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Draft report of the Working Group on the Universal Periodic Review*

Slovenia

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Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its seventh session from 8 to 19 February 2010. The review of Slovenia was held at the 14th meeting, on 16 February 2010. The delegation of Slovenia was headed by the Minister for Foreign Affairs, Samuel Žbogar. At its 17th meeting, held on 19 February 2010, the Working Group adopted the report on Slovenia.
2. On 7 September 2009, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Slovenia: Egypt, Brazil and the United States of America.
3. In accordance with paragraph 15 of the annex to resolution 5/1, the following documents were issued for the review of Slovenia:
 - (a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/7/SVN/1);
 - (b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/7/SVN/2);
 - (c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/7/SVN/3).
4. A list of questions prepared in advance by Denmark, Sweden, the United Kingdom of Great Britain and Northern Ireland, Argentina, the Czech Republic, Norway, Germany and the Netherlands was transmitted to Slovenia through the troika. Those questions are available on the extranet of the universal periodic review.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. In his introductory statement, the Minister for Foreign Affairs of the Republic of Slovenia, Samuel Žbogar, referred to the process of preparing the national report, which had involved relevant Government institutions as well as representatives of civil society. He added that the delegation attending the session had been composed of representatives from seven ministries and three Government offices.
6. The Minister noted that, under the Constitution, the international legal instruments were directly applicable in the Slovenian legal order. He also pointed out that Slovenia had extended an open invitation to all special procedures mechanisms. Slovenia also has an active national human rights institution, the Human Rights Ombudsman, which provides an independent assessment of the implementation of human rights and supports the existence of a strong, free and independent civil society.
7. Slovenia wished to provide an update on developments that had occurred since the preparation of the national report. With regard to so-called “erased persons”, aware of the need to settle the issue of people who had not applied for Slovenian citizenship in 1991/1992 and consequently had been removed from the register of permanent residence, the Government decided to implement the relevant decisions of the Constitutional Court. Thus, more than 2,300 supplementary decisions were issued in 2009 to persons whose permanent residence registration in Slovenia had terminated and to those who had already

obtained a permanent residence permit. Moreover, a law that will remedy other inconsistencies of the Act Regulating the Legal Status of Citizens of the Former Socialist Federal Republic of Yugoslavia Living in the Republic of Slovenia with the Constitution is currently being discussed in the National Assembly.

8. The first reading of the draft Family Code is expected to be held by the National Assembly in March or April. The new proposals include, inter alia, the prohibition of the corporal punishment of children and the recognition of equal status for same-sex partnerships and heterosexual partnerships.

9. The public debate on a new Act on Equal Opportunities for People with Disabilities, expected to be adopted later this year, has just concluded. In addition, a new Placement of Children with Special Needs Act has just been launched.

10. Moreover, efforts to combat domestic violence have been stepped up on the basis of the Prevention of Domestic Violence Act, a new Penal Code and the Resolution on the National Programme of Domestic Violence Prevention for the Period 2009-2014.

11. Slovenia pointed out that, later this month, the Government planned to adopt a new National Programme of Measures for Roma for the Period 2010-2015, setting out measures in key areas such as education, schooling, health care, employment, living conditions, culture and combating discrimination.

12. Slovenia further reported on new developments in the areas of the integration of immigrants and international protection.

13. In order to step up efforts to combat all forms of discrimination, an awareness-raising campaign entitled "Equal in Diversity" was launched in December 2009.

14. Special attention is accorded to human rights education and training, including training of members of the armed forces, the police and the judiciary.

15. Additionally, Slovenia is in the process of drafting a national action plan for the implementation of the Security Council resolutions aimed at the protection of women and children in armed conflict.

16. Regarding advance questions on women's rights, Slovenia indicated that the situation and the role of women were constantly being monitored by the Government with a view to eliminating discrimination against women and closing the gap between de jure and de facto gender equality, in particular with regard to participation by women and men in the labour market, as well as in public and political decision-making. Reference was also made to the National Programme for Equal Opportunities for Women and Men and to the adoption of the Family Violence Prevention Act and measures undertaken in that regard.

17. In connection with the questions on the Lukenda project to eliminate court backlogs, Slovenia explained that this issue remains a challenge that has been addressed by various measures. In 2006 a special act had been adopted to assist parties in legal proceedings. In 2005 a programme for eliminating court backlogs was adopted. The effectiveness of the implementation of the mentioned act and programme is being monitored by the European Court of Human Rights and to date, the reviews have been positive. In 2009 the Act on the Protection of the Right to a Trial without Undue Delay was amended with a view to strengthen its effectiveness. The Lukenda Project is on track to eliminate most of the court backlogs by the end 2010. However, efforts will continue in the future.

18. Regarding advance questions about protection against discrimination, Slovenia pointed out that, under the Constitution, all persons on the territory of the Republic of Slovenia are guaranteed the protection of human rights and fundamental freedoms, irrespective of their national origin and without any discrimination whatsoever.

