing the issue of trafficking in women and children in certain geographical area, it should be emphasised that this aspect refers to broader context of migrations; it is connected with globalisation in migration movements, poverty in some parts of the world and motivation to move to another part. But it is influenced by restrictive immigration policies and above all closed borders for immigration to Western Europe as well. It is crucial victims of trafficking as vulnerable persons (Zavratnik Zimic / Kavčič / Pajnik / Lesjak-Tušek 2003) are in the centre of policies. Therefore, “visibility” in national migration policies has to be addressed first. In addition, due to extreme vulnerability of victims of trafficking, their future position should be carefully considered. Basically, there are three policy alternatives widely known:

- Voluntary return to the country of origin and their integration; victims should never be deported from the country. Special focus should be given to the phase of the return in order to minimise the re-trafficking cycle.
- Staying in the country, followed by the integration process; this option should be also applied for the victims, who for different reasons cannot return to their countries of origin. In that case efforts should be devoted to the integration activities which would help the victim to adjust to the life in the new society.
- An option of the resettlement in the third county should in some cases also be considered.

It should be pointed out that deportation is a final solution only on first sight, however, in long-run it can be proved as the worse possible option. It is evident from the recycling processes that the so-called easiest way of getting someone out of the country does not bring productive results. In case of voluntary return home it is important to note that reintegration process is crucial. International organisations should devote much more attention to this aspect and continue to explain to the host governments that funds for this component should be secured. Second mentioned alternative, staying of victim and her/his integration in new society, it seems to be the most rare policy alternative in the practice of states.

Often, victims of trafficking are regarded as perpetrators who are criminalised and deported from the state before the whole situation has been investigated. Therefore,

decriminalisation of victims and advocacy for victims of trafficking is urgently needed. In case of victims' staying in the country, integration has to be based on an individual approach. This starting point is of great importance, because victims can by no means be defined as homogeneous "target group" and individual needs have to be met. Due to victims' life experience (abuses, everyday threats, etc.) this question demands sensitive and professional approach.

Improvement in long-term results can be expected on the basis of proper research that would bring experience and knowledge to governmental, non-governmental and intergovernmental organisations and experts, including analysing the international/regional dimension. In terms of providing information about trafficking, the role of schools should be strengthened: students' perception of trafficking should not be solely the reflection of mass media's influence. Instead, detailed information should be provided by schools and other public institutions. A wider public discussion about trafficking in human beings is needed, contributing also to the rising awareness of risks in the process of labour migration with particular focus on youth population. As mentioned, most images on trafficking in human beings are communicated by mass media. The reporting must not be sensationalistic but should take into consideration the sensibility of the reported subject.

7.5. Future research and monitoring

As suggested in previous chapters, there are some less or non-addressed topics, which could be elaborated in the future research on migration trends in the region – in an enlarged EU, but also in candidate countries and the Balkans in general. At this point and from the perspective of country experiences, the following issues could be proposed:

Migration and gender perspective (feminisation of migration flows): Gender perspective and feminisation of migration movements are global characteristics, which should be more closely looked at also from local perspectives. Also, it should be explored the question of participation in the public life in relation to gender. Another open question is linked to the phenomenon of gender-related forced work.

Transit migration: a regional perspective is needed here, i.e. specific migratory movements should be observed from countries of origin, transit territories and destination countries. There are partial case studies, focused on specific target groups, but no single research initiative, which could reflect social, political, economic and cultural context of being a transitional country in migration movements. Transit migrations are representing a grey zone in public policy as well.

Border regions and migration: The regional dimension is important for cross-border migrations in local border areas, but also in a broader context. The focus of such research should be given to daily and weekly cross-border migration in areas of contact, especially from the perspective of economic vitality of border regions.

