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Summary of stakeholders' submissions on Slovenia*

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review and the outcome of the previous review.¹ It is a summary of 12 stakeholders' submissions² for the universal periodic review, presented in a summarized manner owing to word-limit constraints. A separate section is provided for the contribution by the national human rights institution that is accredited in full compliance with the Paris Principles.

II. Information provided by the national human rights institution accredited in full compliance with the Paris Principles

2. The Human Rights Ombudsman of the Republic of Slovenia (the Ombudsman) noted that Slovenia had not yet adopted a comprehensive anti-discrimination strategy.³

3. The Ombudsman stated that an effective prosecution of cases of hate speech remained an issue in Slovenia.⁴

4. The Ombudsman noted an increase in the number of complaints received in 2023 regarding various forms of violence against residents of care institutions and highlighted a need to invest in training and education of all professionals working with older persons.⁵

5. The Ombudsman reported on the overcrowding in prisons, and referred to the situation of Ljubljana prison, which reportedly had 209 percent of occupancy rate in January 2024.⁶ The Ombudsman considered the situation in the prisons alarming and noted a lack of measures to increase the use of alternative measures to imprisonment.⁷

6. The Ombudsman recalled that a Juvenile Justice Act had not been adopted, even though its adoption was foreseen by the Criminal Code adopted in 2008.⁸

7. The Ombudsman reported on a shortage of staff in health care, especially for nursing staff, medical technicians, and paramedics. In the past several years, the Ombudsman expressed concerns over the shortage of experts in clinical psychology of children and

* The present document is being issued without formal editing.



adolescents, psychiatry, and child psychiatry, causing long waiting time in psychological and psychiatric treatment of children.⁹

8. The Ombudsman highlighted the need of urgent systemic action in institutional care for children with severe mental health disorders. Children and adolescents should be placed only in secure units which were designed for children and adolescents in terms of staff, space, services, and programmes. The Ombudsman also called for deinstitutionalisation of children with mental health issues.¹⁰

9. In 2020, the Ombudsman had recommended the introduction of assistance to families with children with special needs under 18 years old, aiming at reducing the institutionalisation of children with special needs. Unfortunately, the recommendation was not implemented.¹¹

10. The Ombudsman noted a lack of special crisis referral centres for victims of rape or sexual violence to conduct a medical and forensic investigation and provide trauma assistance and counselling to the victims.¹²

11. The Ombudsman recommended that the authorities provide training to professionals of social work centres, educational institutions, health care, justice, and the police to make sure that the victims of violence receive appropriate help.¹³

12. The Ombudsman recommended that the authorities unify and harmonise the definition of disability in domestic legislation with the Convention on the Rights of Persons with Disabilities (CRPD), reform the disability assessment system, introduce a single disability assessment body and amend the provisions of public regulations that discriminate against people with mental health problems.¹⁴ The Ombudsman called for stepping up the development of community-based care for persons with disabilities.¹⁵

13. The year 2023 was marked by violence against lesbian, gay, bisexual, and transgender people, especially during the Pride parade in Ljubljana and in Maribor. Incidents were also reported in the media in 2024.¹⁶

14. Persons who wished to change the gender marker on their identity documents were required to obtain a medical certificate. This requirement effectively meant that people must be diagnosed with a mental disorder by a doctor if they wanted to change their legal gender. The Ombudsman recommended adopting legislation on legal recognition of gender markers.¹⁷

15. Social exclusion of Roma remained widespread, particularly in south-eastern Slovenia. Many Roma in the region lived in segregated settlements without security of tenure, some even without basic services such as adequate safe drinking water, sanitation, and electricity. The Ombudsman called for ensuring access to adequate housing for Roma.¹⁸

16. The Ombudsman referred to a study indicating that premature mortality rate among Roma was 69 percent, compared to the national average of 19 percent. The child mortality rate for Roma aged one to five was seven times higher than the national average. Roma also faced higher hospitalization rates for various diseases.¹⁹

17. The distinction between "autochthonous" and "non-autochthonous" Roma persisted despite recommendations to eliminate it. The Act on Local Self-Government mandated Roma representation in municipal councils only in areas with "autochthonous" Roma population, excluding urban areas like Ljubljana and Maribor, as well as other municipalities with Roma population.²⁰

