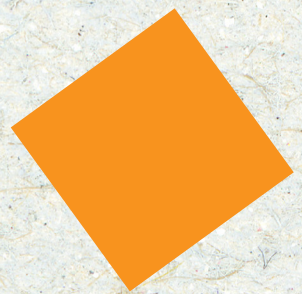
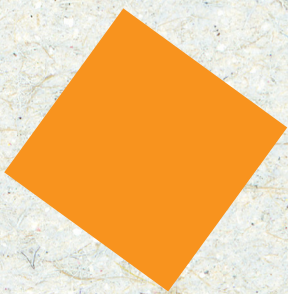


Appenndix:
current national
legislation on diversity
in Serbia, Italy
and Slovenia





Current national legislation on diversity in Serbia

Milica Kovačević

Achieving cultural diversity and creating a context in which everyone can express their uniqueness and fulfill their personal potential requires a society based on democratic values, tolerance, social justice and the rule of law. Such a context is built by the implementation of an adequate legal framework, with the Constitution at the top of the pyramid of legal acts, followed by laws and bylaws.

Therefore, we begin review of the Serbian national legal context relevant to achieving cultural diversity by summarizing some of the most important provisions of the Constitution relating to equality and non-discrimination. That is followed by a summary of laws that are not directly related to the education system, social protection and youth work, but are also essential for establishing a system based on the principle of equity and respect for the personal dignity of every citizen.

Constitution of the Republic of Serbia, Official Gazette of RS, no. 98/2006 and 115/21, contains a significant number of provisions related to the protection of the rights of members of minority groups and provisions on the creation of overall conditions and opportunities which are necessary for the development of culturally sensitive society. Thus, pursuant to Art. 14, the state guarantees special protection to national minorities, in order to achieve full equality and preserve their identity, while Art. 15 guarantees the equality of men and women while ensuring equal opportunities for both sexes. Human and minority rights are directly guaranteed by the Constitution, so that laws cannot affect their essence, pursuant to Art. 18. The provisions on both human and minority rights are to be interpreted in the spirit of democratic values and in accordance with international standards, as well as the practice of relevant international institutions. The Constitution explicitly proclaims the prohibition of discrimination, stating that before the Constitution and the law everyone is equal, in the sense of Art. 21.

The Constitution guarantees special protection of the family, mother, single parent and child (Art. 66), while the right to social protection is exercised in accordance with the principles of social justice, humanism and respect for personal dignity (Art. 69). The right to social protection belongs to those citizens and families who need social assistance in order to overcome life's difficulties and satisfy basic needs. According to Art. 71, everyone has the right to education, with primary education being compulsory and free, while all citizens are entitled to an equal right to access higher education.

When it comes to members of national minorities, in addition to the rights that belong to all citizens, they also have special individual and collective rights aimed at protecting the specific rights of these persons. Individual and collective minority

rights are exercised in accordance with the Constitution, national regulations and international standards. Any form of discrimination on the grounds of belonging to a national minority is prohibited, as well as violent assimilation of members of national minorities (Art. 76 and 78). The right of members of national minorities to preserve their identity includes the protection and development of cultural, religious, ethnic and national identity, which includes school programs in national minority languages, the use of national minority languages in official procedures and the establishment of minority public media resources, in accordance with Art. 79 of the Constitution. In the event of a state of emergency or war, derogations from human and minority rights are allowed, but only to the necessary extent. Measures derogating from human and minority rights must not result in discrimination based on sex, racial, religious or national origin, or language or social origin, under Art. 202.

The Constitution states that Serbia encourages the development of tolerance and intercultural dialogue in the field of education, culture and mass media, in order to promote understanding and cooperation among all people living on its territory, regardless of their personal identities (Art. 81).

In the part related to the territorial organization of the state, the Constitution stipulates that municipalities as local self-government units have several specific competencies important for meeting the needs of citizens, including competencies in meeting the needs of citizens in education, culture, health, social and child protection, sports and physical culture (Art. 190).

Criminal Code, Official Gazette of RS, no. 85/2005, 88/2005, 107/2007, 92/2009, 111/2009, 121/2012, 104/2013, 108/2014, 94/2016 and 35/2019, envisages a series of incriminations that protect the equality and equity of citizens and that prevent discrimination and the spread of hatred and intolerance. Some of the criminal offenses are: violation of equity (Art. 128), violation of freedom of expression of national or ethnic origin (Art. 130) and incitement of national racial and religious hatred and intolerance (Art. 317). A special aggravating circumstance that affects the sentencing is the notion that the crime was committed out of hatred due to race and religion, nationality or ethnicity, gender, sexual orientation or gender identity of the victimized person, so that this circumstance will be considered aggravating by the court, except if it is not prescribed as a distinct feature of a criminal offense (Article 54a).

Law on Prohibition of Manifestations of Neo-Nazi or Fascist Organizations and Associations and Prohibition of the Use of Neo-Nazi or Fascist Symbols, Official Gazette of RS, no. 41/2009, among other things, it prohibits the production, presentation and dissemination of materials prepared in order to spread hatred and intolerance towards citizens of specific origin or background. It is prohibited to provoke or encourage religious, racial, or national hatred and intolerance (Art. 3).

Law on Public Information and Media, Official Gazette of RS, no. 83/2014, 58/2015 and 12/2016, stipulates that the rules on public media functioning are designed in such a way as to ensure the exchange of information, ideas and opinions and to preserve democratic values, peace, truthfulness and personal development (Art.

2). Public media resources are not to be subjected to censorship, pursuant to Art. 4, provided that, at the request of the public prosecutor, the court may prohibit the distribution of certain media content if that is necessary in a democratic society and if the content calls upon direct violence against a person or group of persons based on their national, racial, religious, sexual orientation, disability or any other personal characteristic (Art. 59). Hate speech is prohibited, so media content must not encourage or spread hatred based on any personal traits of citizens, regardless of whether such an announcement is a criminal offense (Art. 75).

Law on the Protection of the Rights and Freedoms of National Minorities, Official Gazette of the FRY, no. 11/2002 and the Official Gazette of RS, no. 72/2009 and 97/2013, defines a national minority as any group of citizens of the Republic of Serbia that is sufficiently represented and permanently seated on the territory of the state. A national minority should be characterized by special characteristics such as language, culture or nationality. Members of certain minority groups are interested in preserving their distinctive identity (Art. 2). The law prohibits discrimination against persons belonging to national minorities, while stipulating that the application of special measures in order to achieve full equality of minority groups shall not be considered discrimination (Art. 3 and 4). The law provides for a number of rights through which the prerogative to preserve national specificity is exercised, so that they include, among others: the right to use native languages, the right to nurture culture and traditions and the right to education in native languages. When it comes to schooling in the native languages, members of national minorities have the right to be educated in their own language in institutions within the public education system, provided that the law may prescribe a certain minimum number of students as a prerequisite for exercising this right. The curriculum for schooling in the native language should contain topics related to the history, culture and art of the specific national minority, under Art. 13 of the law.

Law on Official Use of Languages and Scripts, Official Gazette of RS, No. 45/91, 53/93, 67/93, 48/94, 101/2005, 30/2010, 47/2018 and 48/2018, among other things, defines issues regarding the official use of languages and scripts of national minorities. It envisages that members of a national minority are entitled to use their native language and script in the territories of local self-government units where these national minorities traditionally live in larger numbers. The unit of local self-government is obliged to introduce certain minority languages and scripts into official use if the percentage of members of that national minority in the total population in the given unit reaches at least 15% of the total population. The national minority language is to be in official use within 90 days of determining the conditions prescribed by law (Art. 11). The official use of language in this sense implies the use of the language and script of the national minority in judicial, administrative and other legally regulated procedures, as well as in official communication with the authorities. It is envisaged that the names of streets and other public signs should be stated both in the Serbian language and in the languages and scripts of the respective national minorities.

Law on Prohibition of Discrimination, Official Gazette of RS, no. 22/2009 and 52/2021, provides that the terms "discrimination" and "discriminatory treatment"

signifies any unjustified discrimination or unequal treatment or maltreatment (exclusion, restriction or preference), overt or covert, of persons or groups, as well as members of their families or persons close to them, based on race, color, ancestry, nationality, ethnicity or ethnic origin, language, religion or political affiliation, sex, gender, gender identity, sexual orientation, income level, wealth, birth, genetic characteristics, health status, disability, marital and family status, conviction, age, appearance, membership in political, trade union and other organizations and other real or assumed personal characteristics. Discrimination is prohibited by all means.

Law on Prevention of Discrimination against Persons with Disabilities, Official Gazette of RS, no. 33/2017, regulates, among other things, the area of potential discrimination in connection with upbringing and education, as well as it prohibits placing barriers to the inclusion of persons with disabilities in the educational process, pursuant to Art. 18. Harassment, insulting and belittling of a preschool child or student is defined as a particularly severe form of discrimination.

Law on Gender Equality, Official Gazette of RS, no. 52/2021, defines the concept and meaning of the term gender equality/equity, policy measures for achieving and promoting gender equality and other important issues related to gender equality. Measures provided by law should enable equality of women and men in all areas and activities, as well as prevention and suppression of all forms of gender-based violence. According to Art. 3 gender equality/equity signifies "equal rights, responsibilities and opportunities, equal participation and balanced representation of women and men in all areas of social life, equal opportunities for exercising rights and freedoms, use of personal knowledge and skills for personal and social development, equal opportunities and rights in access to goods and services, as well as achieving equal benefits from the results of work, while respecting biological, social and cultural differences between men and women and different interests, needs and priorities of women and men in public and other policies and decisions on rights and obligations." The legislator clarifies that "gender" implies roles, characteristics and relationships that society considers appropriate for women and men, while "sex" signifies a biological characteristic on the basis of which people are defined as women or men (Art. 6, para. 1, 1 and 3). All forms of discrimination, both direct and indirect, on the basis of sex and gender are prohibited, including harassment, degrading treatment, threats, extortion, gender-based hate speech, gender-based violence and other, in accordance with Art. 4.

Among the areas in which special measures for achieving full gender equality are implemented, the legislator especially emphasizes the field of social and health care, as well as the field of education, upbringing, science and technological development. In the field of education, upbringing, science and technological development, the authorities should take special care to integrate gender equality topics into teaching content, while excluding gender stereotypes, sexist content and the like, taking into account the age of students (Art. 37).

Strategy for Gender Equality from 2021 to 2030, Official Gazette of RS, no. 103/2021, states that in the period of validity of the previous strategy for gender

equality some fine results were achieved in the normative field, as well as some normative improvements were made in order to get closer to some international standards relevant in this field. However, modest results were achieved in the field of economic empowerment of women and in the field of gender-sensitive education. Some of the key challenges in achieving gender equality are: changing patriarchal attitudes and patterns that are conflicted with achieving full equality between women and men, combating misogyny and anti-gender discourse and implementing specific support measures for women who face additional problems in achieving gender equality due to belonging to marginalized groups.

The strategy explicitly states that without gender-sensitive education there is no possibility for the development of a gender-equal society, and therefore for such a society that respects differences. It is necessary to introduce a gender perspective in the education system, which requires gender-sensitive curricula, as well as to improve the gender competencies of teachers. It is necessary to reconsider the status of the subject of Civic Education and to work on the development of competencies of teachers who teach this subject, given that the program of Civic Education primarily teaches about issues of gender equality.

There are certain disparities in terms of attending certain levels and types of education, so it has been noticed that a slightly higher percentage of women receive higher education, but also that women are more represented in the social sciences and humanities, while a higher percentage of men receive higher education in areas of technical and natural sciences.