B. Interactive dialogue and responses by the State under review

19. During the interactive dialogue, 55 delegations made statements. Recommendations made during the dialogue are found in section II of the present report.

20. A number of delegations praised the commitment of Slovenia to human rights and achievements accomplished since its independence, particularly the establishment of the institutional and legal framework for promoting and protecting human rights. A number of delegations commended the active engagement of Slovenia in the Human Rights Council, particularly the role played by the country, including in the areas of human rights education and children's rights.

21. Italy shared a common framework of values with the country, including the commitment to respecting the rights of national minorities. Italy accorded particular attention to the autochthonous Italian minority in Slovenia and the preservation of their rights. Italy made recommendations.

22. Jordan expressed appreciation for efforts to further develop and strengthen the legislative and institutional framework. Jordan made a recommendation.

23. Algeria referred to reports on hate speech by some politicians, as well as racial hatred, and asked how Slovenia would address such practices. Algeria made recommendations.

24. The United States of America noted the almost full integration of Slovenia into the Euro-Atlantic nexus of political, economic and defence organizations. It expressed concern that many citizens and migrants fell victim to criminals and organizations trafficking in persons. It made recommendations.

25. Norway welcomed the progress made in remedying the injustice done to non-ethnic residents on the basis of restrictive citizenship laws introduced in 1991. While noting the existing measures to address the unequal treatment of women, Norway was concerned at the lack of results achieved. Norway remained concerned at the prevalence of violence against women and girls. Norway made recommendations.

26. Mexico noted reports concerning a considerable backlog in court cases, requesting information about measures to address it, and about the progress of the "Lukenda" project. Mexico noted the 1992 revocation of the permanent resident status of citizens of the former Yugoslavia and the parliamentary discussions on that issue. Mexico made recommendations.

27. Australia welcomed efforts to resolve the issue of "erased persons", but was concerned that the rights of the 4,000 people whose cases had yet to be resolved remained to be respected. Australia urged that the process of judicial reform to address the backlog of court cases be accelerated. Australia commended the efforts to improve conditions for the Roma minority. It made recommendations.

28. Canada welcomed the Government's decision to implement the ruling of the Constitutional Court regarding citizens of the former Yugoslavia who had been removed from the register of permanent residents. Canada welcomed the elimination of disparities in the regulation of inheritance between spouses and partners in registered same-sex partnerships. Canada noted that court backlogs threatened the right to a trial without undue delay. Canada made recommendations.

29. Yemen noted a considerable number of cases involving the trafficking in women and children. Yemen asked about measures to curb trafficking and about any prosecutions that had been initiated and court rulings that had been issued against those who had trafficked in women and children. Yemen noted that thousands had been deprived of their

citizenship, asking about the obstacles impeding those who wished to acquire Slovenian nationality.

30. Germany recalled that the trafficking in women continued to be a problem. Germany noted that the amendments to the Penal Code had included human trafficking as a criminal offence. Germany asked whether the number of recorded cases of trafficking had decreased, and about the measures undertaken to prevent trafficking.

31. Qatar noted the efforts to establish a democratic, modern State and to guarantee human rights. Qatar also noted that a third of the provisions set out in the Constitution focused on human rights and fundamental freedoms, and that many laws on human rights had been enacted. Qatar made recommendations.

32. Hungary noted reports that the enforcement of the legislation on offences involving the sale of children, child prostitution and child pornography required further improvement. Hungary welcomed measures to enhance the protection of the rights of the Roma. Hungary asked about results achieved in criminal investigations into human trafficking cases.

33. India expressed concern about the loss of Slovenian nationality on the part of a significant number of persons and a draft bill aimed at remedying the inconsistencies in relevant legislation. India requested Slovenia's views about the establishment of a national human rights institution in compliance with the Paris Principles. India made a recommendation.

34. France asked about measures to settle the issue of "erased persons" and the timelines set out in those measures. France asked about measures aimed at improved integration of the Roma community. France expressed appreciation for the Government's willingness to reform the judicial system, as evidenced in particular by the adoption of a law on protecting the right to access to a speedy trial. France made recommendations.

35. Turkey noted the positive steps to achieve gender equality and improve the status of women. Turkey positively noted Slovenia's resolve to address challenges regarding the rights of the Roma and the members of the former Yugoslavia. Turkey made a recommendation.

36. Pakistan noted the increase in the number of xenophobic acts in 2008 and weak legal protection against discrimination. Pakistan expressed concern at the fact that freedom to worship had been restricted in some cases, noting that the application for permits to build a mosque in Ljubljana had been pending for a number of years. Pakistan made recommendations.

37. Bhutan noted the concern of treaty bodies at the persistence of stereotypical attitudes towards women and their role in society. Bhutan also noted the concern that the Roma, particularly Roma women and girls, continued to suffer prejudice and discrimination. It made a recommendation.