18. The Ombudsman noted that migrants apprehended at the border were returned to neighbouring countries by the authorities without a written decision, and thus, they could not have access to legal remedies to challenge their return or transfer.²¹

19. According to national legislation (Aliens Act), unaccompanied minors and families with children should primarily be accommodated in appropriate facilities for children. However, in practice, families with children and some unaccompanied minors were detained in the Postojna Centre for Foreigners, which was a closed facility. The Ombudsman's recommendation to provide adequate alternative accommodation for families with children and to use detention of minors only as a last resort, was not implemented.²²

20. The Ombudsman observed, in 2022 and 2023, that Slovenia's main asylum reception centre was overcrowded and thus, did not meet the required minimum material reception standards.²³

III. Information provided by other stakeholders

A. Scope of international obligations and cooperation with human rights mechanisms

21. JS2 recommended that Slovenia accede to the 1961 Convention on the Reduction of Statelessness.²⁴

22. ICAN urged Slovenia to sign and ratify the Treaty on the Prohibition of Nuclear Weapons.²⁵

B. National human rights framework

Institutional infrastructure and policy measures

23. It was recommended that Slovenia ensure full independence and autonomy to the Advocate of the Principle of Equality (APE) so that its funding and financial control over the budget is fully independent from the interferences by the Government.²⁶

C. Promotion and protection of human rights

1. Implementation of international human rights obligations, taking into account applicable international humanitarian law

Equality and non-discrimination

24. APE recommended that Slovenia adopt and implement a comprehensive national strategy to combat all forms of discrimination, including intersectional discrimination, on all grounds and in all areas of social life.²⁷

25. LEGEBITRA recommended that Slovenia amend anti-discrimination legislation to include sex characteristics as a prohibited ground of discrimination.²⁸

26. CoE-Commissioner noted with concern that hate speech had been on the rise against migrants, Muslims, Roma, Jews and lesbian, gay, bisexual, transgender and intersex people, in particular on the internet.²⁹ CoE-ACFC observed that the number of complaints about cases of hate speech and ethnic intolerance had increased.³⁰ CoE-ECRI stated that in spite of a significant increase in the handling of hate speech cases by the police, the number of indictments issued by prosecutors remained comparatively low. CoE-ECRI noted that the impunity gap, referred to in its 2019 report, in the prosecution of hate speech remained an issue.³¹

27. CoE-CM and CoE-ACFC urged Slovenia to combat stereotypes and prejudice against the minority communities exposed to hate speech and to publicly condemn anti-minority rhetoric, and to effectively prosecute and sanction all instances of hate speech, including in public and political discourse.³²

28. OSCE/ODIHR recommended that the authorities, in collaboration with civil society, celebrate and harness the strength of diversity within the country, including through awareness-raising programmes.³³

29. APE recommended ensuring comprehensive legislation prohibiting all forms of hate speech and hate crime.³⁴ OSCE/ODIHR recommended that Slovenia enact policies to address hate crimes in a comprehensive manner.³⁵

30. OSCE/ODIHR recommended that the authorities condemn any form of discrimination and hate crime, and respond swiftly to hate crimes, including those motivated by gender or

sex, and investigate them so that the perpetrators can be brought to justice and adequate penalties imposed. OSCE/ODIHR recommended that the authorities build law enforcement and justice sector capacities to recognize and effectively investigate hate crimes and ensure that specialized training, focused on hate crime victims and their needs, is provided for officials and civil society organizations within the victim support structures.³⁶

31. OSCE/ODIHR recommended ensuring the availability of all necessary psychological, social and legal support for the victims, including through close co-operation with civil society.³⁷

32. AI reported that the government did not collect disaggregated data on any minorities in all areas of social life, and that a lack of reliable information limited their ability to develop and implement targeted policies.³⁸ CoE-ECRI noted with regret strong hesitations from the authorities to collect disaggregated equality data. CoE-ECRI concluded that its recommendation of 2019 to gather disaggregated equality data for the purpose of combating racial discrimination and propose legislative clarification to ensure that data was collected in all cases with due respect for standards on data protection, was not implemented.³⁹ OSCE/ODIHR recommended that the authorities assess and improve relevant mechanisms for hate crime recording and data collection, including gender disaggregated data.⁴⁰

