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**Summary prepared by the Office of the United Nations High Commissioner for Human Rights in accordance with paragraph 15 (c) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21**

**Slovenia\***

The present report is a summary of 7 stakeholders' submissions<sup>1</sup> to the universal periodic review. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. As provided for in Human Rights Council resolution 16/21, where appropriate, a separate section is provided for contributions by the national human rights institution of the State under review that is accredited in full compliance with the Paris Principles. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the periodicity of the review and developments during that period.

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\* The present document was not edited before being sent to United Nations translation services.



## Information provided by stakeholders

### A. Background and framework

#### Institutional and human rights infrastructure and policy measures

1. Amnesty International (AI) stated that despite the fact that several institutions were tasked with ensuring non-discrimination (including the Human Rights Ombudsman, the Advocate of the Principle of Equality inspectorates and courts), the mandates of these institutions lacked clarity and none were responsible for the overall coordination of anti-discrimination policy, monitoring and proposing systemic solutions.<sup>2</sup> AI recommended to broaden the mandate and powers of the institutions tasked with guaranteeing the principle of equality and non-discrimination including capacities to monitor actions by both state and private actors and to impose legally binding measures.<sup>3</sup>

2. The European Union Agency for Fundamental Rights (EU-FRA) affirmed that aside from the Human Rights Ombudsman, the only human rights areas covered by institutions were non-discrimination/equality (Advocate of the principle of equality) and personal data protection (Information Commissioner). It asserted that that no other body existed that was explicitly dedicated to the protection of persons with disabilities (apart from the non-discrimination aspect), to the protection of economic, social and cultural rights, or to the rights of detainees.<sup>4</sup>

3. The Advisory Committee on the Framework Convention for the Protection of National Minorities of the Council of Europe (CoE-ACFC) underscored that the Office of the Human Rights Ombudsman continued to play an important role in combating discrimination based on ethnicity and to advance on minority rights.<sup>5</sup> AI stated that the Human Rights Ombudsman was only mandated to monitor actions by state agents, had no oversight function of actions by private or non-state actors, was only mandated to take action when it received a complaint<sup>6</sup> and its recommendations were not legally binding.<sup>7</sup> EU-FRA stated that the Human Rights Ombudsman possessed a wide range of powers in relation to individual complaints and litigation involving infringement of public freedoms and liberties (including arbitrary exercise of powers or inaction by public bodies which often overlap with human rights violations).<sup>8</sup>

4. Regarding the Office of the Advocate of the Principle of Equality, AI asserted it was mandated to receive and examine alleged cases of discrimination in private and public sectors but however, its opinions were not legally binding, and it was not mandated to monitor situations of vulnerable groups or coordinate the state policy to combat discrimination.<sup>9</sup> AI affirmed that this Office had now one employee, namely the Advocate himself, and that the Government had not provided it with sufficient powers and resources.<sup>10</sup>

5. EU-FRA asserted that the Office for Equal Opportunities was closed down in April 2012 and its staff, including the Advocate of the Principle of Equality, was transferred to the Equal Opportunities and European Coordination Service under the authority of the Ministry of Labour, Family, Social Affairs and Equal Opportunities.<sup>11</sup> CoE-ACFC highlighted that the powers of the Advocate of the Principle of Equality appeared to be particularly ineffective to protect victims of discrimination and, more generally, to prevent and monitor discrimination in society, that this institution lacked independence, financial and human resources and that its competences were very limited.<sup>12</sup>

6. EU-FRA stated that concerns regarding the independence of equality bodies from central Government may give rise to unfavourable perceptions, affecting the confidence of victims to approach them.<sup>13</sup>

7. AI asserted that State Inspectorates had powers to provide effective remedy to victims of discrimination and that however, the Housing inspectorate said in 2010 that cases of alleged discrimination by a public or private actor on housing issues would not fall under its mandate.<sup>14</sup>

8. EU-FRA asserted that the Slovenian Ministry of Interior adopted a resolution to establish a national plan on the Prevention and Combating of Crime 2012-2016, which, among other goals, aimed at strengthening the protection and support to victims through financial and psychological aid.<sup>15</sup>

## **B. Implementation of international human rights obligations, taking into account applicable international humanitarian law**

### **1. Equality and non-discrimination**

9. CoE-ACFC affirmed in 2011 that substantial improvements are needed to ensure effective protection against discrimination, and in particular, access to effective remedies for potential victims of discrimination. It also asserted that prejudices against some groups, in particular Roma and “persons belonging to the new national communities”(persons belonging to the Albanian, Bosniac, Croatian, Macedonian, Montenegrin and Serbian nations of the former Yugoslavia), continue to be disseminated through some media and in the political arena, and that local authorities are sometimes reluctant to implement laws and policies in relation to Roma and incidents of demonstrations of hostility against them have taken place at the local level.<sup>16</sup>

10. AI recommended to: address discrimination by public and private actors as a matter of priority; provide effective remedies to victims of discrimination; and implement international recommendations on collecting data disaggregated by the prohibited grounds of discrimination.<sup>17</sup>