38. The United Kingdom of Great Britain and Northern Ireland remained concerned about discrimination against the Roma, particularly in the protection of their cultural rights and in health, housing and employment. While commending attempts to reduce the backlog in court cases, it stated that more could be done to ensure that those in custody were brought to trial without undue delay. It remained concerned about continuing stereotypical attitudes towards women and their role in society, as well as about domestic violence against women and children and the trafficking in women. It made recommendations.

39. Portugal noted that the entry into force of the new Penal Code, defining domestic violence as a specific offence, and the Domestic Violence Prevention Act had been commended by the Committee on the Elimination of Discrimination against Women.

Portugal also noted the Committee's concern at the continuing prevalence of violence against women and girls. Portugal made recommendations.

40. In response to questions raised about so-called erased persons, Slovenia referred to the information already provided in its introductory statement regarding the issuance of supplementary decisions in 2009 by the Ministry of Interior. It also reiterated that the Government had prepared a bill that had been sent to Parliament to remedy remaining issues, stating that it should be considered soon, probably in March. The law, when adopted, would restore residency status to all those persons of the former Yugoslavia whose names had been removed from the population registers in 1992. Thus, this issue, which had been open for 18 years, would finally be resolved.

41. Concerning the issue of the Roma, Slovenia noted that the Constitution and the umbrella Act and the sectoral special laws on education and health were the fundamental legal framework for regulating the position of the Roma community and the exercise of their rights. These were exercised through various complementary acts and ministry programmes. A number of examples of specific measures were cited, including, inter alia, the adoption of a strategy for Roma education; the provision of expert and financial assistance to municipalities for the development of Roma settlements; innovative approaches to specific Roma health care needs; measures to improve employability integration; and measures aimed at promoting the Roma language.

42. Regarding questions raised about the trafficking in human beings, Slovenia indicated that an action plan of the Interdepartmental Working Group against Trafficking in Human Beings had been established, which focused on a wide range of activities aimed at raising awareness and informing the public and target groups about that issue. Given that women and children were the most vulnerable groups, the action plan sought to enhance prevention activities targeted at them. Slovenia clarified that the action plan also defined assistance and protection programmes for trafficking victims. Slovenia reported that the number of recorded cases of trafficking in 2009 had been 38, and that in previous years there had been approximately 40 cases per year.

43. With regard to the question of court backlogs, Slovenia confirmed that a special programme for eliminating them had been adopted late in 2005 and had proved successful. It reiterated information about legislative reform provided in 2009 and reaffirmed its intention to eliminate the backlog.

44. Concerning the question of sexual violence against women, Slovenia stated that measures for the prevention of sexual violence against women and children were included in the National Programme on Crime Prevention, in legislation on domestic violence and in the National Programme for the Prevention of Domestic Violence. Since such crimes often remained hidden, activities were aimed at better detection, reporting and awareness-raising. The number of detected cases was increasing as the result of efforts to improve detection and prevention.

45. Regarding the national human rights institution, Slovenia stated that the Human Rights Ombudsman, which had been in place since 1994, had mostly fulfilled the Paris Principles and had been accredited by the International Coordination Committee of National Institutions for the Promotion and Protection of Human Rights.

46. With respect to the construction of the mosque or Islamic centre in Ljubljana, Slovenia indicated that the Islamic community in Slovenia had filed its first application for the allocation of a construction plot in 1969 but that a number of legal problems had arisen. The legal problem had been resolved in 2008, and the Islamic community of Slovenia was now in the process of publishing a tender for architectural design. On that basis, they should obtain building permits.

47. Slovenia clarified that its case law recognized not only trafficking, but also enslavement, as a criminal offence. Additionally, in ongoing cases, the activity of State Prosecutors was substantial in qualifying criminal offences as criminal offences of human trafficking. That, however, did not mean that the case law was sufficiently developed or settled.

48. Egypt acknowledged that since 2004, priority had been placed on combating the trafficking in persons. Egypt asked about the measures taken to develop and implement a national plan of action in the areas of the sale of children, child prostitution and child pornography, as well as measures taken to ensure the effective monitoring of the principle of equal access for all to education. Egypt made recommendations.

49. Austria noted that no mention had been made of the German-speaking communities and requested information about that issue. Austria also asked about the status of the implementation of the new Act Regulating the Legal Status of Citizens of the Former Yugoslavia Living in the Republic of Slovenia. Austria made a recommendation.

50. The Netherlands noted that backlogs persisted for certain categories of cases, which undermined the rule of law. It also noted that, under a July 2009 decision by the Constitutional Court, the National Assembly had been given six months to provide same-sex partners with equal inheritance rights. It welcomed Government action to address human trafficking and noted that, despite the initiation of criminal investigations into cases of alleged trafficking, no sentences on trafficking had been issued. It made recommendations.

51. Nicaragua asked about actions being carried out to punish discrimination as a crime. Nicaragua noted the Witness Protection Law, aimed at improved prosecution of cases involving forced prostitution and the trafficking in human beings. Nicaragua made recommendations.