Administration of justice, including impunity, and the rule of law

33. PTPR/JS3 reported on the issue of concealed mass graves of civilian or military victims killed during and after World War II in the territory of the Socialist Republic of Slovenia and on the challenges in identifying and burial of victims from those mass graves in Slovenia.⁴¹ PTPR/J3 stated that the exploration of sites of those graves had begun in 1990, but it occurred in the absence of funding, adequate regulatory framework and political will to pursue systemic approach to the issue.⁴²

34. PTPR/JS3 recommended ensuring that all exhumed victims from mass graves are given a dignified burial and adopting a legal framework for the identification of exhumed victims.⁴³

Fundamental freedoms and the right to participate in public and political life

35. CoE-Commissioner noted with concern that the Criminal Code contained several defamation-related offences punishable with imprisonment.⁴⁴ Slovenia had not yet fully decriminalised defamation.⁴⁵ OSCE/ODIHR recommended repealing criminal provisions for defamation, slander and insult in favour of proportional civil remedies.⁴⁶

36. In 2021, the CoE-Commissioner concluded that there had been a marked deterioration in freedom of expression and media freedom over the preceding several months. CoE-Commissioner noted that Slovenia had a history of being a beacon of media freedom and a safe haven for journalists in the region and beyond.⁴⁷ However, she was concerned that certain developments and some steps taken by the authorities in 2021 risked undermining the ability of critical voices to speak freely.⁴⁸

37. CoE-Commissioner stated that current challenges to media freedom in Slovenia included an increasingly hostile environment for journalists and actions by the authorities that risked undermining public service media, against a backdrop of long-standing systemic weaknesses relating to the independence and regulation of the media landscape.⁴⁹

38. CoE-Commissioner also expressed concern about sexist harassment of female journalists.⁵⁰ CoE-Commissioner observed that female journalists had been subjected to misogynistic abuse and had been the victims of sexually explicit insults or personal attacks suggesting subordination to their husbands and targeting members of their families.⁵¹

39. CoE-Commissioner was informed that journalists rarely turned to the police or the judicial system when threatened with violence.⁵² CoE-Commissioner invited the authorities to reflect on how the police and the justice system could deal more effectively with threats of violence against journalists, including in the case of sexist threats made online and offline against female journalists.⁵³ OSCE/ODIHR recommended that the authorities investigate the threats against journalists, and refrain from the use of derogatory or inflammatory rhetoric against the media.⁵⁴

40. CoE-Commissioner noted that journalists had been the target of abusive legal proceedings aimed at inhibiting critical reporting. Another impediment faced by Slovenian journalists over the years had been attempts to legally compel them to reveal their sources, especially when publishing classified information.⁵⁵ CoE-Commissioner recommended that the authorities amend the legislative framework to prevent SLAPP suits (strategic lawsuits against public participation). This could include provisions to allow the early dismissal of patently spurious lawsuits or measures to punish abuse, for example by reversing the costs of proceedings.⁵⁶

41. CoE-Commissioner stated that the media were not sufficiently protected against interference, either direct or indirect, from owners, based on their political and commercial interests. The legislative framework did not address conflicts of interests between owners of media and political parties, including ruling parties. Concentration of ownership was also a difficult issue given the size of the media market in Slovenia.⁵⁷

42. CoE-Commissioner recommended that meaningful reforms be considered to address systemic weaknesses in the regulation of the media market in Slovenia to promote independent, high-quality, and diverse media. Increasing the transparency of media ownership could help alert readers and regulatory authorities about editorial interference or media concentration.⁵⁸ OSCE/ODIHR recommended protecting the public media from political pressure, introducing adequate safeguards in the legislation and practice to guarantee editorial independence, and ensuring financial sustainability and appointment of a professional, non-politicized management and oversight bodies of public broadcasters.⁵⁹

43. In 2021, CoE-Commissioner was concerned that several measures taken by the authorities in the past year might have constituted disproportionate restrictions on the right of peaceful assembly. The imposition of blanket bans on public gatherings as decided at times by the authorities appeared to be disproportionate. She noted with regret that the Government seemed to have used the pandemic as a pretext to discourage the expression of dissent or political opposition.⁶⁰

44. CoE-Commissioner called on the Government to refrain from making stigmatising, derogatory or misleading comments about the work of human rights defenders, and to condemn such discourse by others.⁶¹