Bibliography

- Bevc, M. / Prevolnik-Rupel, V. / Verlič-Christensen, B.: Migracije v Sloveniji v luči vključitve v EU, Inštitut za ekonomska raziskovanja, Ljubljana, 2000
- Brettel, C. B. / Hollifield, J. F.: Migration Theory, Talking Across Disciplines, Routledge, New York, 2000
- Brochamnn, G. / Hammar, T. (Eds.): Mechanism of immigration control; a comparative analysis of Europe regulation policies, BERG, Oxford New York, 1999
- Castles, S. / Miller, M.: The Age of Migration, Macmillan Press, London, 1998
- Castles, S.: International migration at the beginning of the twenty-first century global trends and issues, *International Social Science Journal. International migration*, LII, 3, 2000, pp. 269-383
- Cedilnik, K.: Problematika ilegalnih migracij v Sloveniji v obdobju 1991 - 2001, diplomsko delo, Univerza v Ljubljani, Ljubljana, 2002
- Doupona Horvat, M. / Žagar, I. / Verschueren, J.: Retorika begunske politike v Sloveniji: pragmatika legitimizacije, Mirovni inštitut, Ljubljana, 2001
- Genorio, R.: Slovenci v Kanadi, Geographica Slovenica, Inštitut za geografijo Univerze v Ljubljani, Ljubljana, 1989
- Poročilo skupine za spremljanje nestrpnosti št. 1 / Intolerance Monitor Report, No.1, Mirovni inštitut, Ljubljana, 2001
- Poročilo skupine za spremljanje nestrpnosti št. 1 / Intolerance Monitor Report, No.1, Mirovni inštitut, Ljubljana, 2002
- Jakoš, A.: Zunanje in notranje migracije v Sloveniji, Urbanistični inštitut Republike Slovenije, Ljubljana, 1994
- Jalušič, V.: Xenophobia or Self-protection? Intolerance Monitoring Group Report, No. 1, Peace institute, Ljubljana, 2001
- Kavkler, K.: Imigracijska politika Evropske unije in Slovenije ter ekonomski učinki imigracij, Univerza v Ljubljani, Ljubljana, 2002
- Kodelja, J.: Iz katerih območij v Jugoslaviji so prihajali, kje v Sloveniji so se naselili, *IB revija*, 26, 1/2, 1992, pp. 12-17
- Kodelja, J.: Priselitve v Slovenijo v letih 1962-1990, *IB revija*, 26, 6-7, 1992, pp. 34-38
- Kogovšek, N.: Spreminjanje slovenske azilne zakonodaje (Changing of Slovenian Asylum Legislation in 2001). In Milohnič, A. (Ed.): Evropski vratarji, Mirovni inštitut, Ljubljana, 2001
- Kraigher, T.: Nekateri socialno-ekonomske značilnosti selitev med Slovenijo in drugimi območji Jugoslavije v obdobju 1982-1990, *IB revija*, 26, 3-4, 1992, pp. 7-13
- Kržišnik-Bukić, V. (Ed.): Slovensko-hrvaški obmejni prostor: življenje ob meji, INV, Ljubljana, 1999
- Kuhar, R. / Trplan, T. (Eds.): Poročilo skupine za spremljanje nestrpnosti št. 2 / Intolerance Monitor Report, No. 2, Mirovni inštitut, Ljubljana, 2003
- Lipovec Čebren, U. (Ed.): V zoni prebežništva, Filozofska fakulteta, Ljubljana, 2002
- Malačič, J.: Zunanje migracije Slovenije po drugi svetovni vojni, *Zgodovinski časopis*, 45, 2, 1991

