

# **COUNTRY OPERATIONS PLAN**

**Country: Republic of Slovenia**

**Planning Year: 2003**

**Prepared by:**

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## Part I: Executive Committee Summary

### (a) Context and Beneficiary Population

#### ● Political context

Slovenia is a parliamentary democracy and constitutional republic. Free and open elections have been held since the country's independence in 1991. In February 1999, an *Association Agreement* with the European Union took effect and Slovenia officially became an *Associate Member* of the EU. In this regard Slovenia is steadily progressing towards membership with the clear expectation of becoming a full member of the EU in 2004. By March 2002, Slovenia had closed 26 chapters of the EU *acquis*, including the Justice and Home Affairs Chapter.

#### ● Security situation

Slovenia is a politically and socially stable and safe country.

#### ● Protection Issues

#### **Populations of concern**

As of the end of March 2002, there are approximately 7,080 persons of UNHCR's concern in Slovenia. These can be divided into asylum-seekers, persons recognised by the Government of the Republic of Slovenia (GoRS) as being in need of international protection and accorded either *Humanitarian* or *1951 Convention Refugee* status, persons from Bosnia and Herzegovina accorded temporary protection and others of concern - primarily stateless former Yugoslavs - most of whom are expected to benefit from the regularisation process initiated in 1999.

The ***Bosnians who enjoy temporary protection*** under the Law on Temporary Refuge are persons who fled their country as a consequence of war in the early 1990s. In March 2002, there were 2,365 such Bosnians in Slovenia. The Law on Temporary Refuge accords a very limited range of rights to its beneficiaries, in particular a very limited right to work, and does not foresee access to a durable legal status in Slovenia for those unable to return to their country of origin. Given these fundamental constraints, and the fact that the opportunities for repatriation seems very remote for most, the socio-economic situation of many persons in this group is very difficult and no prospects for integration exist.

In 2001, Slovenia received 1,511 ***applications for asylum***. As regards the countries of origin, the biggest groups came from Turkey (379 applicants), Iran (272 applicants) and Iraq (214 applicants). At the end of February 2002, 224 asylum applications were pending. As the majority of the applicants have left the country, it is estimated that 100 asylum applicants are currently in Slovenia waiting for a decision.

As of March 2002, there were a total of 39 persons ***granted asylum*** in Slovenia. 36 of them had been granted asylum on humanitarian grounds and 3 of them had been granted asylum on 1951 Convention grounds. As there is no governmental integration programme for refugees in Slovenia, recognised refugees rely almost fully on the assistance provided by NGOs.

Most of the stateless persons from the former Yugoslavia are expected to benefit from the regularisation procedure under the Law on the Regularisation of Persons from former Yugoslav Republics, which was initiated in 1999. The Ministry of the Interior received about 13,000 applications for regularisation. Out of the stateless former Yugoslavs who applied for regularisation in 1999, 56 % were from Bosnia and Herzegovina, 19% from the Federal Republic of Yugoslavia, 18 % from Croatia and 4 % from Macedonia. The country of origin of 3 % of the applicants is registered as "not known". At the end of 2002, 4,340 applications were still pending and 111 persons had received a negative decision. Based on knowledge of the caseload, UNHCR Branch Office in Ljubljana (BO Ljubljana) estimates that some 500 - 1,000 applications could ultimately be rejected under the exercise.

**Core concerns ( Note: the below concerns are not listed in order of priority).**

The core concerns which BO Ljubljana will address in 2003 in Slovenia are : **1)** the lack of a government integration programme for recognised refugees; **2)** the lack of a durable legal status and integration perspective for the approximately 2,365 Bosnian refugees under temporary protection; **3)** the government programmes for assistance to asylum-seekers, refugees and persons under temporary protection have significant gaps and do not provide for sufficient assistance for the whole target population; **4)** the poor quality of legal argumentation in decisions in the RSD procedure; **5)** the low capacity and quality of reception conditions; **6)** The Law on Temporary Refuge does not respect international standards (e.g. very limited rights accorded) and the by laws on *reception* and *integration* ,which supplement the Law on Asylum, have not yet been issued; **7)** the lack of status for persons who have been/will be rejected under the criteria of the Law on Regularisation of Persons from former Yugoslav Republics; **8)** the refugee assisting NGOs are for the most part still financially dependent on UNHCR; **9)** the lack of awareness among the general public as well as professionals (doctors, nurses, social workers) on the full range of refugee and asylum-seeker issues; **10)** the high number of various types of migrants using Slovenia as a transit country has triggered xenophobic attitudes among some groups and individuals; **11)** the very low number of attorneys able and willing to work on refugee legal cases (out of 27 appointed Refugee Counsellors, i.e. attorneys at law who have been authorised to receive financial support from GoRS for providing legal assistance to refugees, only 4 persons are in practice working on refugee law cases).