45. OSCE/ODIHR noted that its Election Assessment Mission concluded that 2022 parliamentary elections were competitive and pluralistic. Contestants campaigned freely, and voters had a wide variety of choices across the political spectrum. During the election campaign, the freedoms of peaceful assembly and association were respected. However, the Election Assessment Mission reported on the interference in the work of public broadcasters and continuous targeting of journalists by political actors during elections.⁶²

46. OSCE/ODIHR recommended enhancing transparency and integrity of campaign finance.⁶³

Prohibition of all forms of slavery, including trafficking in persons

47. ECLJ stated that refugees and undocumented migrants were the most susceptible to being exploited by human traffickers in Slovenia. Slovenia had difficulties combatting trafficking in human beings partly because of insufficient resources allocated by the Government to identify potential victims of trafficking given the massive influx of irregular migrants.⁶⁴ ECLJ referred to low rates of convictions and lengthy court cases and argued that they were an indication of a lack of resources needed to effectively combat trafficking in human beings and protect victims.⁶⁵

48. CoE-GRETA urged the authorities to step up their efforts to identify victims of trafficking, paying increased attention to detecting victims of trafficking amongst migrants and asylum seekers, as well as improve the identification of, and assistance to, child victims of human trafficking.⁶⁶

49. CoE-GRETA urged Slovenia to systematically inform all asylum seekers, in a language they can understand, about their rights in the framework of the asylum procedure, and the legal rights and the services available to victims of trafficking and ensure that pre-removal risk assessments prior to all forced removals from Slovenia fully assess risks of

trafficking in human beings or re-trafficking on return, in compliance with the obligation of non-refoulement.⁶⁷

50. CoE-GRETA urged the authorities to take additional measures to ensure compliance with the principle of non-punishment of victims of human trafficking for their involvement in unlawful activities, to the extent that they were compelled to do so.⁶⁸ CoE-GRETA urged the authorities to make additional efforts to guarantee access to justice for victims of human trafficking, in particular by ensuring that legal assistance is provided as soon as there are reasonable grounds for believing that a person is a victim of human trafficking, before the person concerned has to decide whether or not he/she wants to co-operate with the authorities and/or make an official statement.⁶⁹

51. CoE-GRETA urged the authorities to extend the application of the procedural protection measures currently reserved to children under the age of 15 years to cover all child victims and witnesses of human trafficking up to the age of 18.⁷⁰

52. CoE-GRETA urged the authorities to take additional measures to strengthen the criminal justice response to trafficking in human beings, including by ensuring that human trafficking offences are proactively and promptly investigated, regardless of whether a complaint about the reported crime has been submitted or not; and by sensitising investigators, prosecutors and judges on the rights of victims of trafficking and the importance of preventing secondary victimisation, and encouraging the development of specialisation amongst judges to deal with human trafficking cases.⁷¹

53. CoE-GRETA urged the authorities to prevent and combat trafficking for the purpose of labour exploitation and to strengthen co-operation between labour inspectors, law enforcement officers, tax authorities, trade unions and other civil society actors, with a view to collecting evidence necessary for successfully investigating and prosecuting cases of human trafficking for the purpose of labour exploitation.⁷²

Right to social security

54. AI stated that the National Assembly adopted, in July 2023, the Long-Term Care Act, which envisaged introducing a standardized means of assessing individual needs and eligibility for long-term care, both at home and in institutions and provided for long-term financing of the care system, which had been one of the key challenges in the past. The authorities needed to adopt the necessary by-laws to ensure that the people requiring long-term care could effectively access adequate services.⁷³

Right to health

55. AI noted a significant shortage of family doctors in Slovenia, which led to significant delays in people receiving their first examination, diagnosis and therapy and might have caused preventable deaths.⁷⁴ AI recommended that Slovenia adopt efficient emergency measures to ensure adequate access to primary healthcare to everyone and to adopt other systemic changes needed to guarantee quality access to health.⁷⁵

Right to education

56. Broken Chalk urged the Government to accelerate the planned curriculum changes, complemented by updating teaching methods to ensure students are acquiring relevant knowledge and skills that meet national and international educational standards. Broken Chalk also mentioned the need for equipping students with necessary technological skills, developing digital literacy initiatives, and prioritizing STEM (Science, Technology, Engineering, and Mathematics) education.⁷⁶

57. Broken Chalk highlighted the need for enhancing the attractiveness of teaching professions through competitive salaries, clear career progression paths and professional development opportunities.⁷⁷