When it comes to gender equality in the field of social protection, it was noticed that there are no adequate data on gender sensitivity in the provision of services in this area. It is indisputable that women with disabilities are one of the most vulnerable categories and that they encounter multiple obstacles in exercising their right to social protection.

The general goal of the strategy is to overcome the gender gap and achieve gender equality for boys and girls and women and men, which is also the basis for the overall progress of society. Specific objectives are related to the development of a gender equality education system, which should strengthen the capacity of relevant institutions. In that sense, one of the measures is the revision of teaching content in order to eliminate gender stereotypes and discriminatory attitudes. Also, the equality of Roma girls and girls with disabilities should be encouraged in this and many other areas.

Strategy for Prevention and Suppression of Trafficking in Human Beings, Especially Women and Children and Protection of Victims 2017–2022, Official Gazette of RS, no. 77/2017, devises an approach to combating trafficking in human beings, bearing in mind that in recent years it has been noticed that the number of victims among Serbian citizens has increased and that types of possible exploitation are multiplying. One of the special goals is the protection of children from human trafficking and in order to achieve it various measures are to be applied, including preventive programs that will be adapted to the needs of children and especially the needs of children from vulnerable social groups.

- Measures should also include the implementation of programs about gender discrimination and its consequences, which should be organized in the education system for children of primary and secondary school age.

The following review summarizes legal documents important for the preservation and promotion of cultural diversity in the sectors of education, social protection and youth work.

Education

Respect for cultural diversity, nurturing of democratic values and the rule of law are unattainable ideals without an adequate education system. In order to create a democratic and humanistic context, certain knowledge, skills and abilities are to be acquired. The education system in Serbia is regulated by a series of laws and bylaws that inevitably emphasize the need to respect the rights of all citizens, regardless of their cultural values and personal traits.

Law on Fundamentals of the Education System, Official Gazette of RS, no. 88/2017, 27/2018, 10/2019 and 6/2020, stipulates that the education system must ensure: respect for human rights and the rights of every child, respect for human dignity and education in a democratically organized and socially responsible institution that fosters openness, cooperation, tolerance, awareness of cultural and civilizational connections in the world and commitment to basic moral values, values of justice, truth and solidarity (segment related to the General Principles of Education and Upbringing (Art. 7, para. 1, item 3...)). All citizens of the Republic of Serbia are entitled to equal rights to education, while persons with disabilities have the right to education and upbringing that respects their needs, which could also include individual or group support, according to the individual circumstances of every person (Art. 3).

The goals of education and upbringing, among other things, are: providing support for the overall development of the child; developing of self-awareness, critical thinking and motivation; developing positive human values, solidarity and sense for cooperation with others; developing respect for racial, national, cultural, linguistic, religious, gender, sex and age equality, tolerance and respect for diversity and development of personal and national identity, developing a sense of belonging to the Republic of Serbia, respect and nurture of Serbian language and native languages, preservation of Serbian and national minority tradition and culture, development of interculturality and preservation of national and world cultural heritage (Art. 8).

The law defines the concept of key competencies for lifelong learning as a set of integrated knowledge, skills and attitudes needed by each individual for personal fulfillment and development. On the other hand, general interdisciplinary competencies are based on key competencies and are developed through the teaching of all subjects, so that they are applicable in different situations and contexts and also in solving various problems and tasks (Art. 11 and 12).

If needed, it is possible to adopt an individual educational plan in the cases of students who, due to social deprivation, developmental disabilities, other disabilities, learning difficulties, risk of early school leaving and other reasons, need additional support in education, as well as for students who achieve results that exceed expected level of educational achievement. Also, the institution provides the removal of physical and communication barriers according to the needs of certain students.

Law on Primary Education, Official Gazette of RS, no. 55/2013, 101/2017, 27/2018 and 10/2019, envisages, among the goals of primary education: providing a stimulating and safe environment for the overall development of students; developing non-violent behavior and establishing zero-tolerance policy for violence; developing a sense of solidarity, understanding and constructive cooperation with others and fostering camaraderie and friendship; development and respect for racial, national, cultural, linguistic, religious, gender, sex and age equality; development of tolerance and respect for diversity and of personal and national identity; development of awareness and sense of belonging to the Republic of Serbia; developing respect and nurture of Serbian language and native languages of national minorities; nurturing tradition and culture of the Serbian people and national minorities with the development of interculturality and developing respect and preservation of national and world cultural heritage (Art. 21).

Law on Secondary Education and Upbringing, Official Gazette of RS, no. 55/2013, 101/2017, 27/2018 and 6/2020, envisages that one of the goals of secondary education is to respect racial, national, cultural, linguistic, religious, gender, sex and age equality, and to develop tolerance and respect for diversity. (Art. 2).

Law on the Use of Sign Language, Official Gazette of RS, no. 38/2015, stipulates that deaf people have the right to use sign language, which includes the right to learn the language and the right to use the services of a sign language interpreter, whereby parents and elders of a deaf child, as well as all other persons, cannot prohibit a child to learn and use sign language (Art. 4). When it comes to the use of sign language in educational institutions, activities and programs could be conducted in sign language, while attending such a program is conditioned by the assessment on the need for additional support by appropriate interdepartmental commission (Art. 9).

Law on Pupil and Student Standards, Official Gazette of RS, no. 8/2010, 55/2013, 27/2018 and 10/2019, defines activities in the field of providing more accessible, efficient and quality education and upbringing for pupils and students. A high school student, among other things, has the right to: accommodation, food, educational work, student scholarships and additional activities such as cultural, artistic and non-formal education activities (Art. 3). In principle, all high school students from the territory of the Republic of Serbia can exercise their rights in the field of living standards, with the proviso that students belonging to vulnerable groups can exercise their rights under privileged conditions and in accordance with the law. The legislator defines students from vulnerable groups as students from economically deprived families, children without parental care, children belonging to Roma national minority, refugees, displaced persons and others (Article 4).

Law on Textbooks, Official Gazette of RS, no. 27/2018, defines the notion of textbooks, textbook sets, manuals and additional teaching aids. When it comes to the preparation, printing and distribution of textbooks, the Government decides on financing these activities, especially taking into account students coming from deprived settings, as well as students with disabilities. The legislator defines the term “low-circulation textbooks”, which include, among other things, textbooks in the languages and scripts of national minorities, as well as textbooks for special programs, such as programs for gifted students. Special funding rules apply to low-circulation textbooks. Textbooks and other resources should encourage equal opportunities and respect for diversity with their content and form (Art. 13).

Law on Adult Education, Official Gazette of RS, no. 55/2013, 88/2017, 27/2018 and 6/2020, envisages that adult education is part of the unique education system of the Republic of Serbia, which provides for the acquisition of competencies and qualifications necessary for personal and professional development, work and employment, or socially responsible behavior, in which adult education is realized as formal education, non-formal education and informal learning. One of the principles of adult education is the principle of equal opportunities, which includes inclusion in education regardless of age, gender, disability, developmental disabilities, racial, national and religious affiliation, sexual orientation and other personal characteristics.

Strategy for the Development of Education and Upbringing in the Republic of Serbia until 2030, Official Gazette of RS, no. 63/2021, builds on the strategy applied until 2020, as well as on the Strategy for the Prevention and Protection of Children from Violence for the period from 2020 to 2023. The new vision of the development of education in Serbia is based, among other things, on educational institutions that will build their own culture in which everyone is respected and cared for, as well as a culture of solidarity and mutual respect. The general goal is to provide quality education in order to realize full personal potential. Achievement of such a general goal implies setting a special goal in the form of improving teaching and learning. Improving teaching and learning, among other things, means reaffirming and strengthening the educational role of educational institutions that should also have an important public and cultural function:

The strategy states that the existing positive legal framework in the field of education is mostly harmonized with the relevant international anti-discrimination standards. Legislation in the field of education that has been adopted in recent years supports inclusive education by all means, not only when it comes to students with disabilities, but also for students who are at increased risk of exclusion from the system due to specific socio-economical conditions. However, this strategic document emphasizes that despite some progress, there is still no relevant data on the extent to which the goals of inclusive education have been achieved. It was noted that the appropriate level of inclusion has not been reached when it comes to people with disabilities and children with disabilities, so that the practice of forming special classes for these students is present even nowadays. Also, there is a lack of special measures for children who, due to social exclusion, do not use all the benefits of the educational process. Furthermore, the Strategy for the Development of Education in the Republic of Serbia until 2030 recognizes groups

that are at special risk of social exclusion and poverty and whose rights in the field of education should be especially guarded, so that among them are: children, pupils and students whose families have low socioeconomic status; members of the Roma national minority group, especially those living in disadvantage neighborhoods; persons with disabilities; residents of rural areas, especially residents of villages in border areas, etc.

It was noticed that a high number of children enrolled in primary education should be considered in the context of other data indicating that as many as 15% of children from Roma neighborhoods are outside primary education, and that Roma children most often drop out of schooling. Roma children continue to face discrimination and segregation and frequent enrollment in special schools, although modern science and international standards argue that educational neglect and material deprivation should not be the reason for enrollment in special schools. Schools attended exclusively by Roma children are still represented in the Serbian education system. It is worrying that the completion rate of secondary school in the general population is significantly higher than the rate for Roma. Inequalities are also present in the education of children with disabilities in relation to the education of the remaining student population.

The strategy emphasizes that individual discrimination is present in education in Serbia, as well as sexual harassment and homophobic behavior. Discriminatory and homophobic content is present in textbooks and teaching materials. There is a lack of content in teaching materials and textbooks that would encourage the nurturing of interculturality. Therefore, within the measures for improving programs in educational institutions, teaching and learning in pre-university education and upbringing, it is envisaged that textbooks should be adapted in order to be sensitive to gender equality and the specifics of different social groups, including vulnerable groups (without stereotypes, prejudices and discrimination). Also, activities to strengthen the capacity of employees in education should be aimed at fostering the principles of gender equality and non-discriminatory attitudes and behavior.

Strategy of scientific and technological development of the Republic of Serbia for the period from 2021 to 2025, “The Power of Knowledge”, is based on the assumption that Serbia will become a progressive and prosperous state if the fund of knowledge available to its people increases. The general goal of the strategy is a scientific-technological and innovation system that contributes to the accelerated development of Serbia through improving the quality and efficiency of science, technological development and innovation and to the further integration into the European Research Area, which contributes to reaching the standards of developed economies.

The document **Strategic Priorities for the Development of Culture from 2021 to 2025 - Cultural Policy, Challenges Today and in the Future Years**, adopted by the RS Government, identifies 20 priorities of cultural policy that require special attention. Policies in the world, Europe and the region are at a major turning point. One of the priority points is the preservation of cultural and historical heritage, bearing in mind that the preservation of national cultural heritage has a direct

impact on the adoption and nurturing of cultural and social values as a whole.

Rulebook on the protocol of actions in the institution in response to violence, abuse and neglect, Official Gazette of RS, no. 46/2019 and 104/2020, prescribes the content and methods of implementation of preventive and intervention activities, conditions and methods for risk assessment, methods of protection against violence, abuse and neglect, and monitoring the effects of measures and activities. The rulebook is to be applied in all sorts of institutions in the education system.

Rulebook on detailed criteria for recognizing forms of discrimination by an employee, child, student or third party in an educational institution, Official Gazette of RS, no. 22/2016, defines discrimination and discriminatory treatment in the educational context, while emphasizing that every participant in the education system has the right to be protected from discrimination. According to the Rulebook, discrimination and discriminatory treatment cover any unjustified discrimination, unequal treatment (exclusion, restriction or giving priority) or neglect, in relation to a person or groups of persons, as well as members of their families or relatives, in an open or covert manner, based on their personal characteristics.