11. The Committee of Ministers of the Council of Europe (CoE-CM) provided recommendations to Slovenia on a number of issues for immediate action, inter alia, to intensify measures to ensure that effective remedies are available to potential victims of discrimination and to intensify actions to raise awareness of discrimination-related issues in society, including in the judiciary and law enforcement agencies.<sup>18</sup> CoE-CM also recommended to make further efforts to combat all forms of intolerance and hate speech targeting persons belonging to minorities and other groups.<sup>19</sup>

12. CoE-ACFC welcomed the fact that the authorities recently set up a working group to remedy shortcomings by means of the elaboration of a general strategy to combat discrimination and to improve the implementation of existing remedies and expressed that it expected that this work will significantly improve the efficiency of the mechanisms to combat discrimination.<sup>20</sup>

13. On the so called “*erased*”, AI informed that on 26 February 1992, some 25.671 people were unlawfully removed from the Slovenian registry of permanent residents, being mainly people from other republics of the former Yugoslavia who had been living in Slovenia but who had not acquired Slovenian citizenship following independence of the country.<sup>21</sup> AI added that these persons without a legal status were deprived of their economic, social and political rights.<sup>22</sup>

14. AI stated that Slovenia had failed to enact legislation to recognize the rights of the “*erased*”.<sup>23</sup> It underscored that Slovenia had also failed to restore permanent residency to the “*erased*”, and that the 2010 legislation aimed at regulating the restoration of their legal status expired in July 2013, and the “*erased*” have now no legal options to regulate their status, while 674 of a total of 987 filed applications for permanent residence permit were pending.<sup>24</sup> CoE-CM recommended in 2012 to promote an inclusive interpretation of the new Act Regulating the Legal Status of citizens of Former Yugoslavia living in the Republic of Slovenia with a view to giving retroactive access to permanent residence to as many as possible of those who were “*erased*” in 1992.<sup>25</sup>

15. The Council of Europe Commissioner of Human Rights (CoE-Commissioner) asserted in 2013 that the low number of applications and granted requests for permanent residence appear to indicate a lack of effectiveness of the exiting legislation and its implementation and expressed his serious concern that the majority of the “*erased*” who have not yet settled their residence status in Slovenia will not succeed in doing so before the expiration of the July 2013 deadline.<sup>26</sup>

16. AI affirmed that by December 2013, the authorities had prepared legislation on a compensation scheme for the “*erased*”, and that however, compensation measures include only those who have already regulated their status, and thus exclude approximately half of the “*erased*”.<sup>27</sup> AI added that remedies for the “*erased*” under domestic law consist only of financial compensation, which -according to the “*erased*”- is set too low, and that no other form of reparation, including restitution, rehabilitation, satisfaction and guarantees of non-repetition has been offered to them.<sup>28</sup>

17. AI recommended to immediately enforce the automatic return of appropriate legal status to all “*erased*” without additional conditions of administrative fees; officially recognize “*erasure*” as a human rights violation and offer a state apology; ensure prompt, effective, impartial and independent investigations by a special body or truth commission with high competence and adequate resources, into violations connected to the “*erasure*”; ensure individuals or institutions found responsible for committing these violations are held to account; regulate and enable reunification of families; revise compensation schemes to the “*erased*” following amounts and criteria set out by the European Court of Human Rights; and ensure reintegration measures for the “*erased*”.<sup>29</sup>

18. CoE-Commissioner stressed that access to a state’s nationality should be possible whenever a person has a genuine and effective link with this state in particular through birth, descent or residence, and that the situation of “*erasure*” has disproportionately affected persons belonging to the most vulnerable social groups such as the Roma.<sup>30</sup> CoE-Commissioner urged authorities to take all relevant measures in order to facilitate and make possible the acquisition these persons of Slovenian citizenship with particular attention to the children of those “*erased*” in 1992 who are still stateless.<sup>31</sup> It added that as a first step the authorities could consider establishing a complete register of all the “*erased*” persons who have become and remain stateless.<sup>32</sup>

## **2. Right to life, liberty and security of the person**

19. The Council of Europe (CoE) referred to the fact that the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CoE-CPT) received few isolated allegations of excessive use of force by hooded members of police special units in the context of apprehension, and recommended that no more force than is strictly necessary should be used when effecting an apprehension. CoE-CPT also noted that there can never be any justification for striking apprehended persons once they have been brought under control.<sup>33</sup>