58. CoE-ACFC noted that the authorities had taken measures with a view to increasing the enrolment of Roma children in pre-school education. However, the inclusion of Roma in kindergarten was still lower than in the average population.⁷⁸ AI noted that Roma children

were kept separate in some state-run kindergartens. A disproportionate number of Roma children continued to be assigned to classes of pupils with special needs.⁷⁹

59. CoE-CoM and CoE-ACFC called on the authorities to intensify their efforts, in co-operation with representatives of the Roma national minority and the families concerned, to increase pre-school attendance by Roma children in mainstream education.⁸⁰

60. Broken Chalk urged the authorities to enhance efforts to integrate Roma children and other minorities into the mainstream education system through increased language support and education on cultural openness.⁸¹

The environment, and business and human rights

61. AI stated that the Government updated, in 2023, its draft Integrated National Energy and Climate Plan, setting new targets that included generating 30-35 percent of energy from renewable sources and reducing greenhouse gas emissions by 37-40 percent by 2030. AI noted that those targets were reportedly criticised by civil society representatives, arguing that they fell short of the Paris Agreement goals and needed to be more ambitious.⁸²

62. AI reported that in 2024 the National Assembly voted in favour of amendments to the Environmental Protection Act imposing stricter requirements on emissions from co-incineration plants that were harmful to the health and other rights of nearby communities and to the climate.⁸³

63. CoE-GRETA considered that the authorities should adopt legislation promoting transparency in supply chains to enable scrutiny of companies' performance to prevent trafficking in human beings and labour exploitation.⁸⁴ CoE-GRETA stated that the authorities should further strengthen engagement with the private sector, in line inter alia with the UN Guiding Principles on Business and Human Rights with a view to raising awareness of the important role and responsibility of businesses in supporting the rehabilitation and recovery of victims of trafficking in human beings and labour exploitation, and to provide access to effective remedies.⁸⁵

2. Rights of specific persons or groups

Women

64. CoE-GREVIO noted that although some measures for preventing and combating violence against women had been taken, they did not cover all forms of violence. CoE-GREVIO highlighted a need to ensure that measures taken by the authorities address all forms of violence against women, in a holistic and comprehensive fashion.

65. CoE-GREVIO encouraged the authorities to pursue the adoption of a new comprehensive national strategy on all forms of violence against women, including domestic violence in order to develop a long-term co-ordinated approach giving due regard to all forms of violence covered by the scope of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention), and encompassing the prevention of such violence, protection of victims and the prosecution of perpetrators.⁸⁶

66. CoE-GREVIO noted that the definitions of rape and sexual violence was amended by moving away from a force-based definition.⁸⁷ AI conducted a survey in 2023 that revealed a relatively high level of awareness about the concept of sexual consent but significant misconceptions among young people regarding behaviours that required consent and the nature of consent itself.⁸⁸ AI highlighted the need for continued education and dialogue to address misconceptions and improve understanding of sexual consent. AI recommended incorporating education on sexual consent in the formal school curriculum, adapted to the evolving capacity of learners.⁸⁹

67. CoE-GREVIO encouraged the authorities to fully implement the newly adopted provisions of the Criminal Code covering the offences of rape and sexual violence and to ensure their effective application in practice by law-enforcement authorities, prosecutors and the judiciary, including in the absence of resistance by the victim and where the

circumstances of the case precluded valid consent. To this end, training for all relevant professionals should be conducted, and appropriate guidelines developed and implemented.⁹⁰

68. CoE-GREVIO and CoE-CoP recommended that Slovenia step up efforts to ensure prompt and appropriate responses from law-enforcement agencies in relation to all forms of violence against women covered by the Istanbul Convention.⁹¹

69. CoE-GREVIO and CoE-CoP recommended that Slovenia ensure systematic and mandatory initial and in-service training on the prevention and detection of all forms of violence against women covered by the Istanbul Convention, on equality between women and men, on the needs and rights of victims and on the prevention of secondary victimisation for all professional groups, in particular the healthcare sector, social workers and the judiciary, with all training supported and reinforced by clear protocols and guidelines that set the standards staff are expected to follow.⁹²