- Mežnarič, S.: "Bosanci." A kuda idu Slovenci nedeljom? Krt, Ljubljana, 1986
- Mikuš-Kos, A. / Pagon, M. (Eds.): Begunci v Sloveniji, Visoka policijsko-varnostna šola, Ljubljana, 1998
- Pajnik, M. / Lesjak-Tušek, P. / Gregorčič, M.: »Immigrants, Who are you?« Peace Institute, Ljubljana, 2001
- Pezdir, T.: Migracijski tokovi v Sloveniji po drugi svetovni vojni in njihove transformacije ob vstopu Slovenije v Evropsko unijo, diplomsko delo, Univerza v Ljubljani, Ljubljana, 2002
- Repolusk, P.: Čezmejni stiki in čezmejna potovanja. In: Kržišnik-Bukić, V. (Ed.). Slovensko-hrvaški obmejni prostor: Življenje ob meji, INV, Ljubljana, 1999
- Schmitter Heisler, B.: The Future of Immigrant Incorporation: Which Models? Which Concepts? In Vertovec S. (Ed.) Migration and Social Cohesion, EE Publishing, Cheltenham, Massachusetts, 1999
- UNHCR (Ed.): The State of the World's Refugees, Geneva, 1995
- Vaupotič M.: Integration in Slovenia. Governmental Office for Immigration and Refugees in Slovenia, IOM conference on "Integration and Immigration in the Capitals of Central Europe" in Vienna, October 2002
- Vrečer, N. (Ed.): Vsakdanje življenje beguncev in begunk v Sloveniji, Slovensko etnološko društvo, Ljubljana, 1999
- World Migration, IOM, 2003
- Zavratnik Zimic, S. (et al.): Slovenski model migracijske politike: perspektive in možnosti države na "schengneski periferiji", zaključno poročilo raziskovalnega projekta, Peace Institute, Ljubljana, 2002
- Zavratnik Zimic, S. / Kavčič, U. / Pajnik, M. / Lesjak-Tušek, P.: Where in the puzzle: trafficking from, to and through Slovenia, IOM, Ljubljana, 2003
- Zavratnik Zimic, S. / Pezdir, T.: Unaccompanied Minors in Central Europe, Country report for Slovenia, IOM, Menedek, Budapest, 2003 (forthcoming)
- Zavratnik Zimic, S.: Fortress Europe or open Europe? Challenges facing the countries on the »Schengen periphery«. In: Zavratnik Zimic, S. / Pajnik, M. (Eds.) Migration – Globalisation – European Union, Mirovni inštitut, Ljubljana, 2003 (forthcoming)
- Zavratnik, S.: Social Integration vs. Social Exclusion: the Case of Bosnian Refugees in Slovenia, Austria and Ireland, MSc. Thesis, Univerza v Ljubljani, Ljubljana, 1996
- Zupančič, J.: Čezmejne dnevne in tedenske delovne migracije na schengneskih mejah republike Slovenije (z Italijo in Avstrijo), Inštitut za geografijo, Ljubljana, 2000

Sources

- Act Amending Aliens Act (Official Gazette of the RS, No. 87/2001)
- Act Amending Asylum Act (Official Gazette of the RS, No. 113/2000)
- Act Amending Law on Temporary Refuge (Official Gazette of the RS, No. 67/2002)
- Act Amending the Higher Education Act (Official Gazette of the RS, No.99/99)
- Act Amending the Law on Temporary Refuge (Official Gazette of the RS, No. 67/2002)
- Act Exercising the Public Interest in Culture Act (Official Gazette of the RS, No. 96/2002)