52. Kazakhstan expressed concern about continuing problems faced by women, particularly Roma women, including persistent stereotypical and discriminatory attitudes, the trafficking in women, high maternal mortality, inequality in the labour market and widespread sexual harassment. Kazakhstan noted reports concerning violations of the rights of religious and ethnic minorities and child abuse, and also that special rights and protection were provided to the Hungarian and Italian minorities, but not to other minorities. Kazakhstan made recommendations.

53. Belarus noted the problems highlighted by the treaty bodies with regard to discrimination against women and girls of the Roma community. Belarus asked about practical measures to strengthen the institution of the family. Belarus inquired about the results and the implementation of the action plan for combating the trafficking in persons, any follow-up programme, and available statistics concerning investigations, prosecutions and court decisions on trafficking. Belarus made a recommendation.

54. Poland noted the amendment of the 1999 Act Regulating the Legal Status of Citizens of the Former Yugoslavia Living in Slovenia. Poland also noted the decisions of the Constitutional Court, which had found unconstitutional the measures to regulate the status of “erased persons”. Poland asked about steps towards the adoption of a law on such persons in keeping with the Constitution and about other measures to regulate their status. Poland made a recommendation.

55. The Islamic Republic of Iran noted that the trafficking in women continued to be a problem. Minorities, particularly the Roma group, including Roma women and girls, continued to suffer from prejudice and discrimination. It noted reported cases involving ill treatment by law enforcement officials, and a lack of thorough investigation and adequate

punishment of the officials responsible. It also noted the continuing prevalence of violence against women and girls. It made recommendations.

56. The Libyan Arab Jamahiriya noted the implementation of programmes and projects aimed at promoting children's rights. It noted the pilot project of the Child Ombudsman and the Voice of the Child Initiative, which provided children with access to decision-making processes. It asked about measures to address all forms of violence against children, particularly domestic violence and violence in schools.

57. Bosnia and Herzegovina commended efforts to promote and protect human rights, especially the amendment of the Constitution, but stated that further measures were needed to ensure greater gender equality. It asked for clarification about the erasure of people from other parts of the former Yugoslavia from the registry of permanent residents, stressing the importance of measures to guarantee those people's rights and ensure their equality with others. It made recommendations.

58. Montenegro noted its close bilateral relations with Slovenia and the close cooperation in the European and Euro-Atlantic integration processes.

59. Chad noted that Slovenia was a party to International Labour Organization (ILO) treaties. Chad noted the close cooperation of Slovenia with treaty bodies and the special procedures. Chad urged further efforts.

60. China welcomed the positive efforts made to promote gender equality, combat domestic violence and human trafficking, eliminate discrimination and protecting children's rights. China appreciated the good cooperation of Slovenia with the United Nations human rights mechanisms. China asked about progress in implementing the 2005 plan of action on human rights education and democracy. China requested information about concrete measures to improve the full enjoyment of the economic, social and cultural rights of the Roma and other ethnic minorities.

61. Morocco welcomed efforts to guarantee children's rights, including the establishment of a Deputy Ombudsman for protecting such rights and the launching of the first programme for children and young people, for the period 2006-2016. Morocco noted the programme of action for persons with disabilities, for the period 2007-2013, and the project entitled "Disabled-friendly municipalities", stating that those programmes were good examples and that their successful implementation should be shared and disseminated. Morocco made a recommendation.

62. Uzbekistan positively noted the amendments to the Penal Code to include criminal responsibility for those involved in child pornography, and the achievements accomplished in guaranteeing economic, social and cultural rights. Uzbekistan expressed concern at discrimination against the Roma and migrants and at discrimination against women in society. It requested additional information about any new legislation and measures to address human trafficking and to combat child prostitution and pornography. Uzbekistan made recommendations.

63. Albania welcomed the establishment of the Office of Equal Opportunities, which should ensure full respect for gender equality in all spheres. It noted the establishment of the Office of Nationalities to guarantee the rights and freedoms specific to other national communities. Albania made a recommendation.

64. Colombia indicated that achievements accomplished since independence should be recognized by the international community. It highlighted efforts to eliminate discrimination against women. Colombia asked whether Slovenia was considering the possibility of signing and ratifying the Convention on the Protection of the Rights of All Migrant Workers and Their Families. Colombia made recommendations.

65. Slovakia noted that under the Foreign Citizens Act, adopted in 1991, more than 25,000 citizens of the former Yugoslavia had been removed from the population registers. Slovakia made a recommendation.

66. Serbia noted that, under the Constitution, national minority status was recognized for the Hungarian, Italian and Roma communities. Serbia encouraged the Government to consider the possibility of recognizing national minority status for other pertinent groups. It encouraged all relevant institutions to enhance their efforts aimed at the adequate use of the Serbian language. Serbia welcomed Slovenia's commitment to resolving the issue of "erased persons." Serbia made a recommendation.

67. The Czech Republic welcomed the Action Plan against Human Trafficking for 2008-2009. It asked about measures being taken to prevent and reduce statelessness. It made recommendations.