70. CoE-GREVIO and CoE-CoP recommended that Slovenia provide for adequate specialist women's support services throughout the country for all forms of violence against women covered by the Istanbul Convention, including by ensuring the sustainable functioning of a free-of-charge, 24/7 national telephone helpline for victims and the setting up of appropriate and easily accessible rape crisis and/or sexual violence referral centres, in sufficient numbers and meeting the needs of victims for immediate medical care, high-quality forensic examination, psychological and legal support, and referral to specialist organisations.⁹³

71. CoE-GREVIO encouraged the authorities to sustain and further develop their awareness-raising efforts by expanding their scope to all forms of violence covered by the Istanbul Convention and by ensuring their reach across all regions of Slovenia, including at the local level, and to continue to rely on expertise and experience of women's specialist NGOs in the area of awareness raising by providing further funds for their regular awareness-raising activities.⁹⁴

72. Noting the lack of an integrated system of data collection concerning all forms of violence across the law-enforcement and justice sector,⁹⁵ CoE-GREVIO and CoE-CoP encouraged the authorities to ensure the comprehensive collection of disaggregated data in relation to all forms of violence covered by the Istanbul Convention, disaggregated by sex, age and type of violence as well as the relationship of the victim to the perpetrator.⁹⁶

Persons with disabilities

73. APE recommended that the authorities review national legislation, policies and programmes to harmonize them with the obligations under the CRPD, especially with human rights-based model of disability.⁹⁷

74. JS1 stated that although there were programmes and services available in the community, e.g. day centres, community mental health centres, social programmes in the community, the main response to long-term mental health difficulties and intensive needs of people with disabilities were through special social care institutions. JS1 noted that most of those institutions had a "secure unit" where people who were considered dangerous to themselves or others were placed. Under the Mental Health Act, both voluntary and involuntary admissions in the secure units were possible.⁹⁸

75. JS1 stated that the Slovenian legislation, especially the Mental Health Act needed to be aligned with the CRPD and the Guidelines on deinstitutionalisation. JS1 recommended ensuring a progressive transformation of the secure units into a series of community-based services, without seclusion and restraint, and adopting legislation, with the final goal of transforming all secure units until 2035. The Government must ban all infrastructural investments (excluding regular maintenance) in secure units and invest only in community-based services until the secure units were completely transformed into community-based services.⁹⁹

Minorities

76. AI stated that discrimination against and social exclusion of a large proportion of the Roma continued, particularly in the south-east of the country. Many Roma in south-eastern Slovenia continued to live in segregated settlements, without security of tenure and often without essential services such as drinking water, sanitation and electricity. The persistent challenges in accessing those services as well as the widespread poverty of many Roma families, constituted a serious obstacle to their greater social inclusion and the full realisation of their rights. Poor living conditions affecting the Roma community continued to negatively impact their rights to education, work, an adequate standard of living and health, perpetuating a cycle of poverty and marginalisation.¹⁰⁰

77. CoE-ACFC and CoE-CoM recommended that the authorities ensure access to drinking water, sanitation and electricity in relevant Roma settlements, promote equal opportunities for Roma as regards access to private and public/social housing, and offer adequate housing to Roma from settlements whose regularisation was not possible.¹⁰¹ AI recommended that the authorities, where necessary and in agreement with affected Roma, relocate families who were living in unsuitable housing to temporary, emergency shelters until permanent, adequate housing can be guaranteed,¹⁰² and confer security of tenure on all people living in informal settlements. AI stated that all persons must be provided with protection against forced evictions.¹⁰³ AI recommended that the authorities review and monitor all spatial plans and housing programmes to ensure that they do not discriminate against Roma or further entrench segregation.¹⁰⁴

78. CoE-CoM and CoE-ACFC recommended that Slovenia strengthen the legal protection of the German-speaking ethnic group and the new national communities and consider granting them access to constitutionally protected national minority rights and extending the full application of the Framework Convention for the Protection of National Minorities to persons belonging to those communities.¹⁰⁵

79. CoE-ECRML stated that the legal framework made no provision for the recognition of Croatian, German and Serbian as regional or minority languages.¹⁰⁶ CoE-CoM recommended that Slovenia recognise Croatian, German and Serbian as minority languages traditionally spoken in Slovenia.¹⁰⁷

80. AI explained that following Slovenia's declaration of independence in 1992, some 25,000 citizens of other former Yugoslav republics were unconstitutionally removed from the official register of permanent residents in Slovenia. With the loss of status, they lost all their economic and social rights tied to permanent resident status, and their right to remain in Slovenia, rendering some people homeless. AI reported that more than 30 years, the authorities continued to ignore the demands of the 'erased' (citizens from other Yugoslav republics residing in Slovenia who were removed from public registries after Slovenia's declaration of independence in 1991) and the recommendations of civil society and international human rights bodies.¹⁰⁸