#### • **UNHCR's Role**

BO Ljubljana will continue to provide the essential expertise, which is to a large extent still lacking in the governmental and non-governmental sector. In this respect, the focus will remain on **activities related to capacity building**. In addition, taking into account the ethnically homogeneous society in Slovenia that has, historically, had limited exposure to global refugee flows, a substantial part of UNHCR work will be devoted to **awareness raising activities** aiming at creating more favourable conditions for and acceptance of refugees, asylum-seekers and other persons of UNHCR's concern. To address the needs of **vulnerable groups**, programmes addressing gaps in the present level of state assistance will be maintained. Finally, pending a solution by the government, BO Ljubljana will facilitate socio-economic integration through programmes with IPs in the field of community services, vocational and language training and legal assistance.

#### • **Overview of each theme**

In order to ensure high quality assistance to persons of concern to UNHCR, in keeping with UNHCR's 2001-2004 global strategy for Europe, BO Ljubljana's strategy for 2003 is built around two themes; Strengthening Asylum (Theme 1) and Preparedness and solutions-Statelessness (Theme 2).

Under **Theme #1 , Strengthening Asylum**, UNHCR's main long-term goal in Europe is to obtain a situation in which:

- 1) Persons in need of international protection have access to the territories of European States;
- 2) asylum-seekers have access to fair, efficient and effective asylum procedures and are treated in accordance with international protection standards;
- 3) the rights of refugees are respected, and effective durable solutions are found for them; and
- 4) public opinion is receptive to the protection and solution needs of refugees.

The main activities in Slovenia aimed at **strengthening asylum** are capacity building and advocacy, as well as public information and awareness raising activities. In addition, BO Ljubljana will offer assistance to the most vulnerable groups where the GoRS fails to address urgent needs. The target of the capacity building and advocacy activities are the main actors in the protection, assistance and durable solutions fields for asylum-seekers and refugees in Slovenia. In terms of public information activities, the target is the general public - with a special focus children and young people- and universities, journalists and politicians.

Under **theme # 2 Preparedness and Solutions – Statelessness**, UNHCR's main long-term goal in Europe is to obtain a situation in which:

- 1) Statelessness will decrease in the region;
- 2) stateless persons will enjoy, at a minimum, a status consonant with 1954 Convention standards.

In this field BO Ljubljana will focus on monitoring the regularisation procedure of the persons from former Yugoslavia who have applied for residence status under the Law on Regularisation of Persons from former Yugoslav Republics. Of special concern to UNHCR are the estimated 500-1,000 persons who are expected to be rejected under the regularisation procedure. BO Ljubljana will pursue an active dialogue with the GoRS to find durable solutions for these persons. In addition to the follow-up on the situation of Ex-Yugoslavs without status in Slovenia, BO Ljubljana will continue its partnerships with relevant non-governmental organisations

(mainly Foundation GEA 2000, Slovene Philanthropy and the International Helsinki Federation for Human Rights) to identify situations of statelessness.

● **Linkages to other countries within a defined “situation”**

Considering the similarity of issues in the asylum field with other Central European as well as Baltic States, BO Ljubljana maintains regular, direct co-operation with UNHCR offices in the region, in particular with the Regional Unit Budapest (RUB). In the context of the harmonisation of legislation in anticipation of Slovenia's accession to the EU, regular contacts are also maintained BO Brussels. BO Ljubljana also maintains close co-operation with UNHCR Offices in Bosnia and Herzegovina, mainly on topics related to the persons from Bosnia and Herzegovina currently under temporary protection in Slovenia. With the aim of carrying out efficient border monitoring, BO Ljubljana will also strengthen contacts with Offices in Croatia and other neighbouring countries.