20. CoE-CPT asserted that, in general, the practical operation of fundamental safeguards against ill-treatment did not pose major difficulties. It recommended that Slovenian authorities take the necessary steps to ensure that, in practice, all detained persons effectively benefit from the right of access to a lawyer from the very outset of their deprivation of liberty.<sup>34</sup>
21. CoE-CPT acknowledged efforts made by the Slovenian authorities to increase the capacity of the prison estate but that nevertheless, overcrowding continued to be a problem in some prison establishments.<sup>35</sup> CoE-CPT encouraged the authorities to pursue their endeavours to combat prison overcrowding, including through increased application of non-custodial measures during the period before any imposition of a sentence.<sup>36</sup>
22. CoE-CPT considered that prisoners held under reinforced security regime should be provided with tailored programmes of purposeful activities of varied nature.<sup>37</sup>
23. CoE-CPT recommended that steps be taken so that doctors working in prison establishments draw a conclusion as to the consistency between the descriptions of injuries observed and any allegations of ill-treatment made by the persons concerned. It also recommended that reports relating to injuries consistent with possible ill-treatment (even in the absence of allegations) should be automatically forwarded to an independent body empowered to conduct investigations into the matter.<sup>38</sup>
24. CoE-CPT emphasized that the care of forensic patients must always remain under the responsibility of the hospital staff within the forensic psychiatric units and care facilities of the Psychiatric Department and that whenever the intervention of prison staff assigned to the units is required, it must take place in accordance with the instructions of hospital staff and under the latter's close supervision.<sup>39</sup>
25. Regarding psychiatric establishments, CoE-CPT welcomed the adoption in July 2008 of the new Mental Health Act which, *inter alia*, reinforced the legal protection of patients.<sup>40</sup> CoE-CPT asserted that it is essential that all means are tried before recourse to mechanical restraint, a measure which may exceptionally be necessary to deal with an imminent risk of injury and which should never be used as a punishment or as a means of convenience.<sup>41</sup> It recommended that Slovenian authorities take steps to reflect, in both law and practice, the principle of a patient's free and informed consent to treatment.<sup>42</sup>
26. EU-FRA stated that in Slovenia the criminal law definition of family violence includes various aspects of subordination and discriminatory treatment<sup>43</sup>, and that its legislation reflects the repetitive nature of intimate partner violence.<sup>44</sup> In 2013 EU-FRA asserted that Slovenia adopted a national action plan to combat general domestic violence or specifically violence against children.<sup>45</sup>
27. EU-FRA stated that Slovenia still did not explicitly forbid corporal punishment of children.<sup>46</sup> Global Initiative to End All Corporal Punishment of Children (GIEACPC) stated that in Slovenia, corporal punishment of children was lawful in the home, in alternative care settings and in some day care settings<sup>47</sup>, despite recommendations of treaty monitoring bodies.<sup>48</sup> GIEACPC explained that despite the Government's positive introduction of prohibiting legislation, it was rejected by public referendum in 2012.<sup>49</sup>
28. EU-FRA affirmed that Slovenia amended its penal code in 2011 by introducing the criminalisation of grooming and defining various activities under the offence of child pornography.<sup>50</sup>
29. EU-FRA stated that Slovenia took legislative steps extending the level of protection offered to victims of trafficking to include victims of illegal employment.<sup>51</sup>
30. The Group of Experts on Action against Trafficking in Human Beings of the Council of Europe (CoE-GRETA) stated that steps were taken by Slovenian authorities to

prevent and combat trafficking, including the criminalisation of human trafficking, the appointment of a National Coordinator, the drafting and implementation of national action plans for combatting trafficking by the Inter-ministerial Working Group for Combatting Trafficking in Human Beings and awareness-raising measures.<sup>52</sup> CoE-GRETA stated that future actions in the area of prevention should be designed and efforts to discourage demand for services from trafficked persons should be strengthened.<sup>53</sup>

31. CoE-GRETA invited Slovenian authorities to invest in the human and financial resources of the secretariat of the Working Group and the National Co-ordinator dealing with trafficking in human beings (THB) so that they can effectively carry out the full range of tasks within their mandate.<sup>54</sup> CoE-GRETA invited Slovenian authorities to introduce a periodic independent evaluation of the Action Plan for 2012-2013 and to consider the establishment of an independent national rapporteur or other mechanism for monitoring the anti-trafficking activities of State Institutions.<sup>55</sup>

32. As highlighted by the CoE, CoE-GRETA considered that the Slovenian authorities should take further steps to ensure that the human rights-based and victim-centred approach was fully reflected in the national policy to combat THB.<sup>56</sup> CoE-GRETA stressed the need to address THB as a form of violence against women and to take account of gender-specific types of exploitation, as well as the particular situation of child victims of trafficking.<sup>57</sup> CoE-GRETA noted with satisfaction that the definition of THB states explicitly the irrelevance of the consent of a victim of trafficking to the intended exploitation.<sup>58</sup>

33. CoE-GRETA urged authorities to ensure that access to assistance for victims of trafficking is not made conditional on their co-operation in the investigation and criminal proceedings.<sup>59</sup>

34. CoE-GRETA expressed concern that no victims of trafficking have obtained compensation in Slovenia and urged Slovenian authorities to facilitate and guarantee access to compensation for victims of trafficking including by providing them with legal aid and enlarging the scope of application of the Crime Victim Compensation Act.<sup>60</sup>

35. CoE-GRETA urged the Slovenian authorities to make full use of protection measures for victims and witnesses, and stressed the need both to strengthen the training provided to judges and prosecutors on the issue of human trafficking as well as to encourage the law enforcement and prosecution services to develop their specialisation with a view to improving the collection of evidence to enable the successful prosecution of traffickers.<sup>61</sup>