81. CoE-Commissioner welcomed the official apology extended in 2022 by then Slovenian President to the 'erased'.¹⁰⁹ However, CoE-Commissioner stated that many 'erased' were never able to recover their residence rights or receive compensation either because of restrictive conditions or because they missed the deadline for applying. A few 'erased' persons still lived in Slovenia without any legal status.¹¹⁰ JS2 recommended that Slovenia enact a law, allowing all those who were erased to regularize their status. The law should not impose any restrictive conditions and must have an open deadline. JS2 stated that Slovenia should adopt additional measures of fair redress.¹¹¹

Lesbian, gay, bisexual, transgender and intersex persons

82. AI stated that people seeking to affirm their gender in official identity documents were required to obtain a certificate from a health institution or a doctor, which in practice meant obtaining a mental health disorder diagnosis.¹¹² AI recommended that Slovenia amend the Rules on the Implementation of the Register of Deaths, Births and Marriages and ensure that people who seek to affirm their gender in official documents do not need a medical certificate as a prerequisite.¹¹³ LEGEBITRA recommended that Slovenia introduce legislative and other

policy measures ensuring legal gender recognition procedures that are transparent, accessible and based on self-determination.¹¹⁴

83. LEGEBITRA recommended that Slovenia introduce legislative and other policy measures, prohibiting medically unnecessary surgeries on intersex children and other medical intervention without their informed consent and ensure provision of adequate medical, psychological and social support to intersex persons and their families.¹¹⁵

84. LEGEBITRA recommended that Slovenia adopt an anti-bullying strategy including strategies to combat bullying targeting LGBTIQ+ youth and introduce strategies on tackling violence and discrimination against them, accompanied by relevant action plans of implementation on national level and within local governments.¹¹⁶

Migrants, refugees and asylum-seekers

85. JS2 reported that Slovenia adopted Article 10 of the Foreigners Act in 2017, allowing the National Assembly to vote on suspending the right to asylum in case migration posed a threat to public order and internal safety of the Republic of Slovenia. JS2 explained that by activating the articles of the Foreigners act, foreigners would no longer have effective access to the asylum procedure in the country.¹¹⁷ JS2 recommended repealing the provisions of the Foreigners Act and ensuring that individuals have effective access to the asylum procedure.¹¹⁸

86. CoE-GREVI and CoE-CoP recommended that Slovenia uphold the obligation to respect the principle of non-refoulement of victims of violence against women, in particular at border crossing points and ensure that victims of violence against women who are in need of protection, regardless of their status or residence, shall not be returned under any circumstances to any country where their life would be at risk or where they might be subjected to torture or inhuman or degrading treatment or punishment.¹¹⁹

87. AI referred to a decision of the Administrative Court in 2023, concluding that the practice of detaining asylum seekers before they lodged asylum applications violated their constitutional right to personal liberty.¹²⁰ AI recommended that Slovenia end the practice of arbitrarily detaining asylum seekers before they formally lodge requests for international protection.¹²¹

88. AI reported that reception conditions for asylum-seekers were often inadequate due to persistent lack of space and significant overcrowding in reception centres.¹²² AI recommended that the authorities provide asylum-seekers in reception centres with adequate and safe accommodation, as required by national and international law and ensure their dignity and security.¹²³

Stateless persons

89. JS2 recommended that Slovenia establish a dedicated statelessness determination procedure and take concrete steps to improve the recording of statelessness.¹²⁴

Notes

¹ A/HRC/43/15 and the addendum A/HRC/43/15/Add.1, and A/HRC/43/2.

² The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org (one asterisk denotes a national human rights institution with A status).