68. In response to additional questions, Slovenia provided further information concerning the issue of "erased persons" and indicated that the relevant law would be publicized following its adoption.

69. Regarding questions raised concerning ethnic groups, Slovenia noted that articles 14, 61 and 62 of the Constitution guaranteed to the members of all national minority groups full exercise of their individual rights in order to maintain their national, linguistic and cultural characteristics. Moreover, the Ministry of Culture enabled the members of various minority groups and ethnic communities, as well as immigrants, to obtain financing, through public tenders, for the implementation of cultural projects. Slovenia provided information about a number of such projects/programmes.

70. Furthermore, regarding the issue of the German-speaking minority, Slovenia clarified that a public tender existed and that it was based on a bilateral agreement between Slovenia and Austria. Additionally, a study to determine the views of the inhabitants of the Kočevje area had been commissioned, and its findings would provide a basis for further consideration of the issue.

71. With respect to language availability for ethnic groups, Slovenia explained that the Ministry for Education and Sports provided for lessons in 14 languages, including the languages of Slovenia and now those of certain migrant communities as well.

72. As for the right to education, Slovenia clarified that the right to equal access to education was included in many strategies, such as those for the Roma and migrants, and clarified that each was supplemented by a plan of action. At the level of basic education, it was the State's obligation to provide free education to every person of compulsory age.

73. Concerning questions regarding hate speech, Slovenia clarified that the Media Act set out the constitutional principle of prohibition of incitement to discrimination and intolerance. It added that information disseminated in the media could not incite ethnic, racial, religious, gender-based or other forms of discrimination or intolerance. Editors and journalists were obliged to act in accordance with ethical and professional rules and standards. In 2008, the new Criminal Code had been amended with regard to hate speech, and a new provision defined that offence in detail, envisaging two- to three-year sentences of imprisonment.

74. Concerning questions raised regarding women and employment, Slovenia noted that it was among the countries of the European Union with the smallest wage gap. It added that labour legislation prohibited discrimination based on gender and noted the existence of various programmes address cases of discrimination.

75. Regarding women and violence, Slovenia noted that it had adopted various measures to reduce violence against women. All acts of violence had been criminalized under the

Protection of Public Order Act. Key recent legislative changes cited included the definition of a new criminal offence of domestic violence, the possibility of removing perpetrators and the adoption, in 2008, of the Prevention of Domestic Violence Act. Additionally, the Employment Relationships Act provided that an employer was obliged to guarantee a working environment free from sexual harassment.

76. Regarding the participation of women in decision-making, Slovenia stated that one of the goals of the Equal Opportunities for Women and Men Act was to ensure the balanced representation of both genders in all spheres. Under the Act, the Government and ministers were required to respect the principle of balanced representation when appointing people to advisory and professional bodies and when proposing governmental representatives to public companies and other entities governed by public law. In 2008, the average representation of women in Government bodies had been 41 per cent.

77. Concerning the protection of children and a child advocate, Slovenia stated that a Deputy Ombudsman was responsible for the protection of children's rights. Furthermore, on the basis of a pilot project entitled "Child advocate: voice of the child", the draft Family Code defined a child's right to an advocate, whose basic purpose was to protect a child's rights when the interests of the parents were contrary to those of the child and when a child's rights could not be adequately protected.

78. With regard to the issue of the participation of civil society in the preparation of the national report for the present review, Slovenia clarified that representatives of civil society and non-governmental organizations had been invited to participate, that regular meetings had been held and that their views and contributions concerning the draft report had been requested. Concerning follow-up, Slovenia intended to monitor the implementation of the acceptable recommendations made by other countries, among other forms of cooperation with civil society organizations, including through the Inter-ministerial Commission on Human Rights.

79. With respect to questions regarding discrimination, Slovenia noted that articles 14 and 63 of the Constitution protected general equality and prohibited incitement to discrimination, adding that the Criminal Code also included a special criminal offence concerning the violation of equality.

80. Regarding human rights education, Slovenia stated that the objectives of education and training at all levels included human rights education, and provided detailed information about how that goal was implemented.

81. Concerning additional questions about trafficking, Slovenia recalled information already provided.

82. With regard to ill treatment, Slovenia explained that measures were taken through an independent State Prosecutor's Office, which could propose criminal procedures. In order to guarantee independent investigations, a specialized police department existed within the Supreme State Prosecutor's Office. In addition, the Ombudsman had the power to monitor all places of detention, in cooperation with non-governmental organizations.

83. Concerning the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, Slovenia stated that it was still considering ratification. It believed that it already guaranteed most of the rights set out in the Convention, recalled that it was party to a number of international instruments ensuring a broad framework for the protection for migrants, and concluded that an effective system for the protection of migrant rights should be an integral part of the European legislation in that area.