- Act on Amendments of the Temporary Residence Act (Official Gazette of the RS, 67/2003)
- Act on Local Elections (Official Gazette of the RS, No. 51/2001)
- Agreement on the Employment of Workers on Contracts of Work from the Republic of Slovenia in the Federal Republic of Germany (Official Gazette of the RS, No. 3/92)
- Aliens Act (Official Gazette of the RS, No. 61/99, No. 87/2002)
- Asylum Act (Official Gazette of the RS, No. 61/99)
- Asylum Information Centre, Ministry of Interior, 2003 (statistical data)
- Centre for Foreigners, 2003 (statistical data)
- Citizenship Act of the Republic of Slovenia (Official Gazette of the RS, No. 1/91, No. 30/91, No. 38/92, No. 13/94, No. 96/2002)
- Constitution of the Republic of Slovenia (Official Gazette of the RS, No. 33/91)
- Employment and work of aliens act (Official Gazette of the RS, No 66/2000)
- Employment Service of Slovenia (ESS), Annual Report 2002
- Eurostat: European Social Statistics - Migration - 2000, European Commission, Eurostat, Luxembourg 2000.
- Geneva Convention on the Status of Refugees, 1951 and New York Protocol, 1967
- Governmental Office for Immigration and Refugees, 2003 (statistical data)
- Health Care and Health Insurance Act (Official Gazette of the RS, No. 9/92)
- Higher Education Act (Official Gazette of the RS, No. 67/93)
- Law on health protection and health insurance (Official Gazette of the RS, No. 9/92)
- Law on local self-government (Official Gazette of the RS, No. 72/93)
- Law on social protection (Official Gazette of the RS, No. 54/92, No. 41/99, No. 26/2001)
- Law on Temporary Refuge (Official Gazette of the RS, No. 20/97)
- Ministry of Exterior, 2003 (statistical data)
- Ministry of Interior, 2003 (data on readmission agreements)
- Pension and Disability Insurance Act (Official Gazette of the RS, No. 106/99)
- Red Cross of Slovenia, 1995 (statistical data)
- Resolution on the Immigration Policy of the Republic of Slovenia (<http://objave.uradni-list.si/bazeul/URED/1999/040/B/521991630.htm>, access 9 September 2002)
- Resolution on the migration policy of the republic Of Slovenia ([Http://objave.uradni-list.si/bazeul/URED/2002/106/B/5252653023.htm](http://objave.uradni-list.si/bazeul/URED/2002/106/B/5252653023.htm), access 9 September 2002)
- Social Welfare Act (Official Gazette of the RS, No. 54/92)
- Statistical Yearbook of the Republic of Slovenia, 1998, 1999, 2000, 2001, 2002 Statistical Office of the RS, Ljubljana
- The Elementary Education Act (Official Gazette of the RS, No. 12/96)
- The Secondary Education Act (Official Gazette of the RS, No. 12/96)
- Managing Multiethnic Communities: 'Best practice' case studies, Therapeutic Activities in Schools for Refugee Children in Slovenia (1992-1995), <http://www.cemes.org>

Appendix 1

List of Respondents

- No. 1 – Ministry of the Interior, Border Police
- No. 2 – Ministry of the Interior, Criminal Police
- No. 3 – Ministry of the Interior, Bureau for Administrative Affairs, Immigration and Naturalisation Section
- No. 4 – Governmental Office for Immigration and Refugees
- No. 5 – Employment Agency of Slovenia, Employment and Work of Foreigners
- No. 6 – Information and Documentation Centre of Council of Europe
- No. 7 – Embassy of Bosnia and Herzegovina
- No. 8 – Association Serbian Community
- No. 9 – Roma community Ljubljana
- No. 10 – Slovene Philanthropy, NGO
- No. 11 – PIC – Legal Info Service for NGOs Slovenia
- No. 12 – Foundation GEA2000, NGO
- No. 13 – Professor from the University of Ljubljana, Art faculty, Department of Geography and Institute for Ethnic Studies (expert, geography)
- No. 14 – Researcher from the Institute for Ethnic Studies (expert, political science)
- No. 15 – Professor from the University of Ljubljana. Art Faculty, Department of Sociology (expert, sociology)
- No. 16 – Researcher from the Peace Institute, Institute for Contemporary Political and Social Research (expert, sociology)
- No. 17 – Independent researcher (expert, anthropology)
- No. 18 – Researcher from the Peace Institute, Institute for Contemporary Political and Social Research (expert, communication science)
- No. 19 – UNHCR Ljubljana
- No. 20 – IOM Ljubljana
- No. 21 – Ključ, NGO
- No. 22 – Expert, journalist
- No. 23 – Centre for foreigners, Ministry of the Interior
- No. 24 – Governmental Office for Immigration and refugees
- No. 25 – Centre for Foreigners, Postojna
- No. 26 – Centre for Foreigners, Postojna
- No. 27 – Centre for Foreigners, Postojna
- No. 28 – Asylum Sector, Ministry of the Interior
- No. 29 – Bosnian Cultural Association
- No. 30 – Bosnian Cultural Association