36. CoE-GRETA invited Slovenian authorities to continue exploring further possibilities for strengthening international co-operation in the investigation and prosecution of human trafficking cases, as well as developing international co-operation for the purpose of preventing THB and providing assistance to victims.<sup>62</sup>

### **3. Administration of justice, including impunity (part to be added only if relevant), and the rule of law**

37. The Group of States against Corruption of the Council of Europe (CoE-GRECO) asserted that judges suffer from a lack of trust by the public seemingly as a result of judicial backlogs, weak internal management of courts and lack of a public relations policy.<sup>63</sup> CoE-GRECO also stated that judges were subject to strict specific rules on incompatibilities, conflicts of interest and others but that however, there is room for improvement as regards for instance the process of selection, nomination and promotion of judges.<sup>64</sup>

38. CoE-GRECO recommended that authorities consider revisiting the procedure of appointment of judges to the Supreme Court, in order to minimise the possibilities of political influence<sup>65</sup>, and that a set of clear standards/code of professional conduct be

established which would cover in scope all judges.<sup>66</sup> CoE-GRECO recommended that the criteria of selection and evaluation of judges be further developed with the aim of enhancing their uniformity, predictability and transparency.<sup>67</sup>

39. CoE-GRECO recommended that Slovenian authorities ensure that the Ministry of the Interior exercises its authority over the prosecution service in such a way as not to undermine prosecutors' integrity and create risks of improper influence.<sup>68</sup> CoE-GRECO mentioned the lack of transparency, weak internal management and poor communication with the public as main criticisms to prosecutors. It also stated that these needed to be addressed by strengthening the managerial and oversight role of the State Prosecutor General and the State Prosecutorial Council and by devoting more efforts to a communication policy with the public and the media.<sup>69</sup>

40. AI stated that victims of discrimination can seek judicial remedies before the lower courts as well as before the Constitutional Court. However, proceedings are slow and legal aid is not commonly available.<sup>70</sup> AI expressed that Slovenian authorities have yet to establish an effective legal and institutional framework to give victims of human rights violations access to an accessible affordable and timely remedy.<sup>71</sup> EU-FRA informed that the Slovenian National Assembly adopted two acts introducing specific measures to accelerate proceedings before courts.<sup>72</sup>

41. CoE-CPT reiterated its recommendation that remand prisoners be offered the same safeguards as sentenced prisoners during disciplinary procedures, including the right to be heard in person by the deciding authority, prior to the imposition of any sanction.<sup>73</sup>

#### **4. Freedom of religion or belief, expression, association and peaceful assembly, and right to participate in public and political life**

42. Following the Assessment Mission of the Early Elections of the National Assembly (4 December 2011), the Office for Democratic Institutions and Human Rights of the Organizations for Security and Co-operation in Europe (OSCE/ODIHR) affirmed in 2012 that there were no obstacles to campaigning, and freedoms of speech, movement and association were respected at all times.<sup>74</sup> OSCE/ODIHR recommended that political party financial reports provide a detailed breakdown of all donations and that detailed versions of the reports should be publicly accessible.<sup>75</sup> OSCE/ODIHR affirmed that consideration could be given to the possibility of giving a single institution the jurisdiction as well as the resources to scrutinise the financial operations of political parties and campaign organisers.<sup>76</sup>

43. OSCE/ODIHR also said that consideration could be given to having one media regulatory body with the expertise, resources and mandate to monitor respect for campaign related rules, investigate alleged violations, and impose effective remedies when violations take place, and that clear procedures should be established to receive and act upon complaints about unfair or unlawful media coverage.<sup>77</sup> OSCE/ODIHR said that in order to avoid ambiguity and uncertainty, including potential conflict of jurisdiction, legal provisions could be revised to establish a uniform, hierarchical dispute procedure for all decisions and acts of electoral commissions.<sup>78</sup>

44. OSCE/ODIHR stated that the representation of women in political life has been low but has increased slowly over the past decade and that following the full implementation of a gender quota in the 4 December 2011 election, the percentage of women elected increased to 31 percent, as compared to 13 percent after the 2008 elections.<sup>79</sup>

45. OSCE/ODIHR recommended that results disaggregated by polling station be made publicly available, and that the National Election Commission instructions be clarified to ensure that secrecy of the vote is fully ensured for all instances.<sup>80</sup>

46. Regarding the “*erased*”, OSCE/ODIHR stated in February 2012 that since July 2010, the status of some 13.000 people has not yet been regulated, and that while this issue does not directly deal with citizenship, the lack of permanent residence could indirectly affect their right to obtain citizenship and voting rights.<sup>81</sup>

**5. Right to work and to just and favourable conditions of work**

47. The European Committee on Social Rights (CoE-ECSR) asserted that the minimum levels of sickness and unemployment benefits as well as the minimum level of pension benefit are manifestly inadequate, and that the duration of unemployment benefit is too short.<sup>82</sup>