84. Spain welcomed Slovenia's priorities, particularly with regard to the issue of court backlogs, improving cooperation and dialogue with treaty bodies and other regional

mechanisms, and achieving gender equality and eliminating violence against women. Spain asked about measures to be taken to improve the provisions set out in the 1995 Assistance Programme for the Roma. Spain made recommendations.

85. The Philippines welcomed measures to promote gender equality and recognized the intensive efforts to enhance the protection of children's rights and the rights of persons with disabilities. It noted challenges related to combating human trafficking and discrimination against minorities and protecting the rights of migrants and asylum seekers. It made recommendations.

86. Sweden noted that the Roma minority continued to face discrimination in terms of access to education, housing, health care and other services, persistent prejudice and hostility. Sweden noted the Government's decision to implement the relevant decisions by the Constitutional Court that had found "erasure" to be illegal and anti-constitutional. Sweden noted the current discussions in Parliament on a bill regulating other inconsistencies with the Constitution. Sweden asked about measures to ensure the right of such individuals to reparations, in accordance with Slovenia's international obligations.

87. Ukraine welcomed measures aimed at combating human trafficking and urged the strengthening of its efforts, including those to protect and rehabilitate victims. Ukraine appreciated measures to ensure the protection of children's rights. Ukraine welcomed the fact that the rights of national minorities were defined and regulated by the Constitution and law. Ukraine asked for information about concrete measures to promote the cultural rights of other nationalities. It made a recommendation.

88. Bulgaria asked for information about the effectiveness of the implementation of the Programme of Action for Persons with Disabilities for 2007-2013 and the Vocational Rehabilitation and Employment of Disabled Persons Act, as well as about the challenges faced in implementing the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto. Bulgaria appreciated measures taken in the area of trafficking, particularly the establishment of an intergovernmental working group. Bulgaria also noted the adoption of the Family Violence Prevention Act and of penal sanctions aimed at addressing domestic violence.

89. Croatia urged the creation of an environment conducive to the full integration of Roma into society, especially the full integration of Roma children into the education system. Croatia expressed concern at continuous public manifestations of intolerance and at hate speech by some politicians. Croatia noted that the Constitution contained no provisions relating directly to special protection for members of ethnic groups other than Italians, Hungarians and Roma, and that many other ethnic groups were not considered national minorities. Croatia hoped that the policy aimed at the recognition and protection of all ethnic groups would be reconsidered.

90. Chile welcomed the legislative and institutional progress made in the elimination of discrimination against women, thanks to the incorporation of approximately 60 per cent of Slovenian women into the labour force. Chile made recommendations.

91. Malaysia welcomed the special attention accorded children's and women's rights and the rights of persons with disabilities and members of national and other ethnic communities. Malaysia noted the reported instances of public manifestations of hate speech and intolerance, targeting minorities. It noted reports concerning frequent incidents involving hateful inscriptions on the premises and memorial landmarks of certain religious communities. Malaysia made recommendations.

92. Argentina highlighted the importance of freedom of religion and respect for different beliefs in Slovenia. Argentina valued the policy of preparing and employing persons with physical and mental disabilities. Argentina made recommendations.

93. Azerbaijan noted the standing invitation extended to all special procedures, and welcomed the promotion of human rights education and efforts to enhance the rights of women and children. Azerbaijan noted that the new Family Code under discussion envisaged the prohibition of corporal punishment against children. It made recommendations.

94. Moldova noted that the implementation of human rights standards and children's rights was among Slovenia's priorities. Moldova asked about the planned modalities for implementing the recommendations resulting from the present review. Moldova made a recommendation.

95. Ghana appreciated the entry into force of a new Penal Code and of the Domestic Violence Prevention Act, aimed at eliminating domestic violence. Ghana noted the concern of the Committee on the Elimination of Discrimination against Women at the continuing prevalence of violence against women and girls. Ghana made recommendations.

96. The former Yugoslav Republic of Macedonia stressed the importance of the effective role played by the Ombudsman in the judicial system. Macedonia requested further information about national programmes aimed at the promotion and protection of minority rights. Macedonia asked about Slovenia's position concerning the eventual adoption of the Optional Protocol to the Convention on the Rights of the Child.

97. Palestine commended efforts to achieve security for all, social justice and development in the area of human rights, as well as the commitment to international law.

98. Kyrgyzstan welcomed efforts to build national institutions for human rights protection, including the Human Rights Ombudsman, the Office for Equal Opportunities, Coordinators for Equal Opportunities for Women and Men, the Office for Religious Communities and the Office for Nationalities. Kyrgyzstan made recommendations.

99. The Russian Federation noted the unresolved problem of "erased persons", which had emerged after independence in 1991, stating that some 18,000 persons living within the territory of the former Yugoslavia had lost their citizenship. It also welcomed Slovenia's intention to address that issue. It made recommendations.