Appendix 2

List of Tables

- Table 1 : Immigration, emigration and net migration in Slovenia with the rest of Yugoslav Republics between 1954 and 1989
- Table 2 : International migration from and to Slovenia in the period 1997 – 2001
- Table 3 : Immigrants to Slovenia by country of citizenship in the period 1997 – 2001
- Table 4 : Immigrants to Slovenia by age groups in the period 1997-2001
- Table 5 : Immigrants to Slovenia by gender in the period 1997-2001
- Table 6 : Issued temporary residence permits (TRP) in the period 1997-2002
- Table 7 : Issued permanent residence permit (PRP) in the period 1997-2002
- Table 8 : Citizens of the Republic of Slovenia who emigrated abroad by countries of next residence in the period 1997-2001
- Table 9 : Emigrants from Slovenia by age groups in the period 1997-2001
- Table 10 : Emigrants by gender in the period 1997-2001
- Table 11 : Irregular migrants and asylum seekers in the period 1997-2002
- Table 12 : Number of valid work permits in the period 1997- 2002
- Table 13 : Number of issued permits for temporary residence in the period 1999-2002
- Table 14 : Refugees from BIH with temporary protection status (TPS) in the period 1997-2003
- Table 15 : Changes of temporary protection status (TPS) in the period 1999-2003
- Table 16 : Refugees with temporary protection status by age and gender in the period 1997 – 2002
- Table 17 : Asylum seekers by year, gender and country of origin in 1997 – 2002
- Table 18 : Refugee statuses according to Geneva Convention and on the basis of humanitarian reasons (31. 12. 2002)
- Table 19 : Irregular border crossings to Slovenia in the period 1997-2002
- Table 20 : Irregular migrants by country of origin in the period 1997-2002
- Table 21 : Irregular migrants by gender in the period 1997-2002
- Table 22 : Irregular migrants by age in the period 1997-2002
- Table 23 : Number of UAMs in the period 2001 - 2002
- Table 24 : UAMs - irregular migrants - according to the county, year, age and gender in the period 2001-2003
- Table 25 : UAMs (asylum seekers) in the period March 2002-February 2003
- Table 26 : Working permits for exotic dancers by countries
- Table 27 : Reported number of victims in Slovenia