Civil society

Individual submissions:

AI	Amnesty International, London (United Kingdom of Great Britain and Northern Ireland);
APE	Advocate of the Principle of Equality, Ljubljana (Slovenia);
Broken Chalk	The Broken Chalk, Amsterdam (Netherlands);
ECLJ	European Centre for Law and Justice, Strasbourg (France);
ICAN	International Campaign to Abolish Nuclear Weapons, Geneva (Switzerland);
LEGEBITRA	LEGEBITRA, Cultural information and counselling Centre,

	Ljubljana (Slovenia);
<i>Joint submissions:</i>	
JS1	Joint submission 1 submitted by: The Faculty of Social Work; and the Institute of Criminology at the Faculty of Law (University of Ljubljana); Social Protection Institute; Institute for Culture of Diversity Open (a member of the Legal Network for the Protection of Democracy), Ljubljana (Slovenia);
JS2	Joint submission 2 submitted by: Legal Center for the Protection of Human Rights and the Environment (PIC) and the Institute for Contemporary Social and Political Studies (Peace Institute), Ljubljana (Slovenia);
PTPR/JS3	Joint submission 3 submitted by: Members of the Partnership in Truth for Peace and Reconciliation, namely the Society New Slovenian Covenant; the Society United at the Linden Tree of Reconciliation and the Justice and Peace Commission; Ljubljana (Slovenia).
<i>National human rights institution:</i>	
Ombudsman/HRORS	Human Rights Ombudsman of the Republic of Slovenia, Ljubljana (Slovenia);
<i>Regional intergovernmental organization(s):</i>	
CoE	The Council of Europe, Strasbourg (France) Attachments: (CoE-Commissioner) Memorandum on Freedom of Expression and Media Freedom in Slovenia, by the Commissioner of Human Rights of the Council of Europe, 4 June 2021, CommDH(2021)17; (CoE-Commissioner) Issue Paper, Dealing with the Past for a Better Future: Achieving justice, peace and social cohesion in the region of the former Yugoslavia, submitted by Commissioner for Human Rights of the Council of Europe, November, 2023; (CoE-ECRI) European Commission against Racism and Intolerance's conclusions on the implementation of the recommendations in respect of Slovenia subject to interim follow-up, adopted on 7 December, 2021; (CoE-GRETA) - Group of Experts on Action against Trafficking in Human Beings, Evaluation Report on Access to Justice and Effective Remedies for Victims of Trafficking in Human Beings, Third Evaluation Round, adopted on 15 June 2023; (CoE-ACFC) Advisory Committee on the Framework Convention for the Protection of National Minorities, Strasbourg, Fifth Opinion on Slovenia adopted on 22 May, 2022; (CoE-CoM) Resolution CM/ResCMN (2022)9 of the Committee of Ministers on the implementation of the Framework Convention for the Protection of National Minorities by Slovenia, adopted on 30 November 2022; (CoE-ECRML) Report of the Committee of Experts on the application of the European Charter for the Regional and Minorities Languages, Fifth Report on Slovenia, adopted on 8 November 2019; (CoE-CoM) Recommendation CM/RecChL(2020)2 of the Committee of Ministers to member States on the application of the European Charter for Regional or Minority Languages by Slovenia; adopted on 23 September 2020; (CoE-GREVIO) Group of Experts on Action against Violence against Women and Domestic Violence, Baseline Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic

OSCE/ODIHR

Violence (Istanbul Convention), adopted on 21 June 2021;
 (CoE-CoP) Recommendation on the implementation of the
 Council of Europe Convention on Preventing and Combating
 Violence against Women and Domestic Violence by Slovenia,
 IC-CP/Inf(2021)10, adopted on 7 December 2021.
 Office for Democratic Institutions and Human
 Rights/Organization for Security and Co-operation in Europe,
 Warsaw (Poland).

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- 5 Ombudsman, p. 3.
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- 22 Ombudsman, p. 7.
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- 24 JS2, para. 43.
- 25 ICAN, p. 1.
- 26 APE, para. 8.
- 27 APE, para. 13.
- 28 LEGEBITRA, para. 3.2.
- 29 CoE-Commissioner, Memorandum, para. 11.
- 30 CoE-ACFC, p. 4, para. 4.
- 31 CoE-ECRI, pp. 4-5. See also JS2, paras. 34 and 38.
- 32 CoE-ACFC, p. 5, para. 12 and CoE-CoM, para.2. See also JS2, para. 47.
- 33 OSCE/ODIHR, para. 12.
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- 38 AI, para. 9.
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¹¹⁸ JS2, paras. 24 and 44.

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¹²⁰ AI, para. 17.

¹²¹ AI, para. 35.

¹²² AI, para. 18.

¹²³ AI, para. 36.

¹²⁴ JS2, para. 43.