100. Concerning "erased persons", Slovenia noted that several delegations had referred to statelessness and clarified that the Citizenship of the Republic of Slovenia Act of 1991 had not introduced the basis for withdrawing their citizenship, but rather had provided for the withdrawal of their residency permits. As for the compensation claims of such persons, Slovenia clarified that the relevant decisions were taken by competent courts and that there was no reason why the Government should prepare any special measures that were being dealt with by the courts. It reiterated that the issue would be comprehensively addressed under the new law.

101. With regard to women murdered by their partners, Slovenia stated that the relevant data seemed to be faulty, as over the previous five years there had been 11 cases involving the murder of women by their partners. It clarified that, nevertheless, a number of measures, including legislative measures, had been adopted on protection against violence, and that it was now possible to remove violent persons from the vicinity of the victims.

102. As requested, Slovenia then provided details about the National Programme of Measures for the Roma for the Period 2010–2015. It explained that the programme included measures aimed at the key areas in which Roma still faced discrimination or in which specific positive measures were needed, such as education and schooling, health care, employment, living conditions, culture and the fight against discrimination. Each measure of the programme had its own implementation timeline, and a special Government body had been established to monitor its implementation.

103. Regarding additional questions about hate speech, in particular on the part of media and politicians, Slovenia recalled what had been stated in response to previous questions about existing criminal and other measures. It added that, in cases involving actions committed by members of parliament, this was a matter of parliamentary autonomy and parliamentary immunity/privilege by virtue of the Constitution, but that it could be regulated internally by the National Assembly.

104. Concerning questions raised regarding minority groups other than Italians, Hungarians and the Roma, Slovenia recalled that the Constitution guaranteed the equality of all ethnic groups, and added that collective rights were recognized for Italians, Hungarians and the Roma. It added, however, that financial programmes were available to all groups, and it provided details about those programmes.

105. With regard to the issue of freedom of religion, Slovenia clarified that, under the Constitution, everyone was guaranteed full freedom of conscience. In matters falling within its competence, the Government ensured the correct interpretation of legal norms relating to religious communities and the equal treatment of all religious communities.

106. Slovenia stated, regarding the issue of persons with disabilities, that it had approved the Action Programme for Persons with Disabilities for 2007-13, which set out measures to be taken to prevent discrimination against and provide equal opportunities for disabled persons. It added that the Programme had proved successful thus far, in particular in improving employment rates.

107. With regard to the issue of the existence of an investigating body in the area of discrimination, Slovenia clarified that it had appointed an Advocate of the Principle of Equality. The Advocate heard cases of alleged discrimination on the basis of personal circumstance (gender, nationality, race, inter alia). She or he provided general information and explanations concerning discrimination, drew attention to any established irregularities and recommended ways in which problems should be resolved.

108. With respect to the issue of answers provided to special procedures questionnaires, Slovenia clarified that, according to its data, it had replied to more questionnaires than had been recorded, but perhaps not always within the specified time frames.

109. Concerning maternity deaths, Slovenia considered that the data cited might not be accurate. It added that it had adopted a number of measures to prevent such deaths and had provided details about health care provided to expectant mothers.

110. In conclusion, Slovenia emphasized that, although relatively new, the universal periodic review had already proved to be an extremely important mechanism of the Human Rights Council. Slovenia expressed appreciation for all the interventions made. It reiterated that it regarded the review as a long-term process that could contribute to an even better human rights situation in the country. Finally, Slovenia stated that it was in that spirit that it would approach the consideration of all the recommendations that had been put forward, and that it would provide responses to them at the June session.

II. Conclusions and/or recommendations

111. The recommendations formulated during the interactive dialogue and listed below will be examined by Slovenia, which will provide responses in due course, but no later than the fourteenth session of the Human Rights Council, to be held in June 2010.

1. To examine the possibility of joining (Algeria)/sign and ratify (Egypt)/ratify (Bosnia and Herzegovina)/consider the ratification (Argentina) of the Convention on

Migrant Workers and Members of Their Families (Algeria, Egypt, Bosnia and Herzegovina, Argentina);

2. To ratify (Spain)/consider the possibility of ratifying (Argentina) the International Convention for the Protection of All Persons from Enforced Disappearance (Spain, Argentina) and of accepting the jurisdiction of the competent committee (Argentina);

3. To ratify the ILO Equality of Treatment (Social Security) Convention, 1962 (No. 118) and the ILO Prevention of Major Industrial Accidents Convention, 1993 (No. 174) (Argentina);

4. To adjust its legal framework to international human rights standards, in particular with regard to persons with disabilities, migrants, asylum seekers, refugees, women and children (Nicaragua);

5. To take the measures necessary to ensure that same-sex partners are treated equally with opposite-sex partners throughout Slovenian law (Netherlands);

6. To continue to implement legislation recognizing equal rights for same-sex couples (Colombia);

7. To eliminate all other forms of disparity in the treatment of heterosexual and same-sex couples, in order to ensure full equality and non-discrimination (Canada);

8. To adopt the latest draft amendments to the Marriage and Family Relations Act that equalize same-sex unions and other family unions and ban the corporal punishment of children (Norway);