Appendix 3

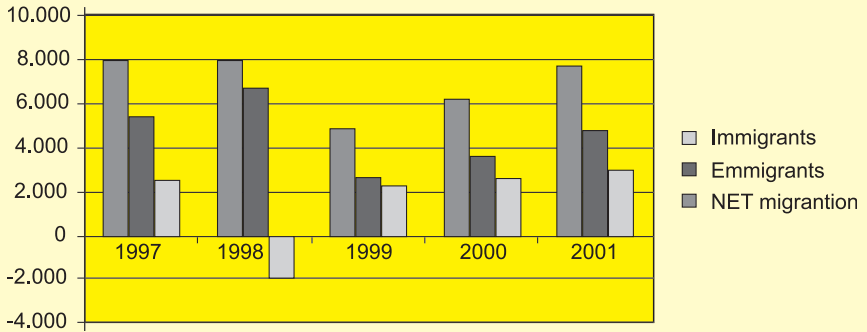
Table A1 and Graphs

Table A 1. Transit visas for Slovenia in the period 1997 – 2002

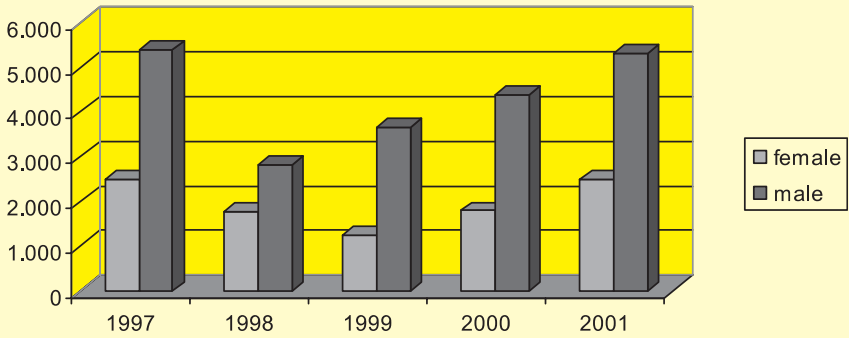
issued in / year	1997	1998	1999	2000	2001	2002
Ankara	1	-	-	2	56	15
Athens	1	-	-	-	4	-
Belgrade	-	-	-	-	286	1747
Bern	244	214	92	10	20	2515
Berlin	275	113	35	55	267	539
Bratislava	-	4	6	3	-	-
Brussels	58	53	202	259	152	114
Buenos Aires	-	-	-	2	-	-
Budapest	2861	333	102	67	463	140
Canberra	1	3	1	1	-	-
Klagenfurt	210	106	43	129	1981	684
Cleveland	-	-	-	-	4	-
Vienna	85	39	18	32	254	1332
Haag	-	-	-	14	105	311
Helsinki	-	-	-	-	-	-
Cairo	5	-	2	-	-	5
Copenhagen	-	-	-	3	2	7
Lisbon	-	-	4	-	-	-
London	77	13	15	14	110	149
Madrid	26	10	4	2	6	7
Moscow	202	70	91	90	386	127
Munich	240	139	21	83	2436	3262
New York	2	1	24	-	7	2
Ottawa	1	-	4	3	3	-
Paris	42	25	80	71	24	84
Peking	1	-	2	7	-	-
Podgorica	-	-	-	-	199	696
Prague	713	136	4	177	73	432
Rim	579	151	42	31	128	189
Sarajevo	1617	747	440	373	-	3884
Singapore	-	-	-	-	-	-
Skopje	438	76	104	1764	1365	2412
Split	36	25	-	-	-	-
Stockholm	3	1	9	108	8	269
Strasbourg	16	7	-	-	8	12
Teheran	-	-	8	5	1	3
Tel Aviv	-	-	-	1	1	-
Tokyo	-	-	1	-	-	-
Trieste	1978	727	179	660	923	2112
Warsaw	7	1	27	-	1	29
Washington	2	3	-	3	4	-
Vatican	-	3	-	-	-	-
Zagreb	787	543	122	759	1056	1602
TOTAL	10.508	3.543	1.682	4.728	10.333	22.680

Source: Ministry for Foreign Affairs 2003

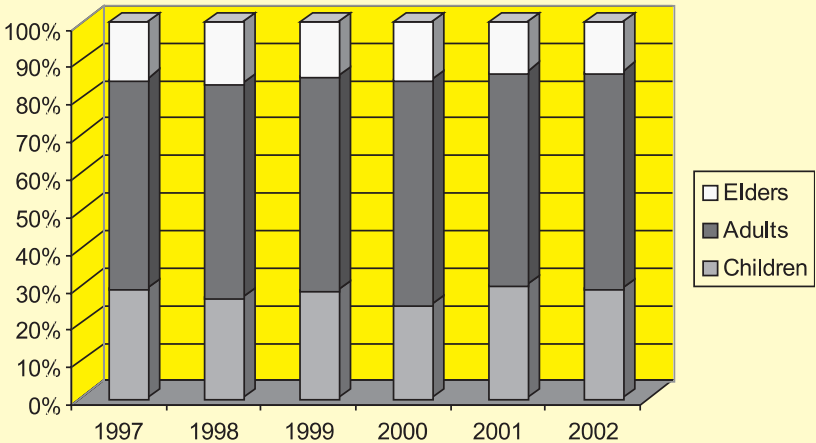
Graph 1: Immigration, emigration and net migration



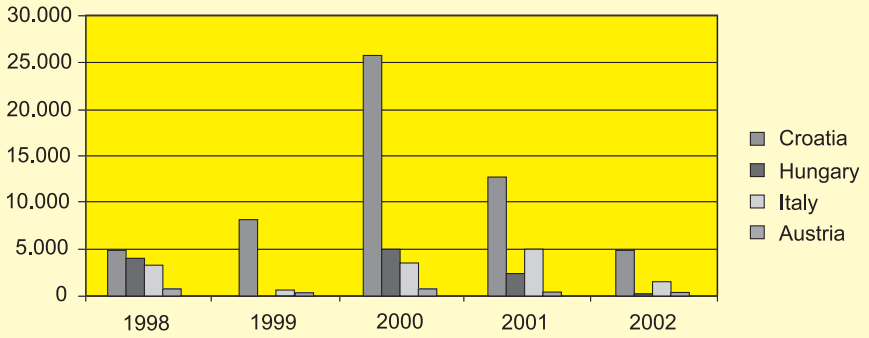
Graph 2: Immigrants in Slovenia by gender



