



Mr. Ivan Svetlik  
Minister for Work, Family and Social Affairs  
Slovenia

Via e-mail: [gp.mddsz@gov.si](mailto:gp.mddsz@gov.si)

Koblenz, 9th April 2010

Dear Minister Mr. Svetlik,

I am contacting you as a supporter of YHD and political activist for Independent Living in Europe. We welcome the draft Law on Personal Assistance in Slovenia. However, we feel we must alert you to several factors before the final text is passed.

As you know personal assistance is crucial for disabled peoples' self-determination and independence. Through personal assistance many are able to contribute economic and social value to their societies, to employ individuals (as personal assistants) and to gain employment themselves. We note that there are several issues within the draft law that may prevent this, and in turn the additional wider societal benefits that the development of a good personal assistance law can bring.

In addition we strongly support the issues raised by YHD, Ass. for Theory and Culture of Handicap. In our view anything that works against these principles works against the success of an effective personal assistance law. YHD raised 3 crucial issues:

1. The Law itself must clearly define what is covered in Personal Assistance therefore it is unacceptable that the law draws on the concepts that are related with traditional models of aid instead of the right to choose, self-determination and equal opportunities.

The Law must also clearly define what the rights of the user are:

- The right to choose their assistant;
- When will the assistant work;
- How will he work (the user is the one who sets work obligations);
- What will his work comprise of (the user provides the type and quantity of work to the assistant).

2. The draft of the Law separates persons according to their diagnosis. For example blind and deaf persons will be provided with PA only for escorting. In addition it provides different threshold of requirements depending on the medical diagnosis. The draft also excludes persons with mental impairments, in our opinion there is no arguments for such discrimination.

3. It is unacceptable that the same authority which will be co-financing the services will also assess the actual needs of users, because that will lead to a conflict of inter-

est, since the coordinator will not be independent but will be conditioned to the payer of services. In order to maintain representation of the user's interest we suggest that the coordinators are skilled individuals with experience of disability. The coordinator should also obtain professional knowledge of the basic principles of European Network on Independent Living.

We urge you to modify your strategy and support those that would gain from a more beneficial implementation of the law in accordance with article 19 of the UN Convention on the Rights of Persons with Disabilities and the legal principles of Independent Living and personal assistance in many European countries.

Best regards,

A handwritten signature in black ink, appearing to read 'Bayerlein', with a long horizontal flourish extending to the right.

Christian Bayerlein