48. EU-FRA stated that the lowest gender pay gaps in the EU in 2010 are found, among others in Slovenia (4.4%).<sup>83</sup>

**6. Right to social security and to an adequate standard of living**

49. CoE-ECSR took note in 2013 of Intervention Measures due to the Economic Crisis Act and the introduction of the financial Social Assistance Acts which led to changes in the field of financial social assistance and social benefits which have been so far associated with pensions (minimum pension supplement) or age (state pension). It recalled that measures taken to consolidate public finances may be considered as a necessary means to ensure the maintenance and sustainability of the social security system and that however, any modifications should not undermine the effective social protection of all members of society against social and economic risks and should not transform the social security system into a basic social assistance system.<sup>84</sup>

50. AI affirmed that denial of the rights to adequate housing, water and sanitation of Roma impacts their rights to education, work and health, and feeds into a cycle of poverty and marginalization.<sup>85</sup>

51. AI stated that measures to improve the living conditions of Roma remained largely unimplemented in informal Roma settlements.<sup>86</sup> AI also stated that many Roma in the South East of the country live in isolated and segregated settlements, with limited access to services such as water, electricity, sanitation and transport, and that widespread discrimination often prevents Romani families from buying or renting housing in other areas.<sup>87</sup>

52. AI explained that Roma settlements are often established in an irregular manner and on land not classified for residential use, leading to insecurity of tenure.<sup>88</sup> AI affirmed that a legal title and building permit are pre-conditions for access to public services such as water, sanitation and electricity.<sup>89</sup> AI highlighted that Slovenian legislation does not prohibit forced evictions and does not include the minimum procedural requirements to protect residents from eviction and that in a number of Roma settlements the residents are at risk of imminent eviction.<sup>90</sup>

53. CoE-ACFC stated the situation of Roma in the area of housing remains very precarious, in particular in the region of Dolenjska, where many Roma settlements have no access to running water or electricity, and that substantial improvements were required in the areas of education, access to employment and health care.<sup>91</sup>

54. AI recommended to: ensure access to water, sanitation and electricity for all Roma communities; confer security of tenure for people living in informal settlements; provide all individuals with legal protection against forced evictions; legalize settlements where possible or offer other solutions in genuine consultation with affected communities; stop potential forced evictions in Dobruska vas Roma settlement; and prioritise participation of



Romani communities living in informal settlements in all public housing policies and programmes.<sup>92</sup>

#### **7. Right to health**

55. CoE-ECSR asserted that a very small group of people (approximately 30.000) who do not have citizenship or residence in Slovenia are not covered by compulsory health insurance.<sup>93</sup> CoE-ECSR affirmed that while access to health care services at the primary level is assured to all citizens, access is limited at the secondary and tertiary levels.<sup>94</sup>

56. International Baby Food Action Network (IBFAN) stated that Slovenia should be urged, among others to enforce national law on the marketing of breast milk substitutes; and ensure integrated response to protect and support breastfeeding in case of emergencies.<sup>95</sup>

#### **8. Right to education**

57. The Committee of Experts on the European Charter for Regional or Minority Languages of the Council of Europe (CoE-CECRML) urged Slovenian authorities to: ensure full implementation of the “Strategy for Education of Roma in the Republic of Slovenia” of 2004; promote awareness and acceptance of the Romani language and culture as an integral part of Slovenia’s cultural wealth; and to include this promotion among the objectives of national education, and to encourage the mass media to pursue the same objective.<sup>96</sup>

#### **9. Cultural rights**

58. CoE-CM recommended identifying effective ways of improving the implementation of the existing legislative framework for the protection of the culture and languages of national minorities, with particular attention to activities aiming at preserving and promoting minority culture.<sup>97</sup>

59. CoE-CECRML urged Slovenian authorities to define, in co-operation with the speakers, the areas where German and Croatian have been traditionally spoken in Slovenia<sup>98</sup> and CoE-CM recommended to clarify the issue of the traditional presence of the Bosnian language in Slovenia, develop the teaching of the Romani language and Roma culture at all appropriate stages, and take proactive measures to reduce the gap between the legislative framework and practical implementation regarding the use of Hungarian and Italian in public services and other spaces.<sup>99</sup>

#### **10. Persons with disabilities**

60. EU-FRA referred to low levels of employment of persons with disabilities.<sup>100</sup> EU-FRA also stated that in Slovenia the Constitutional Court dismissed a claim that an Act which sets a minimum proportion of employees with disabilities constitutes a disproportionate interference with employers’ freedom. EU-FRA affirmed that this decision illustrates a growing recognition that positive action measures may be required for the effective application of the principle of non-discrimination.<sup>101</sup>

61. OSCE/ODIHR stated that although Slovenian law provides for measures to enable the participation of disabled voters, these measures do not always facilitate the secrecy of their vote.<sup>102</sup> OSCE/ODIHR recommended that the National Election Commission and other relevant authorities conduct a review to identify and adopt measures, including amendments to legislation if necessary, which would further facilitate access for disabled voters. It further recommends that such a review be inclusive of disabled voters.<sup>103</sup>