Rulebook on the conduct of the institution in the case of suspicion or established discriminatory behavior and insult to the reputation or dignity of the person, Official Gazette of RS, no. 65/2018, defines the procedure to be applied in the institution when discriminatory behavior is suspected or established or when it is suspected or established that the reputation or dignity of a person has been insulted. The rulebook covers; ways of carrying out preventive and intervention activities; obligations and responsibilities of the child, student, adult, parent, or other legal representatives, employee, a third party in the institution, bodies of the institution and other issues. It is especially important that this bylaw also refers to segregation in the education system and that it defines preventive and interventional activities to combat this negative phenomenon.

Rulebook on performing community service and humanitarian work, Official Gazette of RS, no. 68/2018, defines community service and humanitarian work, which is determined for the student in parallel with the imposition of educational and educational-disciplinary measures. It is a work that includes activities which should nurture socially responsible behavior of students and which should help to restore the damage in the community.

Rulebook on quality standards of work of the institution, Official Gazette of RS – Education Gazette, no. 14/18, in the second part of the text which refers to the quality standards of school work in the field of quality number 4- Support to students – prescribes that the school has a support system for students from vulnerable groups, while in the field of quality number 5 – Ethos, it implies that adequate interpersonal relations are to be established at the school, measures and sanctions are to be consistently applied for discriminatory behavior, as well as the system of protection against violence should be functional.

Social protection

Different human rights are essentially intertwined nowadays, which implies that the establishment of a system in which cultural diversity is highly respected requires the realization of at least a minimal social rights.

The Law on Social Protection, Official Gazette of RS, no. 24/2011, defines the activities in the field of social protection, goals and principles on which the social protection system is based, as well as other issues essential for exercising the rights of users of social protection services. It should be emphasized that this law is based on a significantly different paradigm compared to previously valid regulations, given that the focus is on the service user who is seen as a bearer of potential for positive change and as a center towards which the entire social protection process is directed to. In a given system, the holder of a crucial role is the case manager, as an expert involved in the process of assessing and planning the necessary services, as well as an agent arranging access to necessary services. Social protection is defined as an organized activity of general interest, whose main goal is to provide assistance to achieve a productive and independent life, as well as to prevent and eliminate the consequences of social exclusion, in accordance with Art. 2. The right to social protection is exercised by every individual and family in need of help and support in overcoming life's difficulties and satisfying basic living needs, while the rights of the citizens are realized through social protection services and material support (Art. 4). Beneficiaries of social protection are citizens of Serbia, but they can also be foreign citizens and stateless persons, if it is in accordance with the law and relevant international agreements. Institutions that provide social protection cooperate closely with the education system, police, judiciary, health care system and all other sectors and institutions, primarily based on signing cooperation agreements.

The key institution in the social protection system is the center for social work, and next to it there are institutions for the education of children and youth, institutes for social protection and other entities. Funds for performing social protection activities come from the budget of Serbia, territorial autonomies and local self-government units, as well as from performing social protection activities. It should be emphasized that social care institutions, as well as social protection service providers, can be established with both public and private funds.

Among the principles on which social protection has based some principles especially stand out: the principle of respect for the integrity and dignity of beneficiaries, the principle of the best interests of beneficiaries and the principle of non-discrimination, Art. 24-32. The principle of accessibility and individualization of social protection implies that social protection services are provided in a way that implies their accessibility to users and also in a way that respects cultural and other differences, Art. 33.

The basic groups of beneficiaries of social protection are children and youth, under which entity the law recognizes minors and adults under 26 years of age. Children and young people may need social protection because they cannot meet their

basic needs within the family or they cannot overcome social exclusion, while the reasons for their difficult situation may include: lack of parental care or parents who are unable to meet their needs of young people; development issues; addiction and conflict with the law.

Social protection services are divided into: assessment and planning services, daily community services, independent living support services, counseling-therapeutic and social-educational services and accommodation services. In situations where the poverty and survival of the beneficiaries are endangered, emergency intervention services are also provided.

The administrative procedure needed for children and young people in order to exercise social rights is conducted exclusively by social work centers, which applies to all groups of users, whereby the centers with case managers decide on specific services that users will be catered to. The Center for Social Work issues referrals for the use of the social protection services, whereby the service is realized in the social protection institution or with the assistance of another authorized service provider. Depending on the circumstances of the specific case, the service will be financed from the budget or with partial or full coverage of costs by the service user or persons close to him.

In addition to using social protection services, children and young people can be beneficiaries of the right to material support. Material support includes financial social assistance, one-time financial assistance, training assistance and other types of material support. The right to financial social assistance can be exercised under certain conditions, while the basic condition refers to the fact that an individual or his family cannot satisfy their basic needs with their own income. A family in a state of social need is entitled to increased financial assistance if there are children under the age of 15 within the family, or if the family member is a young person under 26 and in regular schooling, since the law considers these two categories of persons incapable of work (Art. 85).

When it comes to children and young people, various social protection services, as well as the provision of material support, can be particularly important in preventing their social exclusion. Therefore, there is often talk about the need for cross-sectoral cooperation, so that with the cooperation of different services, children and young people would be able to realize their human rights and fulfill their personal potential.

The Law on Social Card, Official Gazette of RS, no 14/2021, defines the establishment and maintenance of the public register Social Card. This register records data on the users of social protection services and persons related to them, on the socio-economic status of these persons, as well as data related to the services and social protection rights used by these persons. The purpose of keeping such a register is, among other things, to improve the procedure for exercising the rights and services of social protection, equitable distribution of social services and insight into the effects of applied social policy measures, while the register is maintained by the competent ministry. Other data on members of vulnerable and socially vulnerable groups is also collected for the purposes of providing and planning assistance (Art. 6).

Law on Financial Support to Families with Children, Official Gazette of RS, no 113/2017, 50/2018, 46/2021, 51/2021 and 53/2021, contains provisions aimed at providing support to families with children, in order to enable exercise of the rights of the child and to provide support to parents in upbringing their children. Some of the rights that can be exercised in accordance with the provisions of the law are: the right to child allowance, the right to parental allowance, the right to funds for construction, participation in the purchase or purchase of a family building or apartment based on the birth of a child and one-time assistance for the birth of the second and third child. Families whose total income per member does not exceed the statutory threshold are entitled to the right to child allowance. The beneficiary of financial social assistance whose children attend school does not have to submit proof of financial status periodically, while the beneficiary whose child receives allowance for assistance and care of another person realizes the right to child allowance regardless of his income, in the sense of Art. 30.

Family Law, Official Gazette of RS, no 18/2005, 72/2011 and 6/2015, defines the property and personal family relations, as well as the status and rights of the child. Article 6 stipulates that everyone is obliged to be guided by the best interests of the child in every activity related to the child, while the state must take all measures to protect the child from neglect, abuse and exploitation. Children born outside marriage are completely equal to children born in marriage, while the same rules apply to the relationship between an adopted child and an adoptive parent as to the relationship between a child and a parent. When it comes to children without parental care, the state is obliged to provide them with family protection whenever possible.

The legislator has dedicated a special part of the text to the rights of the child. Thus, the child, among other things, has the right to be provided with the best possible conditions for proper and complete development, as well as the right to education in accordance with his wishes, preferences and abilities (Art. 62 and 63). Also, a child who is able to form an opinion has the right to express that opinion, as well as the right to be informed in a timely manner in order to form his/ her opinion. Due attention must be paid to the child's opinion, especially in the case of decisions related to the exercise of his rights, while a child who has reached 10 years of age may independently address the authorities to exercise the right to express an opinion (Art. 65). When it comes to foster care, it is based on the decision of the competent guardianship authority in order to protect the child's best interest. A child older than 10 years of age and capable of reasoning must agree with a foster care status, while foster parents should be persons who have passed the foster care preparation program (Art. 110-118).

The Law on Asylum and Temporary Protection, Official Gazette of the RS, no 24/2018, regulates the legal status of asylum seekers and persons granted asylum and temporary protection. Persons seeking or enjoying asylum and temporary protection shall not be discriminated against on the basis of any personal characteristics. The law provides special rights for minors who are asylum seekers or beneficiaries of asylum and temporary protection. Thus, the principle of protection of family is applied, so that based on it the authorities take all necessary measures to maintain the unity of the family of asylum seekers and other protected persons.

The law is applied in accordance with the principle of protection of the best interests of the minor, taking into account the welfare, social development and origin of the minor, his opinion depending on age and maturity, the principle of family unity, as well as the protection and safety of the minor. Special care is needed if there is a suspicion that a minor is a victim of human trafficking or a victim of domestic violence (Art. 10), while an unaccompanied minor is immediately assigned to a temporary guardian (Art. 12). Asylum seekers and users of asylum and temporary protection, as well as minors with their families, have the right to social assistance, health care and education. Under Art. 55 of the law, an asylum seeker is entitled to free primary and secondary education, in accordance with special regulations, while a minor asylum seeker is immediately provided with education services. It should be emphasized that users of asylum have the right to pre-school, primary, secondary and higher education under the same conditions as citizens of the Republic of Serbia, based on the regulations governing the field of education (Art. 64). According to Art. 71 Serbia is obliged to ensure the inclusion in the social, economic and cultural life of persons who have been granted the right to asylum. Persons who have been granted temporary protection (for a period of up to one year), which may occur in the event of a mass influx of displaced persons, are also eligible for free primary and secondary education in public schools (Article 76).

Strategy for the Development of Social Protection, Official Gazette of RS, no. 108/05, included activities in the social protection sector to be implemented until 2009, and its key objectives were: deinstitutionalization, decentralization and democratization of social protection services, improving social protection of the poorest citizens and developing the network of community services.

When it comes to social protection in Serbia at present time, the DRAFT Strategy of social protection in the Republic of Serbia for the period from 2019 to 2025 is currently available (initial version). The existing draft is in line with European values and good practices, bearing in mind the ongoing process of negotiations on Serbia's accession to the European Union.

The draft strategy states that the general social and demographic situation in Serbia is still characterized by a high emigration rate, intensive aging of the population and a high poverty rate. When it comes to the state of the social protection system, it was stated that the number of users of the social protection system is growing, while material support measures in the form of financial social assistance and child allowance are very common. About a third of children in Serbia receive a child allowance, with its amount in 2016 amounting to 2.660,00 dinars, while the increased child allowance amounted to 3.450,00 dinars. It is noticed that families with children are provided with fragmented and insufficiently coordinated support, while children who leave institutional accommodation are among the most vulnerable categories. Furthermore, when it comes to social protection services that are under the jurisdiction of local self-government units, it can be noticed that they are insufficiently represented and underdeveloped, with the most developed services being those for the elderly and for the children and youth with disabilities. Nevertheless, social care for elderly citizens is not at a satisfactory level.

It was stated that the social protection system has a significant role in providing educational support, especially for marginalized categories of the population, but that in this field the cooperation between educational institutions and the social welfare system is not sufficiently developed. There is an obvious lack of capacity and resources in social work/care centers that do not have an adequate number of skilled workers and are burdened with administrative work to the detriment of work with beneficiaries of social services.

One of the special goals of the Draft Strategy is the system of social protection which contributes to reducing social exclusion and encourages the active participation of citizens in society, with an emphasis on supporting families at risk and promoting gender and intergenerational solidarity. In that sense, the target values that should be reached by the end of 2025 are the increased share of funds of local self-government units in the provision of social protection services by 25%, and reduced rates of children and youth in institutional accommodation by at least 20%. Measures to be implemented to achieve these goals relate to the transformation of institutional accommodation capacity, primarily through their downsizing, while at the same time redirecting resources to satisfy social needs in the community, with a focus on protecting families and providing support for education.