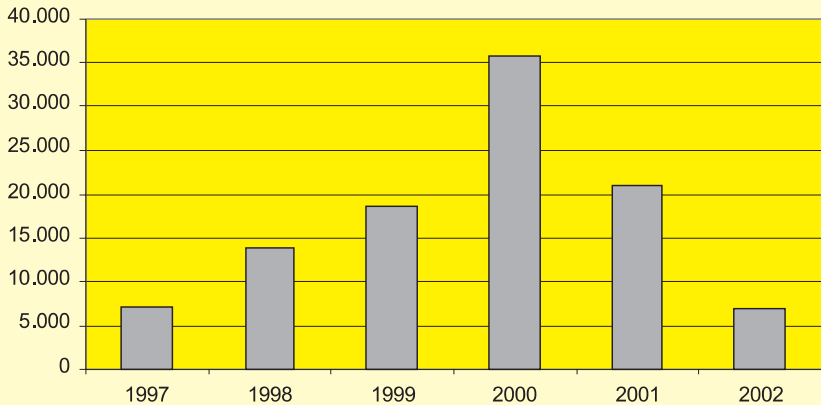
Graph 3: Immigrants in Slovenia by age



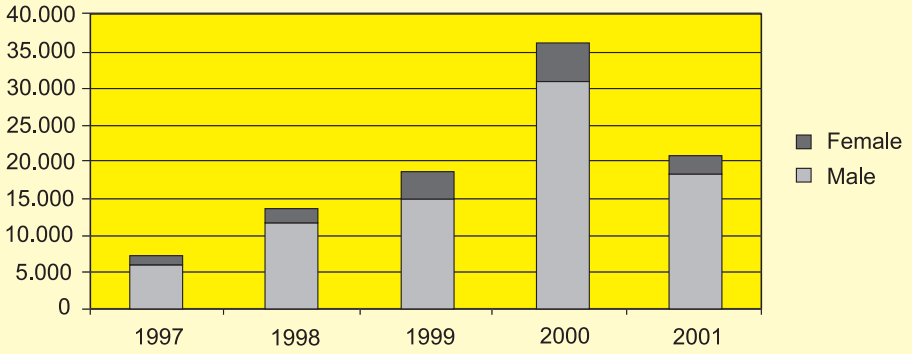
Graph 4: Irregular border crossing



Graph 5: Irregular migrants by year



Graph 6: Irregular migrants by gender



Sharing Experience...

Accession to the EU is expected to bring about changes in migratory routes and destinations, as well as societal changes in the future EU member states. How do new migration trends affect the local societies of these countries? How is the integration of migrants possible in societies marked mostly by emigration throughout the 1990ies? Which approaches do governments envisage in the different countries? Are they becoming countries of immigration – what can be expected after May 2004?

This booklet is part of a product of comprehensive research and analysis of migration trends in each of six participating EU accession countries. The research project has been supported by the European Commission, DG Employment and Social Affairs, under the European Social Fund budget line “*Analysis of and research on the social situation, demography and the family*” and has been managed by IOM Vienna.

Under the title “Migration Trends in Selected Applicant Countries”, the following volumes are available:

Volume I – Bulgaria: The Social Impact of Seasonal Migration.

Volume II – The Czech Republic: The Times They Are A-Changin.

Volume III – Poland: Dilemmas of a Sending and Receiving Country.

Volume IV – Romania: More ‘Out’ than ‘In’ at the Crossroads between Europe and the Balkans.

Volume V – Slovakia: An Acceleration of Challenges for Society.

Volume VI – Slovenia: The perspective of a Country on the ‘Schengen Periphery’.

The reader may expect comprehensive information on the situation of migrants both, in and out of the countries, and the countries’ migration management approaches, with the main purpose to illustrate the impact of migration trends on the local society and the social situation in the country.