62. CoE-ESCR concluded in 2012 that it had not been established that the right of children with disabilities to mainstream training was effectively guaranteed.<sup>104</sup>

#### **11. Minorities and indigenous peoples**

63. CoE-ACFC stated that substantial improvements are needed to ensure effective protection against discrimination in particular, access to effective remedies for potential victims of discrimination and increased consultation of minority representatives in the allocation process of funds.<sup>105</sup>

64. CoE-ACFC recommended ensuring that the distinction between “autochthonous” and “non-autochthonous” Roma no longer results in practice in any differentiated treatment.<sup>106</sup>

65. AI affirmed that the lack of prevention of discrimination against Roma remains a systemic problem, due to the ineffective national human rights framework,<sup>107</sup> CoE-ACFC called on Slovenian authorities to make further efforts to combat all forms of intolerance and racism targeting persons belonging to minorities - especially Roma -, and other groups, including in the political life and the media.<sup>108</sup>

66. AI stated that in mid-2013 representatives of the Office for National Minorities promised there would be no forced evictions, that individual plans would be developed and that outreach programmes for pre-school education and social support would start immediately.<sup>109</sup> It added that by March 2014, none of these promises had been fulfilled by the local government.<sup>110</sup>

67. CoE-CM recommended as an issue for immediate action to ensure effective involvement of national minority representatives in discussions on any administrative change that could have an impact on minority protection.<sup>111</sup> CoE-CM also recommended as issues for immediate action, inter alia, to ensure that Roma representatives are able to take part in public affairs at local level in all the municipalities in which they live in substantial numbers; take further steps to provide elected Roma councillors with all the support they need to carry out their tasks effectively; and ensure that Roma Community Council adequately represents the diversity within the Roma community.<sup>112</sup> CoE-ACFC asserted that opportunities for Roma to take part effectively in public affairs remain insufficient both at local and at central level.<sup>113</sup>

#### **12. Migrants, refugees and asylum seekers**

68. EU-FRA stated that in Slovenia, third-country nationals who are issued a ‘permission to remain’ due to the impossibility of removal on the basis of Article 52 of the Aliens Act, are entitled to housing, normally in accommodation centres.<sup>114</sup> EU-FRA said that in Slovenia a positive initiative is that asylum seekers are issued with the same social security card as the Slovenian citizens, thus facilitating access to primary health care.<sup>115</sup>

69. CoE-ECSR in 2011 affirmed that it had not been established that concerning remuneration, employment and other working conditions, the treatment of migrant workers was not less favourable than that of nationals nor that concerning membership of trade union and enjoyment of the benefits of collective bargaining. It also asserted that equal treatment and adequate conditions are not secured for migrant workers with respect to access to housing.<sup>116</sup>

70. EU-FRA stated that the Slovenian 2011 Aliens Act provided minimum standards on sanctions and measures against employers of illegally staying third-country nationals, including protection measures for victims of illegal employment who can now receive a temporary residence permit. EU-FRA stated in 2013 that the Slovenian government

amended the local election act by lifting the current five-year minimum residence requirement for non-national EU citizens.

## Notes

<sup>1</sup> The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: [www.ohchr.org](http://www.ohchr.org).

### *Civil society*

#### Individual submissions:

AI	Amnesty International, London, United Kingdom;
GIEACPC	Global Initiative to End All Corporal Punishment of Children;
IBFAN	International Baby Food Action Network;
OIEC	Office International de l'Enseignement Catholique, Geneva, Switzerland;

#### Regional intergovernmental organization(s):

CoE	The Council of Europe, Strasbourg (France)
Attachments: (CoE-ACFC)	Council of Europe Advisory Committee on the Framework Convention for the Protection of National Minorities, Strasbourg, Third Opinion on Slovenia adopted on 31 March 2011;
(CoE-CECRML)	Committee of Experts on the European Charter for Regional or Minority Languages, European Charter for Regional or Minority Languages, Application of the Charter in Slovenia, 3rd monitoring cycle, Report of the Committee of Experts on the application of the Charter, Strasbourg, 26 May 2010;
(CoE-CM: Resolution)	Committee of Ministers of the Council of Europe. Resolution of the Committee of Ministers CM/ResCMN(2012)12 on the implementation of the Framework convention for the Protection of national Minorities by Slovenia, Adopted by the Committee of Ministers on 4 July 2012 at the 1147th meeting of the Minister's Deputies;
(CoE-CM: Recommendation)	Committee of Ministers of the Council of Europe on the application of the Charter by Slovenia, Recommendation RecChL(2010)5;
(CoE-Commissioner)	Council of Europe Commissioner for Human Rights, letter to the Prime Minister of the Republic of Slovenia, Strasbourg, January 10 2013;
(CoE-CPT)	Report to the Slovenian Government on the visit to Slovenia carried out by the European Committee for the Prevention of torture and Inhuman or Degrading Treatment or Punishment (CPT) from 31 January to 6 February 2012, Strasbourg;
(CoE-ECSR) Attachments:	European Committee on Social Rights;  European Committee of Social Rights Conclusions 2013 (Slovenia), European Social Charter, January 2014; European Social Charter, European Committee of Social Rights, Conclusions 2011 (Slovenia) on Articles 1.9, 10, 15, 18, 10, 24 and 25 of the Revised Social Charter; European Committee of Social Rights, Conclusions 2011 (Slovenia), Articles 7, 8, 16, 17, 19, 27 and 31 of