Strategy for Social Inclusion of Roma Men and Roma Women in the Republic of Serbia for the period from 2016 to 2025, Official Gazette of RS, no. 26/2016, refers to the verified reports according to which the majority of Roma men and women face social exclusion and poverty, as well as open, and even more often, covert discrimination. The financial situation of Roma men and women is extremely difficult, so that according to relevant data, the share of users of social protection services in the Roma population is almost four times higher than in the total population in the Republic of Serbia. When it comes to education, children from the Roma community face numerous difficulties in exercising their rights to quality education, and are exposed to negative stereotypes and discrimination by educational institutions. Roma children are often not involved in the educational process, which has an extremely negative impact on their competitiveness in the labor market. It can be said that the Roma are in fact discriminated against in the exercise of all human rights, given that certain rights are intertwined, so that the strategy is aimed at improving the overall position of the Roma. The focus is on involving the Roma community in the process of defining and implementing measures, while eliminating discrimination. In this regard, the fact that scientific research on the issues of inclusion, life and customs, status and identity of Roma is insufficiently present in the social sciences and humanities in Serbia should be taken into account.

In order to improve the position of Roma, it is necessary to provide their equal access to the education system, but also to implement measures that will support the completion of the appropriate level of education by Roma students. It is indisputable that Roma students face discrimination in the education system, that they often do not have access to quality education and that they are unjustifiably enrolled in special schools. This is evidenced by the fact that the coverage of primary education in the general population is almost complete, while among the

Roma it is only 85%, with a significant number of students who do not complete primary education. Problems were noted regarding insufficient knowledge of the language in which teaching takes place, as well as insufficient support for learning the Romani language and the development of Romani cultural identity within formal education. Segregation of Roma is still present, so that despite some changes, there are cases of forming special Roma departments or entire Roma schools, especially within or near Roma neighborhoods. Segregated schools then face a lack of adequate teaching staff and inadequate curriculum quality. These phenomena naturally result in a lack of professional staff within the Roma population that could support the educational empowerment of Roma.

Having in mind the described situation, the general goal of the strategy is to improve the socio-economic position of the Roma national minority with full realization of minority rights, elimination of discrimination and achievement of greater social inclusion of Roma men and women in all segments of social life. One of the special goals is the inclusion of Roma children and youth in the education system, as well as the inclusion of young people and adults who have not been educated at all in a formal way. One of the measures to be implemented is the provision of additional social, economic and other support needed for inclusion in education, as well as, if necessary, the engagement of pedagogical assistants who would support the inclusion of Roma children in standard schools. In addition to the above, a number of measures and activities in the field of guaranteeing the right to housing and social protection are needed, in order for the Roma to truly become equal members of the community. In this regard, the workers of the centers for social work should develop culturally competent practices that would enable them to reach out to those citizens who actually need social protection services the most.

Within the Action Plan for the implementation of the Strategy for Social Inclusion of Roma Men and Women in the Republic of Serbia for the period from 2016 to 2025, one of the measures envisages the development of educational institutions as inclusive, intercultural, non-discriminatory and safe environment for Roma and all other children. development of an inclusive educational environment based on respect for diversity and promotion of equality, children's rights and human rights, while among the activities that should be implemented is the development of appropriate guidelines for anti-discrimination rules, and the removal of curricula that spread negative stereotypes about Roma, providing affirmative content about the Romani language, culture, history and traditions in the programs of various subjects, as well as elements of intercultural education.

The Strategy for Improving the Position of Persons with Disabilities in the Republic of Serbia for the Period from 2020 to 2024, Official Gazette of RS, no. 44/2020, and the accompanying Action Plan envisage that the main goal of implementing measures is to improve the overall social and economic position of persons with disabilities and to foster the realization of their full equality.

A person with a disability is defined as a person who has permanent physical, mental, intellectual or sensory difficulties that hinder the full realization of personal potential and participation in social processes. The strategy points out,

referring to the data from 2011, that as many as 8% of the population in Serbia are people with disabilities. Of particular concern is the fact that a significant number of people with disabilities continue to live in social care institutions, although the general trend is to force deinstitutionalization. Various stereotypes about the roles and characteristics of persons with disabilities are still present in the public, while an approach based on the “medical model of disability” is often present among professionals, although such an approach is known to be outdated. Particularly vulnerable categories are women with disabilities who may be discriminated against in multiple ways and also exposed to gender-based violence.

The vision the strategy is striving for is Serbia as an inclusive society in which persons with disabilities can exercise their rights on an equal basis and enjoy the freedoms guaranteed by national and international legal frameworks. The general goal of the strategy is to equalize the possibilities of persons with disabilities in relation to the possibilities of other citizens, and this is to be achieved through measures such as ensuring full accessibility of facilities, the inclusion of persons with disabilities in public life, providing measures to support community living instead of institutionalization, adequate and personalized support to include people with disabilities in an inclusive education system.

Strategy for Prevention and Control of HIV Infection and AIDS in the Republic of Serbia, 2018-2025, Official Gazette of RS, no. 61/2018, calls upon full exercise of the rights of persons infected with HIV, as well as to the eradication of their discrimination. The document states that Serbia is one of the countries with a low frequency of HIV infection, so that according to the data from 2017, there were about 3,100 infected people in the country, with an assumption that there is also around 3,100 people who are not aware of their HIV positive status. The vision of the strategy is Serbia as a country without new HIV infections and discrimination against people living with HIV and against key populations at risk of HIV. One of the specific goals is to reduce stigma and eliminate discrimination against people living with HIV, by implementing measures to improve the capacity to combat discrimination. It is necessary to implement activities in the form of training for professionals in various sectors, including the education and social protection sector, in order to raise their awareness of the need to fully realize the notion of human rights of people living with HIV.

Strategy for deinstitutionalization and development of social protection services in the community for the period 2022-2026, Official Gazette of RS, no. 12/2022 envisages the development of a network of community-based services, which will enable citizens to fulfill most of their needs at the local level and consequently reduce the number of citizens who in need of institutional accommodation services. The document is primarily aimed at people with mental disabilities, who are at the highest risk of institutionalization and social exclusion. The strategy emphasizes that it is indisputable that the number of children and young people in institutions has decreased in recent years, while the situation is not so favorable when it comes to adults.

The main problem that the strategy focuses on is the lack of services that are provided in the community, as well as the insufficient investment of funds at the local level in the organization and subsequent maintenance of such services.

Namely, the idea that came from the implementation of the previous strategy was to gradually transform institutions for accommodation into institutions that will provide accommodation services with only a minimal part of their capacity, while focusing on support services for families and children with disabilities and on respite services. At the same time, it would increase the number of users with social protection services provided in the community. However, such an idea was realized on a modest level, primarily due to inconsistencies in the financing of services at the local level. Hence, the new strategy envisages measures and activities to improve the system in terms of personnel and infrastructure.

The vision of the strategic document implies a society in which everyone lives in the community and has their needs met in the natural environment, while the general goal is to completely finalize the processes of deinstitutionalization and social inclusion. One of the special goals is to empower users for the deinstitutionalization process, but also to empower professionals and other actors to implement and advocate for the deinstitutionalization. Relevant trainings should be organized to develop skills and knowledge of professionals and their coworkers in the social protection system. All professionals should pass at least one accredited program in the field of deinstitutionalization, while both professionals and the general public are expected to manifest greater knowledge about the rights of people with intellectual disabilities at the end of the strategy period.

Strategy for Prevention and Protection against Discrimination for the period from 2022 to 2030, Official Gazette of RS, no. 12/2022, is based on the vision of the Republic of Serbia as an inclusive society, with zero tolerance for discrimination, in which all citizens, regardless of personal characteristics, have equal opportunities to enjoy all rights and freedoms. However, the strategy states that, despite the successes achieved in achieving the goals of the previous strategy, there is still a risk of social exclusion of many members of different marginalized groups. Unlike the previous strategy, which singled out groups at special risk of discrimination (national minorities, women, LGBT persons, persons with disabilities, elderly, children, refugees, internally displaced persons and migrants, religious minorities and people discriminated against due to health conditions), the current strategy deals with the analysis of the risk of discrimination in various areas of human rights. The following areas have been highlighted: public administration and the judiciary; defense, home affairs and security; education, vocational training and science; work and employment; social protection; housing; health care and sports, culture and media.

The change that needs to be achieved through the implementation of the strategy is to build an inclusive society that does not tolerate, but notices and respects differences, and in which each person can realize their full potential, feel accepted and participate equally in all areas of social life. The basis for building such a society is the elimination of stereotypes, harmful patterns and prejudices, the promotion of a culture of human rights and respect for every person regardless of personal characteristics that characterize him or her.

Rulebook on additional educational, health and social support for children, students and adults, Official Gazette of RS, no. 80/2018, regulates conditions for

assessing the need for providing additional educational, health and social support for children, students and adults, as well as the composition and modus operandi of the interdepartmental commission that values the need for additional support. Additional support includes rights, services and resources that provide the student with help for overcoming physical, communicational and social barriers within educational institutions and in the community. Support measures include the provision of additional resources and services to meet the educational, health and social needs of students with disabilities, but may also include the provision of support measures to overcome the language barrier for students whose native language is not spoken at school and also the application of other measures that are needed in a particular case.

Rulebook on conditions and standards for the provision of social protection services, Official Gazette of RS, no. 42/2013, 89/2018 and 73/2019, stipulates the minimum standards relating to the provision of all social protection services. Minimum standards include the minimum structural standards, which refer to the infrastructure, personnel and organization, and the minimum functional standards, which refer to the necessary traits and structure of professional procedures. There are some common minimum standards that apply to all services and to all groups of users and special minimum standards that can apply to a specific service and a specific group of users, taking into account the specifics of both services and groups of users. Common minimum structural standards address issues such as publicity of work, hygiene and working hours of the service provider, while common minimum functional standards relate to the reception of users, assessment of needs, development of staff competencies and other.

When it comes to providing daycare services, these services are available for: children and young people with physical disabilities; persons with intellectual disabilities, who need daycare and supervision as well as support in maintaining and developing their potential and children and young people in conflict with the law, parents, school or community (Art. 68). As for the purpose of the daycare services, it is reflected in improving the quality of life of users in their own social environment through maintaining and developing social and other functions and skills, in order to enable them to live as independently as possible. Development needs of users are being met through the daycare service, so that they acquire and develop life skills, personal and social responsibility, as well as develop other functions (Art. 69).

Among other services, some users can have access to the shelter service, which is founded for children, young people, adults and the elderly who live or work on the street and who voluntarily request or agree to this service. The purpose of the shelter service is to provide temporary or occasional interventions and to meet the current needs of users, as well as to mediate in ensuring the availability of other services in the community (Art. 78).

Rulebook on professional affairs in social protection, Official Gazette of RS, no. 1/2012, stipulates that the basic professional activities in social protection are giving information, assessment, planning, mediation and advocacy in the exercise of rights for users, guidance, socio-educational activities, implementation of protective

measures and monitoring the effects of services and measures in direct work with the user. A professional worker can be by education: social worker, psychologist, pedagogue, andragogue, special educator and special pedagogue, who has a license to perform basic tasks in social protection. Specialized social protection activities include: individual and group counseling and family therapy, mediation, implementation of accredited programs of intensive family support services, accredited socio-educational programs and accredited treatment programs (Art. 6), while these activities can be performed by professionals who have acquired knowledge, skills and a license to perform a specific specialized task.