● **Capacity and presence of Implementing partners (IPs)**

In 2001, BO Ljubljana will work with four IPs: namely, the Ministry of Education and the NGOs Slovene Philanthropy, Foundation GEA 2000 and Mozaik. Because NGOs were almost non-existent in Slovenia when UNHCR established an office in 1992, Foundation GEA 2000 and the refugee component of Slovene Philanthropy were formed with the assistance of BO Ljubljana. The third NGO IP, association Mozaik, was established in 2001 without UNHCR assistance. As civil society remains emergent in Slovenia, BO Ljubljana's partnerships with non-governmental IPs has in the past had, as a central objective, capacity building. The capacity of all IPs has progressively improved and the NGO IPs now demonstrate the ability to independently carry out important functions in the asylum system (legal representation of asylum-seekers, for instance). Also, all of the IPs have to some extent managed to find alternative funding. Foundation GEA 2000 has, during the past few years, received funds from various non-Slovene organisations, including the EU Commission and the Netherlands Government. For its refugee activities, Slovene Philanthropy receives funds mainly from Slovene sources (the City of Ljubljana, the Slovene Lottery Fund, private citizens ). For Mozaik, the EU commission is covering costs for three international volunteers and, in addition, the City of Ljubljana is providing financial support. Notwithstanding this positive trend toward alternative sources of funding, with the exception of Mozaik, all IPs are almost totally dependant on UNHCR funding for their administrative costs.

● **Presence and roles of other UN agencies and international organisations**

BO Ljubljana is the only UN organisation with representation in Slovenia. The good co-operation with the Information and Documentation Centre of the Council of Europe as well as with the EU delegation is expected to continue in the year 2003. Good co-operation has also been established with the International Organisation for Migration, which set up an office in Slovenia in December 2001.

**(b) Selected Programme Goals and Objectives**

<i>Name of Theme: <b>Strengthening Asylum</b></i>	
Goal: Persons in need of international protection have access to fair, efficient and effective asylum procedures and are treated in accordance with international standards.	
<b>Principal Objectives</b>	<b>Related Outputs</b>
Asylum-seekers have access to procedures in which their claims are heard fairly and promptly.  Strengthening capacity of legal community	<ul style="list-style-type: none"> <li>• <u>Access to procedures secured:</u> Police trained and sensitised, brochure with information for migrants entering Slovenia produced and distributed.</li> <li>• <u>Quality of decisions given in the Refugee Status Determination enhanced:</u> RSD decisions followed up on to address deficiencies, regular meetings held with judges to discuss individual cases / new developments in the field of asylum law.</li> <li>• <u>Legal community strengthened:</u> Legal clinics carried out, refugee councillors supported.</li> </ul>

<i>Name of Theme: <b>Strengthening Asylum</b></i>	
Goal: Refugees' rights are respected and effective durable solutions are found for them.	
<b>Principal Objectives</b>	<b>Related Outputs</b>
Refugee rights are respected.	<ul style="list-style-type: none"> <li>• <u>Durable status in Slovenia pursued for Bosnian refugees</u> currently under temporary protection: Durable legal solutions identified and GoRS lobbied to adopt such solutions, partnerships created/strengthened with relevant NGOs, international organisations and embassies to support such lobbying.</li> <li>• <u>Recognised refugee children and youth properly included in national support systems for children and youth:</u> Advocacy and dialogue with Government.</li> </ul>
Refugees have real possibilities to integrate	<ul style="list-style-type: none"> <li>• <u>Government lobbied and advised</u> on integration programme according to international standards for refugees.</li> <li>• <u>Assistance to refugees when Government fails to meet urgent needs:</u> Financial assistance as well as support for integration provided mainly through volunteers network of IPs.</li> </ul>

<i>Name of Theme: <b>Strengthening Asylum</b></i>	
Main Goal: Public opinion will be receptive to and supportive of the protection and solutions needs of refugees	
<b>Principal Objectives</b>	<b>Related Outputs</b>
Xenophobic trends diminish in favour of increased tolerance, and the public at large understands the relevance of refugee protection, and the difference between economic migrants and refugees.	<ul style="list-style-type: none"> <li>• <u>Children educated</u> on refugee issues and <u>friendship and understanding between refugee and Slovene children promoted</u> through projects in schools were refugee and asylum-seeker children work together with Slovene children.</li> </ul>
UNHCR's standing as the international authority on refugee protection is understood and acknowledged.	<ul style="list-style-type: none"> <li>• <u>Strategic contacts with GoRS, journalists, politicians and universities established / strengthened.</u></li> </ul>