(CoE-GRECO)	the Revised Charter, European Social Charter, January 2012; The Group of States against Corruption of the Council of Europe, Fourth Evaluation Round, Corruption prevention in respect of members of parliament, judges and prosecutors, Evaluation Report – Slovenia, adopted by GRECO at its 57th Plenary Meeting, Strasbourg, 15-19 October 2012;
(CoE-GRETA)	Group of Experts on Action against Trafficking in Human Beings, Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Slovenia; First evaluation round, Adopted on 8 November 2013;
EU-FRA	European Union Agency for Fundamental Rights, Vienna (Austria);
Attachments:	Annual Report 2010 (June 2011) ((footnote 99)) Fundamental rights of migrants in an irregular situation in the European Union (November 2011), Fundamental rights: challenges and achievements in 2011 (June 2012); Fundamental rights: challenges and achievements in 2012 (June 2013); Handbook on the establishment and accreditation of national Human Rights Institutions in the European Union (October 2012); National human Rights Institutions in the EU Member States (May 2010); The Racial Equality Directive: application and challenges (January 2012); Violence against women: an EU-wide survey. Main results report (March 2014);
OSCE/ODIHR	Office for Democratic Institutions and Human Rights of the Organization for Security and Co-operation in Europe, Election Assessment Mission Final Report, Early Elections of the national Assembly, 4 December 2011, February 7 2012.

<sup>2</sup> AI, p.2.

<sup>3</sup> AI, p.4.

<sup>4</sup> EUAFR, p. 22 (National human Rights Institutions in the EU Member States - May 2010 -, pp. 50-51).

<sup>5</sup> CoE-ACFC, para. 14.

<sup>6</sup> AI, p. 2.

<sup>7</sup> AI, p. 2.

<sup>8</sup> EUAFR, p. 16 (Handbook on the establishment and accreditation of national Human Rights Institutions in the European Union (October 2012), p. 26).

<sup>9</sup> AI, p.2.

<sup>10</sup> AI, p. 2.

<sup>11</sup> EUAFR, p. 6 (Fundamental rights: challenges and achievements in 2012 (June 2013), p. 247).

<sup>12</sup> CoE-ACFC, para. 14.

<sup>13</sup> EUAFR, p. 17 (The Racial Equality Directive: application and challenges (January 2012), p. 12).

<sup>14</sup> AI, p. 2.

<sup>15</sup> EUFRA, p. 7 (Fundamental rights: challenges and achievements in 2012 (June 2013), p. 260).

<sup>16</sup> CoE-ACFC, p.2.

<sup>17</sup> AI, p. 4.

<sup>18</sup> Coe-CM: Resolution, para.2. See also : CoE-ACFC, p. 2.

<sup>19</sup> Coe-CM: Resolution, para.2.

<sup>20</sup> CoE-ACFC, para. 41.

<sup>21</sup> AI, page 2.

- 22 AI, page 2.  
23 AI, p. 1.  
24 AI, pp. 1 and 3.  
25 CoE-CM: Resolution, para. 3.  
26 CoE-Commissioner, p. 1.  
27 AI, p. 2.  
28 AI, p. 1.  
29 AI, p. 5.  
30 CoE-Commissioner, p. 2.  
31 CoE-Commissioner, p. 2.  
32 CoE-Commissioner, p. 1.  
33 CoE-CPT, para. 9.  
34 CoE-CPT, para. 12.  
35 CoE-CPT, para. 25.  
36 CoE-CPT, para. 25.  
37 CoE-CPT, paras. 30 and 31.  
38 CoE-CPT, para. 56.  
39 CoE-CPT, para. 93.  
40 CoE-CPT, para. 77.  
41 CoE-CPT, para. 97.  
42 CoE-CPT, para. 104.  
43 EUAFR, p. 2 (Violence against women: an EU-wide survey. Main results report (March 2014), p. 80).  
44 EUAFR, p. 1 (Violence against women: an EU-wide survey. Main results report (March 2014), p. 53).  
45 EUAFR, p. 5 (Fundamental rights: challenges and achievements in 2012 (June 2013), p. 122).  
46 EUAFR, p. 4 (Violence against women: an EU-wide survey. Main results report (March 2014), p. 124).  
47 GIEACPC, para. 2  
48 GIEACPC, p. 1.  
49 GIEACPC, para. 1.2. See also: EUAFR, p. 6 (Fundamental rights: challenges and achievements in 2012 (June 2013), p. 123).  
50 EUAFR, p. 7 (Fundamental rights: challenges and achievements in 2012 (June 2013), p. 108).  
51 EUAFR, p. 15 (Fundamental rights: challenges and achievements in 2011 (June 2012), p. 228).  
52 CoE-GRETA, p. 7.  
53 CoE-GRETA, p. 7.  
54 CoE-GRETA, para. 54.  
55 CoE-GRETA, para. 56.  
56 CoE, p.6 and CoE-GRETA, para. 181.  
57 CoE-GRETA, para. 31.  
58 CoE-GRETA, para. 41.  
59 CoE-GRETA, p. 7.  
60 CoE-GRETA, p. 7.  
61 CoE-GRETA, p. 8.  
62 CoE-Greta, para.76.  
63 CoE-GRECO, para. 4.  
64 CoE-GRECO, para. 5.  
65 CoE-GRECO, para. 233.  
66 CoE-GRECO, para. 137.  
67 CoE-GRECO, para. 116.  
68 CoE-GRECO, para. 182. See also CoE-GRECO, 15-19 October 2012, paragraph 5.  
69 CoE-GRECO, para. 5.  
70 AI, p. 2.  
71 AI, p. 2.  
72 EUAFR, p. 15 (Fundamental rights: challenges and achievements in 2011 (June 2012), page 203).  
73 CoE-CPT, para. 63.  
74 OSCE/ODIHR, page 12.  
75 OSCE/ODIHR, page14.  
76 OSCE/ODIHR, page 15.  
77 OSCE/ODIHR, page 16.