Rulebook on prohibited actions of employees in social protection system, Official Gazette of RS, no. 8/2012 emphasizes that physical, emotional and any other abuse and neglect of users of social services is strictly prohibited. It was pointed out that discrimination based on nationality, ethnicity, cultural and linguistic differences, religious, gender, socio-economic differences and differences due to disability and sexual orientation or other personal characteristics is considered a form of abuse. In the case of abuse and neglect of the minor, the Protocol on the Protection of the Child from Abuse and Neglect must be applied.

Youth work

Law on Youth, Official Gazette of RS, no. 50/2011, regulates the principle of equality and non-discrimination of young people, stating that all young people are equal, and that any discrimination, direct or indirect, or unequal treatment of young people is prohibited, especially if it is based on race, sex, nationality, religious beliefs, language, social origin, economic status, membership in political parties, unions and other organizations, mental or physical disability, health status, physical appearance, sexual orientation, gender identity and other real or presumed personal characteristics. The law stipulates that youth policy includes measures and activities of state bodies, institutions, associations and other entities aimed at improving the position of youth, while the youth sector includes all areas in which youth activities are performed, which are defined by the general goals of the National Youth Strategy.

All persons who are over 15 and under 30 years of age are considered young people. Youth work covers all sorts of youth activities that are organized with young people and for young people based on non-formal education. Youth activities take place within the free time of young people and are organized to improve the conditions for personal and social development of young people in accordance with their needs and abilities and with their voluntary participation.

Non-formal education for young people is a set of organized and youth-friendly educational activities that are not provided for in the formal education system. Non-formal education activities are based on the needs and interests of young people, and the principles of voluntary and active participation of young people in the learning process and the promotion of democratic values, so that young people acquire competencies necessary for personal development, active participation in society and better employability.

The basic principles in working with young people are: the principle of support for young people, the principle of equality and non-discrimination, the principle of equal opportunities, the principle of raising awareness of the importance of young people and their social role, the principle of active youth participation and the principle of responsibility and solidarity.

When it comes to conceiving and implementing policies in the youth sector, the Government, at the proposal of the relevant ministry, establishes the Youth Council as an advisory body that encourages and coordinates activities related to the development and implementation and of youth policy and proposes measures for its improvement. The Youth Council consists of representatives of state administration bodies whose areas of interest are youth and representatives of the provincial administration body responsible for youth issues, associations and federations, youth offices, as well as a joint representative of national councils of national minorities and distinguished experts. At least one-third of the members of the Youth Council are representatives of young people from the ranks of associations and federations.

The Provincial Youth Council, the Youth Council of Local Self-Government Units, the Youth Office and the Youth Agency can also be established, all in the spirit of mobilizing young people to participate in political life, both in terms of issues directly related to them and in matters of general social interest.

National Youth Strategy for the period from 2015 to 2025, Official Gazette of RS, no. 22/2015, envisages the principle of respect for human and minority rights, equality and non-discrimination as one of the key principles on which the implementation of youth policies is based on. Strategy is oriented towards improving the social position of young people and creating conditions for exercising the rights and interests of this population in all areas, The strategy stipulates that the term "young" covers all persons aged from 15 to 30 and emphasizes that all young people are equal, so that they should enjoy the same position and equal legal protection regardless of personal characteristics. The analysis of the current situation in the youth field indicates the need to strengthen the capacity of the ministry responsible for youth and sports, as well as the need to build local infrastructure to support youth. There is a need for a more transparent decision-making process with timely information for young people and the need for greater youth strategic activities, which is especially true for young members of vulnerable social groups. Among the strategic goals defined by the strategy some goals are: capacity building for youth qualifications and competencies, active participation of young men and women in society, support for social inclusion of young people at risk of social exclusion and youth participation in creating cultural content.

When it comes to youth education, it is emphasized that in addition to acquiring qualifications, the basic goal of education is to collect quality knowledge and build skills and attitudes for personal achievement and development, inclusion and employment. In addition to formal education for young people, increasing the capacity for non-formal education is extremely important. The number of non-formal education programs should be increased and also it is necessary to formally recognize the competencies acquired through youth work. Experience

indicates that the competencies acquired through non-formal education are those that have a positive effect on finding employment, as well as that the level of development of competencies is significantly influenced by the length of participation and frequency of participation in non-formal education programs. The strategy notes that the activities should be aimed at strengthening the competencies of members of marginalized groups, such as Roma, but that the development of competencies of talented young people should also be supported, which is already done to some extent through the support provided by the Fund for Young Talents.

Encouraging volunteerism is also important, both in society as a whole and especially among young people. In the spirit of encouraging volunteerism, the strategy suggests the implementation of activities such as: supporting the inclusion of young volunteers in short-term and long-term volunteer programs; encouraging educational, cultural and sports institutions to recognize and support youth volunteering and establishing a system for recognizing skills acquired through volunteering.

The social inclusion of young people should also be encouraged, especially bearing in mind that young people are at very high risk of poverty. The enjoyment of social protection services by young people is greatly influenced by the fact that they are not seen as a separate social group, bearing in mind that social regulations recognize young people between 18 and 26 years of age, while according to categories from the census young people are those that are less than 29 years old. In addition, there is a significant number of young people from vulnerable groups within the youth population, such as LGBTI people and Roma, so their age and marginalization should be taken into account when meeting their needs. When it comes to social protection, it is extremely important to increase the number of local social services for children and youth, given that mostly only daycare services for children and youth with disabilities have been developed so far.

Strategy for Prevention and Protection of Children from Violence for the Period from 2020 to 2023, Official Gazette of RS, no. 80/2020, is based on the postulate that the prevention and suppression of violence against children and the protection of children from violence are among the crucial priorities of the national policy of Serbia. It is further stated that 1.263.128 children live in Serbia, which represents 21% of the total population of the country, and that various types of abuse and neglect of children are unfortunately widely represented. Thus, violence against children is manifested in the family, as well as in educational institutions, communities, social institutions and the digital sphere. The strategy defines 11 key priorities on which the policy of treatment of children should be based, whereby children must not be exposed to any kind of discrimination concerning origin, family status, language, gender or any personal characteristics. Some of the mentioned priorities are: to support the family in order to develop parental competencies, develop prevention services for children, direct support and protection of children from vulnerable groups (such as children with disabilities and children in conflict with the law) and encourage deinstitutionalization with a better system of supervising the remaining institutions for the accommodation of children. One of the special goals of the

strategy is to change attitudes towards violence against children, in which sense measures and activities are taken to strengthen the competencies of those who work with children, but also measures and activities are taken to sensitize wider public in order to understand the phenomenon of violence against children.

Current national legislation on diversity in Italy

Eleonora Di Liberto, Giulia Messina

An analysis of the state of the policy framework for social inclusion in Italy in the fields of social welfare, education and youth work from the constitution to laws and strategies.

I – Italian Constitution

The Constitution of the Italian Republic provides 4 articles about education, social welfare and youth work.

1.1. Education

In Italy, Constitution provides Education for everyone, without any discrimination. The 34th article of the Italian Constitution is a symbol of the openness of education to everyone. It says: "Schools are open to all. Lower education, given for at least eight years, is compulsory and free. Those students capable and deserving, even if without financial means, have the right to reach the highest levels of studies. The Republic makes this right effective with scholarships, family allowances and other benefits, which must be awarded by competition."

First of all, in Italy education is a duty, because culture is a fundamental value for the intellectual growth of individuals and for the development of society. The 34th article is about the right to education, in continuity with Article 33. It starts from a principle of extreme social importance, in line with the provisions of the Charter of Fundamental Rights of the Union European: the fact that the school is free and open to all. It does not discriminate in terms of financial means or learning ability, the right to study is also recognized for students with disabilities for whom personalised educational plans with support teachers are provided. Also, for migrant students, in addition to courses for learning the Italian language, a specific cultural mediation is provided. The education system in Italy is organised according to the subsidiary principle and autonomy of schools (33rd article). The State has exclusive competence on general issues on education, on minimum standards to be guaranteed throughout the country and on the fundamental principles that Regions should comply within their competences. Regions have exclusive competence on vocational education and training. Schools are autonomous as for didactic, organisation and research and development activities.

1.2. Social welfare

About Social Welfare (called as Previdenza sociale), the 3rd article of Italian Constitution says: "It is a duty of the Republic to remove any obstacles that

constrain freedom and equality of citizens to assure the full development of the human person". Article 3 should be divided into two parts: the first part it is recognized equality in a formal sense ("All citizens have equal social dignity and are equal before the law, without distinction of sex, race, language, religion, political opinions, personal and social conditions") while 2nd paragraph establishes equality in a concrete way (" It is the duty of the Republic to remove the obstacles of an economic and social and the equality of citizens, prevent the full development of the human person ").

A formal equality means that people are on the same level: everyone is equal before the law and must respond to it without any diverse treatment dictated by a particular social background, culture, or gender. And for this reason, Italy has a duty in that sense: to remove obstacles in self-realisation of its citizens. As far as substantial equality is concerned, it can be summarised in this way: each individual has the possibility of realising his own life without any kind of obstacle related with social background or with other types of particular constraints. This means that, with the right commitment and a good dose of luck, even a humble person can become wealthy.

1.3. Youth work

About youth work there is nothing very specific in Italy, above all in the Italian Constitution. Otherwise, it is guaranteed a form of protection by the State. About this topic, the 31st article says: "(The State) protects motherhood, childhood and youth, promoting the institutions necessary for this purpose". The legislation, inspired by the 31st article, provides for a series of measures for the creation of structures and bodies aimed at promoting policies in support of children and young people, for example in the fields of culture, sport and education. The protection of youth is provided also in the workplace, with the various support for recruitment provided for by law in favour of young people (for whom, some forms of social security relief are often provided). So, the laws that facilitate the employment of young people are due to the Constitution itself, which protects youth the most. On the other hand, the 117th article says that issues relating to young people are governed by concurrent legislation. Therefore, the legislative power about youth policies is attributed both to the central government and to the regions and autonomous provinces; the determination of the fundamental principles is instead reserved to the law of the State. It means, there are fundamental topics like social welfare or protection of motherhood, children and youth, which are under the protection of the government of Italy.

II - Italian legislation (laws and strategies)

2.1. Education

The education system in Italy is organised according to the subsidiary principle and autonomy of schools.

The State has exclusive competence on general issues on education, on minimum standards to be guaranteed throughout the country and on the fundamental principles that Regions should comply within their competences. Regions have exclusive competence on vocational education and training. Schools are autonomous as for didactic, organisation and research and development activities. Education is compulsory for 10 years, from 6 to 16 years of age, and covers the eight-year first cycle of education (5 years of primary school and 3 years of lower secondary school) and the first two years of the second cycle (DM 139/2007). However, all students have the formal right to continue their studies via general or vocational pathways until the age of 18/19, including students with disabilities.

Educational provision is granted for students with disabilities in all phases of education, even after compulsory school. Every child from 0 to 3 years of age is entitled to go to the crèche (day nursery) along with all the other children; these facilities are directly dependent on the local Council, which draws up proper regulations for their functioning, and disabled children have priority for admission lists. Law 104/92 provides for the presence of support teachers in all schools. The number of hours spent with the child by the support teacher is based on the Functional Dynamic Profile and is therefore appropriate to the child's needs.

The teacher is assigned to the whole class and collaborates with other teachers to improve the inclusion of the disabled child, who is part of the class as well and to whom all teachers must relate. Often Assistant/educator for inclusion and communication and the assistant for personal hygiene at school and for afternoon home assistance is provided by the Municipality. Most assistants have university degrees. While the specialised support teacher is co-titular in the classroom and therefore responsible for the whole class, the assistant ad personam is a support measure allocated to the student with disabilities only. Where there is a disabled student, it has been established that there cannot be more than 20 pupils in the first classes of the respective cycles. Free transportation to and from school is provided by the Municipality. Specific didactic material is supplied mainly by the Municipalities and partly by the school administration. As regards university, Law 104/92 provides that disabled students with the legal qualifications may negotiate syllabuses and examination modalities with the professors. According to Act 17/99 every university should have a professor in charge of the reception of disabled students and there must be "tutors" (undergraduate students). The University should guarantee the elimination of architectural barriers and there should be assistants to support the mobility.

It is necessary to submit a document attesting the degree of disability at the time when the child is enrolled; this also has to show a functional diagnosis which singles out the areas of the child's functional potential, as well as verifying the kind of disability and its seriousness. The functional diagnosis is written by the team of doctors of the local public health unit.

The Presidential Decree dated on 19.5.2006 states that the Medical Commission in charge for delivering the certificate of disability must refer to the International Indicators OMS – ICF.

From 2017 (Legislative Decree 66/2017 - ART. 16) Educational institutions, in collaboration with the regional school office, local authorities and local health cooperatives can provide home education to guarantee the right education for students whom it is ascertained that it is impossible to attend school for a period of not less than thirty days of lessons, even if not continuous, a cause of serious certified pathologies, also through projects that can make use of the use of new technologies.

As for the phenomenon of recent migration, it was important to answer to new needs in education, through the law 47 of 2017, educational institutions of all types and levels and the educational institutions accredited by the regions and autonomous provinces of Trento and Bolzano activate measures to facilitate the fulfilment of compulsory education and training for unaccompanied foreign minors, also through the preparation of specific projects that involve, where possible, the use or coordination of cultural mediators, as well as agreements aimed at promoting specific apprenticeship programs. Schools have to follow the "Guidelines for the right to education of minors outside the family of origin", that means: "To guarantee the right to study of this type of pupils, it is necessary to allow enrolment and placement in school at any time of the year, even after the deadline has expired and by submitting the enrolment application directly to the chosen school, without having to use the online registration platform." Everyone has the right to study, it is written in Italian constitution and implemented by different laws and strategies: a Ministerial Circular 2 of 8 January 2010 - about integration of pupils with non-Italian citizenship attributes the responsibility of integration and inclusion to the schools through network of schools, diversified educational offer, quality projects for the schools at risk to attract the native students, strengthening of the extra-curricular activities to facilitate the social inclusion of the new-comers. Inclusion of refugees and also of people with special needs: the "Hosting protocol"/ Protocollo di accoglienza is an operational document which is proposed as a guide information for teachers, school staff and parents, functional to the reception and inclusion of pupils with Special Educational Needs.

Education is an important field, and it is valuable to be part of the 4th mission of the Italian recovery plan. State wants to promote reforms and investments to reduce the structural deficiencies of the Italian education system. It includes kindergartens, childcare services, increasing basic skills, tackling early school leaving and educational poverty, active guidance in the school-university transition, extension of full time and canteens and the strengthening of sports infrastructures at school, scholarships for university access, student accommodation and extension of the number of research doctorates.

2.2. Social welfare

In 1992 the Italian Parliament approved the Disabled Persons Bill (L.104/92), it represent the main frame for all disability issues: it guarantees people with disabilities and their families the ownership of specific rights; it provides assistance; it states the full integration and the adoption of prevention measures and functional recovery; it ensures social, economic and legal protection, creating the premises and conditions for full affirmation of civil rights and participation

in the social life (family, school, work, leisure time) of disabled people. It states the principle of inclusion - in any public service and in any funding - as a right of people with disabilities. It contains dispositions about:

- ◆ interventions for prevention and early diagnosis;
- ◆ care and rehabilitation;
- ◆ services for social integration;
- ◆ labour inclusion;
- ◆ personal support provided by the local authorities;
- ◆ daily centres and rehabilitation centres;
- ◆ adapting Public and Private buildings and equipment enabling the removal of any barriers (architectural and sensorial);
- ◆ transport: Local Authorities are required to provide free transport for people with disabilities - in particular, Local Boards have to provide the daily transport of people with disabilities to schools and education and health centres and sport and leisure time centres during the day (according to their budget);
- ◆ work permits for carers to assist their relatives with disability;
- ◆ education and school life.

Work placement and economic autonomy are absolutely very important factors for social integration of people with disabilities. The Italian law has had a significant development in that field, in fact the 68/99 Act "Norme per il diritto al lavoro dei disabili" (law for right of working disable people), promotes work placement and work integration of disabled people by supporting services and aimed employment. The principle of aimed employment foresees that the placement of the disabled person respects the working capacities of the workers without penalising the expectations of the employing company. In other words, the company has to charge the disable person with a necessary job and at the same time suitable for his capacities and adapted to his needs (through support aids if necessary) in order that the engagement will result fruitful for each other. The accommodation of disabled persons in a job is decided by a medical commission of the local ASP (Provincial Sanitary Agency).

This commission has the following tasks: to formulate a functional diagnosis in order to determine the whole ability of disabled persons i.e. to specify the grade and quality of his/her impairments and the type of this; to propose the lines to facilitate his/her accommodation in a job. The commission will precisè the position of disabled persons inside his/her environment, attitudes, family relations, taking into account the school's degree and the work already effected in order to create a detailed schedule of the work potential of the person with disability. The system for the aimed working placement is focused on people in working age with physical, psychic, sensorial, intellectual and relational disabilities, furthermore to the people with civil disability, up of 45%, working disability up of 33%, total blindness o with blindness a residual of no more than one tenth in both eyes with a correction, deafness at birth or before the speaking learning, war disability, civil disability of war and disability for service. Compulsory employment quota system.

Based on the size of the workforce, both private and public sector employers are required to hire a certain percentage of disabled workers:

- ◆ Employers with more than 50 employees must meet a 7% disability employment quota;
- ◆ At least two disabled workers must be hired in workplaces with 36 to 50 employees;
- ◆ Workplaces of 15 to 35 employees must hire at least one disabled worker if they operate a new intake.

The 68/99 Act foresees an incentive for the enterprises which conform their behaviour to the law: exempting the companies from social security taxes up to 100% and up to eight years proportionally to the disability of the workers to be employed; partially reimbursing the expenses for the adaptation of the work environment; financing activities aimed to support work placement of invalids. Law 68/99 established the creation of lists for employment.

On 10 October 2002 the President of the Italian Republic promulgated a Regulation n. 333 to implement the law 1999, which contains a further specification of people having the right to be enclosed into the special lists for the compulsory assumption, the duty to reserved parts, the exceptions to such duties and the suspension from them, the way to enrol people. The principle indicated in that act regards the so-called nominative assumptions that means that the public and private employers have the possibility to choose inside of the lists the Disabled Person who has more ability to effect a certain work and to call this person. Italian legislation pays special attention to the cooperative enterprises which are divided in two categories in conformity with art. 1 of Law 8 November 1991 n. 381: category A - finalised to the management of social-sanitary and educational services; category B - with the aim to give job opportunities to disabled persons.

Most type B social cooperatives have been established to provide temporary employment for disabled people and subsequently ensure they are hired by standard companies. However, although the main objective of such cooperatives is to find outside work for disabled people, they may also employ them permanently within their own co-operative or find jobs in other cooperatives when workers are unable to find other employment.

Another important law in the field of inclusion is the Law 180/78, the reform of the psychiatric system in Italy: it contained directives for the closing down of all psychiatric hospitals and led to their gradual replacement with a whole range of community-based service. This law is a revolutionary measure regarding mental health and it that all health treatments are voluntary (except in a few cases). After this law, all the asylums were closed, and the concept of mental rehabilitation was revised: no more restraints and the promotion of inclusion and integration of people with mental health problems in society. It gave dignity to psychiatric patients removing barriers and bad terminology regarding mental health and protection for people with mental health issues.

About the provision of social services, in general there is the trend to decentralise

it, at first through the Law 381/91 which recognized and defined the role of social co-operatives, non-profit organisations to deliver social services, by agreement with municipalities, able to produce wider benefits for the local community and its citizens, especially if these citizens are disadvantaged. This process had its maximum expression with Law 328/00, that aims to refine "Integrated system of interventions and social services"; it is a welfare reform to develop "local welfare" and an integrated system of social services introducing the use of Local Social Plans, based on the principles of subsidiarity, co-operation and services integration, and the individual project of life that families can request and agree with Municipalities in order to realise a full integration "within the family and social life".

Non-discrimination in speech, acts and work is ensured by the law n. 205/93, which sanctions and condemns phrases, gestures, actions and slogans with the purpose of inciting hatred, incitement to violence, discrimination and violence on racial, ethnic, religious or national grounds, and by the legislative decrees 215 and 216 - 2003, introduced according to European directives of 2000 - the States develops and implements new possibilities about the equal treatment of races, religions, disabilities and sexual orientation and the European objectives of promotion of gender equality from the point of view of economic independence, remuneration for equal work performed and participation in decisions. Legislative Decree 215/2003 is thus applicable to discrimination on the grounds of race and ethnic origin in all the fields mentioned in Directive 2000/43/EC, while Decree 216/2003 applies within the field of employment to discrimination based on religion and belief, sexual orientation, disability and age.

Equality means equality in any field, for these reason in 2006 the Law 76 ruled LGBT civil marriage in Italy and the rights for homosexual people connected to marriage.

As regards the topic of gender equality in our country is not governed by the State but in our Recovery Plan (1st Mission), it is suggested as a strategy for the years 2021-2026, to encourage female participation in the labour market, directly or indirectly, and to correct the asymmetries that hinder equal opportunities from school age. It aims to promote equality, although there are no specifically gender-specific measures. Among other things, the mission provides for the adoption of new recruitment mechanisms and the revision of those to identify managers, in order to neutralize discrimination and bring out merit in a path that often penalizes women. The measures dedicated to agile work and connectivity are designed to encourage a better balance between professional and private life, for the benefit of those (much more often women) who are forced to choose between work and family. From a technical and technological point of view, the allocations provided for the ultra-broadband are designed to support entrepreneurship, including those run by women. In the 4th Mission of Recovery Plan there is the promise to increase in employment and inclusion prospects with respect to marginal situations: through the strengthening of Employment Centres, the creation of women's businesses, the universal civil service for young people between 18 and 28 and the so-called "dual system" which, in line with what we saw in mission 4, sets itself the task of linking training and the labour market using an on-the-job learning approach.

2.3 Youth work

At a national level a framework law on young people hasn't been approved yet, among the 20 Italian regions, 16 have their own legislation on youth policies.

Nevertheless, Italy has its own National Youth Strategy: each year the national government establishes the priorities of policies for young people, after consultation with the Regions and other competent local authorities. The Department for Youth Policy and Universal Civil Service (DPGSCU) manages the Annual Fund for Youth Policy, which aims to promote the rights of young people and support the annual strategy, through calls for proposals by youth organisations and civil society organisations. From 2006 the fund for youth policy is being funding initiatives to promote:

- ◆ **Non formal and informal education***
- ◆ **Young people access to the job market**, including the creation of start-ups and youth entrepreneurship
- ◆ **Social inclusion** and specific measures to reach the disadvantaged groups of young people
- ◆ **Youth participation** and rights
- ◆ Cultural activities, talent development
- ◆ **Prevention and contrast of addictions**
- ◆ Volunteering and access to European programmes and projects

*In bold are the national political priorities for the field of youth.

...