- <sup>78</sup> OSCE/ODIHR, page 20.  
<sup>79</sup> OSCE/ODIHR, page 2.  
<sup>80</sup> OSCE/ODIHR, page 23.  
<sup>81</sup> OSCE/ODIHR, page 8.  
<sup>82</sup> CoE-ECSR, European Committee of Social Rights Conclusions 2013 (Slovenia), European Social Charter, January 2014, p. 25.  
<sup>83</sup> EU-FRA, p. 14 (Fundamental rights: challenges and achievements in 2011 (June 2012), p. 129).  
<sup>84</sup> CoE-ECSR, European Committee of Social Rights Conclusions 2013 (Slovenia), European Social Charter, January 2014, page 27.  
<sup>85</sup> AI, p. 4. See also: CoE-ECSR, European Social Charter, European Committee of Social Rights, Conclusions 2011 (Slovenia) on Articles 1.9, 10, 15, 18, 10, 24 and 25 of the Revised Social Charter, pp. 33, 36 and 38.  
<sup>86</sup> AI, p. 1.  
<sup>87</sup> AI, p. 3.  
<sup>88</sup> AI, p. 3.  
<sup>89</sup> AI, p. 3.  
<sup>90</sup> AI, p. 3.  
<sup>91</sup> CoE-ACFC, p. 1 and para. 47.  
<sup>92</sup> AI, p. 5.  
<sup>93</sup> CoE-ECSR, European Committee of Social Rights Conclusions 2013 (Slovenia), European Social Charter, January 2014, page 18.  
<sup>94</sup> CoE-ECSR, European Committee of Social Rights Conclusions 2013 (Slovenia), European Social Charter, January 2014, page 18.  
<sup>95</sup> IBFAN, page 2.  
<sup>96</sup> CoE-CEECRML, para. 92.  
<sup>97</sup> CoE-CM: Resolution, para. 2.  
<sup>98</sup> CoE-CEECRML, para. 37, 46, 59, and 62.  
<sup>99</sup> CoE-CM: Recommendation, para. 1-3.  
<sup>100</sup> EUAFR, p. 15 (Fundamental rights: challenges and achievements in 2011 (June 2012), p. 139).  
<sup>101</sup> EUAFR, p. 21 (Annual Report 2010 (June 2011), p. 17).  
<sup>102</sup> OSCE/ODIHR, p. 2.  
<sup>103</sup> OSCE/ODIHR, p. 22.  
<sup>104</sup> CoE-ECSR, European Social Charter, European Committee of Social Rights, Conclusions 2012 (Slovenia) on Articles 1.9, 10, 15, 18, 10, 24 and 25 of the Revised Social Charter, p. 11.  
<sup>105</sup> CoE-ACFC, p. 2.  
<sup>106</sup> CoE-ACFC, para. 32.  
<sup>107</sup> AI, p. 1.  
<sup>108</sup> CoE-ACFC, para. 77.  
<sup>109</sup> AI, p. 4.  
<sup>110</sup> AI, p. 4.  
<sup>111</sup> CoE-CM: Resolution, para. 157.  
<sup>112</sup> CoE-CM: Resolution, para. 2.  
<sup>113</sup> CoE-ACFC, page 1.  
<sup>114</sup> EUAFR, p. 18 (Fundamental rights of migrants in an irregular situation in the European Union (November 2011), p. 67).  
<sup>115</sup> EUAFR, p. 21 (Annual Report 2010 (June 2011), p. 77).  
<sup>116</sup> CoE-ECSR, European Committee of Social Rights, Conclusions 2011 (Slovenia), Articles 7, 8, 16, 17, 19, 27 and 31 of the Revised Charter, European Social Charter, January 2012, p. 23.
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