The above analysis underlines how the Italian constitution states the formal equality of all the citizens and the duty of the government to remove obstacles in self-realisation of its citizens, as well as it provides Education for everyone, without any discrimination. In both the fields of social welfare and education the measures for the inclusion of people with disabilities are the ones more structured and detailed, able to provide a comprehensive framework of measures and rights both to the beneficiaries of the laws and to the service providers. That, in spite of the fact that the laws related to the inclusion of people with disability are very old (the one about the inclusion of people with disabilities in the labour market has been approved in 1968, the one about the inclusion of people with disability is from 1992); if these laws were futuristic in the years they have been drafted, they really need to be revised now, most of all about the definition of disability they are based on, as a physical, psychological, sensory impairment. As regards the measures addressing non-discrimination, they appear fragmented and too general in terms of concrete application: for example, the legislative decrees 215 and 216 - 2003 refer to the duty for the employer to provide a "reasonable accommodation" but they do not give a definition of reasonable accommodation nor any sort of guidance to employers on how to respect this duty, but simply compels employers to make provision for reasonable accommodation. This together with the lack of provision of funds to be allocated to the cause of fostering non-discrimination, makes the application of the law's provisions harder to be realised.

However, the field of education is the one more exhaustively covered and protected by the Italian legislation and protocols with specific measures both for the inclusion of pupils with disability and foreigner students and with concrete measures to ensure education for all.

The field of youth work is not even covered in the national framework of laws and the youth policies are regulated by regional laws but only in the 80% of the regions. The national strategy for youth together with a national programme of paid traineeship (Garanzia Giovani) and some tax relief for those who employ under 35 with a permanent contract are the main elements of the national provisions for young people in Italy. It seems that Diversity revolution in Italy still needs to define its strategy.

Current national legislation on diversity in Slovenia

Tea Radojković, Anja Palčič

The Constitution

Article 14 (Equality before the Law) – In Slovenia everyone shall be guaranteed equal human rights and fundamental freedoms irrespective of national origin, race, sex, language, religion, political, or other conviction, material standing, birth, education, social status, disability, or any other personal circumstance. All are equal before the law.

Article 52 (Rights of Disabled Persons) – Disabled persons shall be guaranteed protection and work-training in accordance with the law. Physically or mentally handicapped children and other severely disabled persons have the right to education and training for an active life in society. The education and training referred to in the preceding paragraph shall be financed from public funds.

Article 57 (Education and Schooling) – Freedom of education shall be guaranteed. Primary education is compulsory and shall be financed from public funds. The state shall create the opportunities for citizens to obtain a proper education.

Article 64 (Special Rights of the Autochthonous Italian and Hungarian National Communities in Slovenia) – The autochthonous Italian and Hungarian national communities and their members shall be guaranteed the right to use their national symbols freely and, in order to preserve their national identity, the right to establish organisations and develop economic, cultural, scientific, and research activities, as well as activities in the field of public media and publishing. In accordance with laws, these two national communities and their members have the right to education and schooling in their own languages, as well as the right to establish and develop such education and schooling. The geographic areas in which bilingual schools are compulsory shall be established by law. These national communities and their members shall be guaranteed the right to foster relations with their nations of origin and their respective countries. The state shall provide material and moral support for the exercise of these rights. In order to exercise their rights, the members of these communities shall establish their own self-governing communities in the geographic areas where they live. On the proposal of these self-governing national communities, the state may authorise them to perform certain functions under national jurisdiction, and shall provide funds for the performing of such functions. The two national communities shall be directly represented in representative bodies of local self-government and in the National Assembly. The position of the Italian and Hungarian national communities and the manner in which their rights are exercised in the geographic areas where they live, the obligations of the self-governing local communities for the exercise of

these rights, and those rights which the members of these national communities exercise also outside these areas, shall all be regulated by law. The rights of both national communities and their members shall be guaranteed irrespective of the number of members of these communities. Laws, regulations, and other general acts that concern the exercise of the constitutionally provided rights and the position of the national communities exclusively, may not be adopted without the consent of representatives of these national communities.

Article 65 (Status and Special Rights of the Romany Community in Slovenia) – The status and special rights of the Romany community living in Slovenia shall be regulated by law.

Education

In the Basic school act, article 2a (Safe and Supportive Learning Environment) it is pointed out that kindergartens, schools and other institutions for education of SEN children shall in line with the goals of the previous article, guarantee a safe and supportive learning environment wherein physical punishment of children and of any kind of violence against and among children, as well as discrimination on the grounds of gender, sexual orientation, social and cultural background, religion, race, ethnic and national origin, physical and mental development shall be disallowed.

In the Placement of children with special needs act, article 3 (Application of regulations on education) it is indicated that education of children with special needs shall be carried out in accordance with this Act and the regulations governing the field of pre-school education, basic school education, vocational and technical education and general upper-secondary education (hereinafter: regulations in the field of education). In article 9 (Implementation of additional professional assistance) it is pointed out that: (1) Additional professional assistance shall be provided individually or in a group, inside or outside the classroom, in educational or social protection institution.; (2) Where it is not possible to provide additional professional assistance in accordance with the preceding paragraph, additional professional assistance may also be offered to the child at home. As a rule, additional professional assistance shall be provided on a weekly basis. If professionally substantiated, additional professional assistance may also be offered in an abridged and periodical manner under conditions determined by the minister responsible for education (hereinafter: the minister).; (3) The total number of hours of additional professional assistance shall not exceed five hours per week, of which at least one hour of counselling services shall be provided. For blind and partially sighted children or children with multiple disorders as referred to in Article 2 of this Act, a greater number of hours for overcoming deficiencies may be determined, but for no more than three hours more per week, as a rule during the first educational period.; (4) The scope and manner of providing additional professional assistance shall be determined by a special educational needs guidance decision pursuant to the rules adopted by the minister, while the manner of providing additional assistance shall be defined in detail by the individualised education programme (hereinafter: individualised programme).;

(5) Pre-school children shall be entitled to the counselling service as additional professional assistance prior to the institution of the placement procedure, up to a maximum of two hours per month on a doctor's proposal. In article 10 (Material conditions and physical assistance) it is singled out: (1) The premises and devices for children with special needs who have been placed in programmes for pre-school children and education programmes with adapted implementation and additional professional assistance, or in adapted programmes and a special programme for children with moderate, severe and profound intellectual impairment, must be adapted in accordance with the instructions for the adapted implementation of the programmes and in accordance with the adapted programmes adopted or determined by the competent council of experts.; (2) The devices indispensable for the inclusion of children with special needs in an education programme shall be provided by the founder of the public institution if not provided on the basis of other regulations, and if for objective reasons the child is unable to use one and the same device both at home and in the educational institution. Children with motor disabilities are entitled to special aids in accordance with the regulations governing health insurance; devices that are intended for use in children's domestic environment are not required to be brought to the educational institution (balls, rollers, stools, stands) on a daily basis.; (3) A permanent or temporary attendant for the provision of physical assistance during schooling may be granted to children who have severe and profound impairments in motor skills and to blind children who have been placed in education programmes with adapted implementation and additional professional assistance.; (4) Children with a long-term illness, partially sighted children or children with visual impairment, children with autistic disorders and children with emotional and behavioural disorders may exceptionally be granted a temporary attendant on the basis of the criteria determined by the minister.

Integration of migrant children into the Slovenian education system

The **Strategy** (2007) states that as specified by educational law children of foreign citizens residing in the Republic of Slovenia are entitled to integration into the basic or upper secondary school under the same conditions as children of Slovenian citizens. Citizens of other EU member states, Slovenian nationals without Slovenian citizenship and refugees can pursue education under the same conditions as Slovenian citizens, while such rights of other foreign citizens are based on the principle of reciprocity (on the basis of international treaties the minister responsible for education allocates the number of vacancies for such upper secondary students). The Kindergarten Act does not refer to children of foreign citizens particularly, however, it states explicitly that pre-school education is based on the principle of equal opportunities for both children and parents with due consideration of diversity among children and their right of choice and right to be different.

Alongside the focus on newly-arrived migrant children, the Guidelines (2012) further specify that: "the Guidelines advocate the inclusive approach to integration of migrant children, basic school and upper secondary students or second and

third generation migrant children whose parents moved from abroad at the time of their integration into the education system, and give an incentive to setting up conditions for successful learning for all participants regardless of differences in their psycho-physical abilities, language, their family's socio-economic status, if any, as so forth".

The Ministry of Education, Science and Sport has been funding Slovenian language learning support lessons at basic schools with migrant children attending school in Slovenia, namely first and second year of their inclusion.

In 2008, a provision was included in the Rules on knowledge assessment and grading and pupils' progression in basic schools, warranting the possibility for an adapted assessment of migrant students. As by the Rules, the assessment methods and times, number of marks and so forth may be adapted to migrant students who are foreign nationals or persons without citizenship residing in the Republic of Slovenia, namely in agreement with their parents. The knowledge of migrant student may be assessed as to the student's progress in achieving educational goals and knowledge standards as specified by the subject-curricula. The teacher's assembly decides on the adjustments. The adapted assessment applies for up to two school years only. At the end of the first school year the migrant students attended basic school in the Republic of Slovenia, they may progress even if they failed to receive a pass mark in separate subjects. At the recommendation of the form teacher, the teacher's assembly decides on the progression.

The Constitution of the Republic of Slovenia sets out the equal rights and opportunities in education for all irrespective of their race, gender, nationality, social or cultural background, religion, political and other convictions, education, social status, disability, or any other personal circumstances. The the White Paper (1996) lists "equal opportunities and non-discrimination" under principles of the public education system. The core principles, the foundation of the public system of education, of the White Paper (2011) include fairness and the provision of equal education opportunities in the scope of this principle. Moreover, one adopted several relevant regulations on education, healthcare, elimination of barriers and obstacles in the setting, social and financial aid, employment, and social inclusion. The national and development programmes include solutions relevant to the equal opportunities. The Protection against discrimination Act makes additional provision for equal opportunities. The dimension of equal opportunities is specified exhaustively for the educational process of children with special educational needs.

The provision of education for children and young people with special educational needs (SEN) is public service; in special circumstances, it may be in private settings without concession or a private institute, and in the form of home schooling. All sector-specific laws make allowance for the education of the SEN students. The law is completed by:

- ◆ Act Regulating the Integrated Early Treatment of Preschool Children with Special Needs;
- ◆ Placement of Children with Special Needs Act;
- ◆ Act on the Intervention for Children and Youth with Emotional and

Behavioral disorders in Education.

Those documents represent an important step towards realizing the inclusive paradigm. They set out conditions of continuous support to children with special educational needs.

The Act on special rights of members of the Italian and Hungarian national communities in education specifies the relevant special rights. The members of the Roma community have their special rights set out in the Roma community in the Republic of Slovenia Act. The common legislation in education lays down the rights of disadvantaged or vulnerable students, as well. The regulations all attention to the talented students, migrant students whose first language is not Slovenian, and students with learning difficulties.

Educational policy outlook

The Childminding of Preschool Children Programme (2008, amended in 2012) provides special grants for parents whose children did not get a spot in public kindergartens. The grant amounts to 20% of the cost of the programme in the kindergarten where they would have been enrolled.

To make student work less attractive to employers, the Act on Occasional Student Work (2014) was incorporated into the Public Finance Balance Act. It introduced a minimum hourly wage and social security contributions for student work, while allowing student contracts to remain the cheapest form of employment for employers.

In 2012, a new Regulation on the Methodology of Financing Educational Programmes for Upper Secondary Schools was adopted. Under this regulation, all upper secondary schools as well as all residence halls for upper secondary students switched to a per-student funding formula and block grant financing.

Support Measures for Learners in Early Childhood and School Education

All kindergartens and schools have internal counselling services. School counsellors are psychologists, social pedagogues, education specialists and social workers. The main purpose of a counselling service is to take part in complex solving of educational, psychological and social difficulties of children in kindergarten or schools by assisting and cooperating with all participants of the education process, the parents and, if necessary, with relevant external institutions. It offers assistance to individuals and groups in kindergartens or schools in order to ensure optimal development of all children, regardless of their personal circumstances or the social-economic or cultural situation.

Definition of the Target Group(s)

The rules specify groups of children, pupils and students eligible for assistance

or special measures in view of their personal, socio-economic or cultural circumstances:

- ◆ Members of the Italian and Hungarian national communities have the right to education in their mother tongue and provision of education in ethnically mixed areas. Rights are specified in detail by the Act Regulating the Exercise of the Special Rights of Members of the Italian and Hungarian Ethnic Communities in the Field of Education.
- ◆ Members of the Roma community are specified as a special group with special rights defined by the Constitution of the Republic of Slovenia. The exercise of special rights is specified by the Roma Community Act and, in education, by the Kindergarten Act and Basic School Act.
- ◆ Migrants (foreign nationals): the rights of children of foreign nationals are specified in detail by the Kindergarten Act, Basic School Act, Gimnazije Act and Vocational Education Act; the Asylum Act specifies the right to education of refugees and asylum seekers;
- ◆ Talented pupils or students: as specified by the Basic School Act, Gimnazije Act and VET Act, the provision of instruction to talented children or pupils may be adapted to their needs; the Basic School Act specifies that pupils who show high and above average levels of thinking skills or achieve exceptional results in separate learning fields, arts or sports are defined as talented pupils.
- ◆ Pupils with learning problems: provisions of the Basic School Act specify the right these children have to an adapted instruction; without adapted methods and forms of class work, these pupils struggle to attain standards of knowledge.

As specified by Kindergarten Act and Basic School Act, children in hospital care may have pre-school and basic school education organized in the hospital;

In the scope of the education objectives specified by the Organization and Financing of Education Act, children from less favourable social and economic environments may receive support and assistance by kindergartens or schools.

National reforms

In December 2017, the Government of the Republic of Slovenia adopted the Slovenian Development Strategy 2030, It is the new long-term national development framework. Its primary objective is to ensure quality of life for all ("Slovenia, a country with high quality of life for all"). Future development of Slovenia rests on five strategic guidelines and twelve related goals. The strategy rests on the 2030 Agenda for Sustainable Development by the United Nations as well, and so Slovenia attached the significance to sustainable and inclusive future in which the society as a whole can flourish.

At the end of 2019, the Government adopted the National Strategy for the Development of Reading Literacy for the period 2019–2030. Its strategic objectives are to establish an effective social framework for the development of reading literacy, to develop the reading literacy of individuals who have different roles, needs and requirements at different stages of life, thus enabling the continuous development of society and the economy, to increase access to books and other reading material, and to pay greater attention to specific age/target groups within the education system. An Action Plan is foreseen for adoption in the first half of 2022, addressing a number of actions to improve the situation.

In November 2020, the Government of the Republic of Slovenia approved the Programme for children 2020-2025. The programme seeks to improve the well-being of children, create equal opportunities and rights for all children, provide better protection and safety, as well as the foster inclusion and participation of children.

Social welfare

In the **Social security act** it is pointed out that: activities of social assistance shall include preventing and solving social problems of individual persons, families and population groups (article 1); the state cares for preventing the social deprivation in particular with the systematic measures in the field of taxation policy, employment and work, policy of granting scholarships, housing policy, family policy, health care, children's care and education, and in other fields of influence upon the social situation of inhabitants, as well as upon the development of demographically endangered areas (article 9); Help to the family under this Act shall imply help for home, help at home and social service; professional counselling and help at re-establishing relations among family members, at taking care of children and educating the family to implement its role in everyday life; social care of the entitled persons in case of disability, old age and other cases where social care at home can replace institutional care; Social service shall include help at domestic and other chores in case of childbirth, illness, disability, old age, in cases of accidents and other cases where such help is necessary to include persons in everyday life (article 15).

In the **Rules on the co-financing of social assistance programmes**, article 2 ((areas of social protection programs) it is pointed out that social protection programs are intended to prevent and solve social hardships of individual vulnerable groups in the following areas: 1. violence prevention, assistance programs for victims of violence and programs for work with perpetrators of violence, 2. addiction (illicit drugs, alcoholism, eating disorders, gambling and other forms of addiction), 3. mental health, 4. homelessness, reducing the risk of poverty, tackling the effects of poverty, 5. children and adolescents who are deprived of a decent family life and adolescents with difficulties growing up, 6. Elderly people at risk of social exclusion or need support and assistance in their daily lives, including assistance and support programs for people with dementia and their relatives, 7. support stay for people with disabilities and a network of other programs for the organization and promotion of independent living of people with disabilities, 8. psychosocial

assistance to children, adolescents, adults and families, 9. social inclusion of Roma, 10. specialist support to victims of crime (if not provided by other social protection programs), 11. other areas aimed at tackling social hardship (promoting the development of volunteering, assisting applicants for international protection, refugees, economic migrants and their family members, former prisoners, evictees, support for the dying and their relatives and mourners, victims of abuse and trafficking in human beings, victims of traffic accidents, etc.).

In the **Rules on standards and norms for social assistance services**, article 1, it is stated that these rules set standards and norms for the following social protection services (hereinafter: services): 1. social assistance 2. personal assistance 3. support to victims of crime 4. assistance to the family at home and at home 5. institutional care 6. management, protection and employment under special conditions.

National reforms

The strategic document for the development of the country's social protection system is the Resolution on the national social assistance programme 2022-2030, adopted by the National Assembly on 23 March 2022. The key objectives pursued by the Resolution are to reduce the risk of poverty and increase social inclusion, to improve the accessibility and availability of services and programmes, to strengthen community-based forms of social protection, and to create a supportive environment/conditions for improving the quality of services and programmes. In defining actions, the Resolution follows the European Pillar of Social Rights Action Plan for the period until 2030.

The adoption of an amendment to the Housing Act in 2021, which will improve the conditions for faster construction of public rental housing, will further contribute to reducing the number of people at risk of poverty and social exclusion. The amendment to the Housing Act establishes the legal basis for the introduction of a realistic level of non-profit rent, which will allow for the adequate maintenance of public rental housing and the gradual expansion of the stock of public rental housing. In parallel with the increase in non-profit rents, the rent subsidy system is being adapted to protect the socially vulnerable in the event of a rise in non-profit rents. The subsidy is increased to a maximum of 85% of the non-profit rent, which ensures that the most socially vulnerable are not affected by the rent increase. The amended Act also allows for higher borrowing by housing funds, up to 50% of the value of the fund's earmarked assets, and a pre-emptive right for the Housing Fund in the sale of building municipal land earmarked for multi-family housing. A public rental service has also been established within the Housing Fund, with the aim of activating the existing but unoccupied housing stock.

Youth work

Personal assistance act regulates the right to personal assistance and the manner of its exercise, in order to enable an individual with long-term physical, mental, intellectual or sensory impairment, which in connection with various obstacles may be limited to Like others, fully and effectively participate in society (hereinafter:

the user) in all areas of life equal opportunities, greater independence, activity and equal inclusion in society, in accordance with the provisions of the **Convention on the Rights of Persons with Disabilities** (article 1). Further, the state is obliged to: plan the development of personal assistance and develop the activity, coordinate it with other areas of social security and adopt appropriate legal bases; to provide conditions and possibilities for equal accessibility, efficiency and rational organization of personal assistance services in the territory of the Republic of Slovenia; provide conditions for education and training; provide funding for the procedure for exercising the right to personal assistance and the provision of personal assistance (article 4).

Public Interest in **Youth Sector Act** and **Youth Council Act** are acts that protect young people and young workers. This law are based on the principles of democracy, plurality, integrity, intergenerational solidarity, equality, non-discrimination and justice, multiculturalism, intercultural dialogue, volunteering, promotion of healthy lifestyles, respect for life and the environment and participation of non-governmental organizations in public affairs.

Protection against discrimination act (ZVarD) shall determine the protection of all persons (hereinafter: person) against discrimination irrespective of their gender, nationality, racial or ethnic origin, language, religion or belief, disability, age, sexual orientation, gender identity or gender expression, social status, property status, education, or any other personal circumstance (hereinafter: personal circumstance) in various fields of social life, when enforcing human rights and fundamental freedoms, exercising rights and obligations and in other legal relationships in political, economic, social, cultural, civil or other fields. This Act shall establish the Advocate of the Principle of Equality (hereinafter: Advocate), as an independent state authority in the field of protection against discrimination, including the Advocate's tasks and powers. Protection against discrimination shall also apply to legal entities defined by the legal order of the Republic of Slovenia if the nature of the circumstances which could be the basis for discrimination refers to such persons. This Act shall define and prohibit discrimination, appoint authorities and determine measures for promoting equal treatment, determine the status and competences of the Advocate, the Advocate's procedure when establishing the existence of discrimination and particularities of legal protection of persons subject to discrimination.

To date, no specific national strategy or programme for youth social inclusion has been adopted in Slovenia. The **National Programme for Youth in Slovenia** (2013) identified key policies and guidelines, including the need to devote special attention to risk factors for poverty and social exclusion among young people. Its other guidelines refer to improving social inclusion of young people with fewer opportunities, the principle of equal opportunities for men and women and the prevention of discrimination, with particular attention to victims of social exclusion (e.g. Roma people, disabled persons).

In November 2015, the National Assembly of the Republic of Slovenia adopted the **Resolution on the National Programme for Equal Opportunities for Women and Men 2015-2020**.

The Ministry of Labour, Family, Social Affairs and Equal Opportunities has proposed two Acts highlighting measures to facilitate youth social inclusion in 2016. **The Amendment on changes and completion of the Social Security Act** that was adopted in 20 December 2016 and The Rules on co-financing social assistance programmes that came into force on 12 November 2016. On 19 April 2018, another Amendment on changes and completion of the Social Security Act was adopted.

National reforms

The epidemic crisis has shown the importance of ensuring more flexible ways of organizing work. The Recovery and Resilience Plan also foresees important measures in this area, such as the establishment of direct support for workers and employers to use more flexible working arrangements in 2022. The Support to more flexible work arrangements project aims to enable greater resilience and labour market inclusion, promote better reconciliation of work and private life, strengthen digital competences of employees (with a focus on older workers) and raise occupational safety and health standards in this area. The project Introducing more flexible work arrangements adapted to the needs of people with disabilities in disability enterprises and employment centres will be implemented to maintain and create new jobs suitable for the most severely disabled workers.

Activation of the unemployed and measures to help the most vulnerable groups to enter the labour market remain a key focus for Slovenia. In this light, in January 2021, the Government adopted the Guidelines for Active Employment Policy 2021–2025, which are a strategic document in this area and provide a framework for the implementation of active employment policy measures over the next five-year period. The main objectives of the document are to reduce the number of long-term unemployed, to accelerate the activation of the unemployed, especially the over-50s, the low-educated and recipients of social assistance, to accelerate the transition of unemployed young people up to 29 years of age to the labour market – the Youth Guarantee, and to address structural imbalances in the labour market, in order to provide the skills needed to meet the labour market needs.

Slovenia pays particular attention to young people in its labour market policies. For example, the Recovery and Resilience Plan foresees the project Faster entry of young people into the labour market (2022–2024), which aims to accelerate the activation of young people up to and including 25 years of age by means of subsidies for permanent employment (at least 4,000 jobs). The project addresses the key challenges young people face in their transition to the labour market. By providing work experience, compulsory training during subsidised employment and promoting permanent employment, it also strengthens the long-term resilience of young workers to economic fluctuations in the face of crises. The measure will encourage young people to take up supplementary pension insurance.