9. To add a provision to the Marriage and Family Relations Act prohibiting other forms of the demeaning treatment of children, such as psychological violence (Norway);

10. To strengthen the Slovenian Human Rights Ombudsman (Egypt);

11. To continue to enhance the capacities of the inter-ministerial working group on combating the trafficking in persons, with the involvement of civil society, to prosecute cases of trafficking, provide assistance to victims and raise awareness (Philippines);

12. To move further ahead in drafting and implementing a national action plan to address the issue of the sale of children, child prostitution and child pornography (Qatar);

13. To share the experiences regarding the first Programme for Children and Youth, in particular the approach of including the recommendations of the Committee on the Rights of the Child (Moldova);

14. To make further efforts to promote gender equality by working to close the gender pay gap and encouraging women into top jobs and roles traditionally filled by men, which should be carried out through the National Programme for Equal Opportunities for Women and Men for 2005-2013 and other relevant programmes (United Kingdom of Great Britain and Northern Ireland);

15. To continue to implement the 1995 Programme of Measures for Assisting the Roma, and to introduce annually reviewed targets to measure progress (United Kingdom);

16. To provide adequate human and financial resources for the full implementation of the Action Plan Against Human Trafficking for 2008-2009, to

establish specialized services to assist the victims of trafficking, and to decrease the vulnerability of women and girls to trafficking (Czech Republic);

17. To develop a national plan of action aimed at addressing the sale of children, child prostitution and child pornography, and to provide adequate human and financial resources for its implementation (Islamic Republic of Iran);

18. To accept the recommendation of the Committee on the Elimination of Discrimination against Women to develop a comprehensive strategy or action plan to prevent and eliminate all forms of violence against women and girls, and to develop an effective institutional mechanism for coordinating, monitoring and assessing the effectiveness of the measures taken (Malaysia);

19. To submit its pending periodic reports to the Committee on the Elimination of Racial Discrimination (Pakistan);

20. To make sure that there are no delays in submitting answers to the thematic questionnaires of the special procedures of the Human Rights Council (Russian Federation);

21. To provide due legal protection against discrimination on all grounds on its soil (Pakistan);

22. To further strengthen measures against discrimination with regard to women, national minorities, persons of minority sexual orientation or gender identity and persons with disabilities (Czech Republic);

23. To establish Government plans as a follow-up to the recommendations of the Committee on the Elimination of Discrimination against Women to promote greater representation by women in all areas, particularly at work, without discrimination of any kind, as well as to prevent and eradicate domestic violence and all forms of violence against women and girls. Such plans should contemplate establishing institutional mechanisms for monitoring and assessing the effectiveness of all measures (Mexico);

24. To adopt effective measures to strengthen the system for the protection and promotion of the rights of women and children (Uzbekistan);

25. To intensify its efforts to change stereotypical images and discriminatory attitudes and perceptions regarding the roles and responsibilities of women and girls and men and boys in the family and in society (Portugal);

26. To take more effective measures to combat racial discrimination and intolerance, including by promptly investigating and taking stern action against the perpetrators of hatred, racist and xenophobic acts and speeches, and against those who have desecrated the premises of worship and memorial landmarks (Malaysia);

27. To strengthen measures, including at the local level, to combat cultural stereotypes and discrimination against minorities and migrants (Philippines);

28. To step up efforts and adopt appropriate measures to combat any form of discrimination against minorities as a whole (Uzbekistan);

29. To take measures to address stereotypical attitudes towards the Roma community and to promote access to education, health and employment for the Roma community (Bhutan);

30. To take appropriate measures to prevent and punish all forms of ill treatment by law enforcement officials (Islamic Republic of Iran);

31. To provide mandatory human rights education and training to police, prison and detention staff and members of the judiciary, including awareness-raising regarding the protection of the rights of minorities, women and children, and to ensure their accountability for any violation of human rights (Czech Republic);
32. To promulgate a law on domestic violence that includes penalties and options for the treatment of those responsible for such crimes, and to undertake an awareness-raising campaign regarding domestic violence (Spain);
33. To address the issue of gender-based violence, and to develop a comprehensive strategy or action plan for the prevention and elimination of all forms of violence against women and girls (Norway);
34. To address the issue of gender-based violence in a comprehensive manner (Islamic Republic of Iran);
35. To strengthen measures to combat violence against women and girls (Azerbaijan); to continue to promote the comprehensive strategy to prevent and eliminate all forms of violence against women and girls (Italy); to continue to make progress in implementing measures and programmes aimed at preventing and eliminating all forms of violence against women and girls (Colombia);
36. To pursue efforts to combat domestic violence, and to place particular emphasis on the implementation of an awareness-raising training policy aimed at contributing to changes in behaviour and of attitudes (France);
37. To ensure that a sufficient number of safe crisis centres and shelters are available to women victims of violence, in accordance with the recommendation of the Committee on the Elimination of Discrimination against Women (Kazakhstan);
38. To adopt effective and comprehensive measures to prevent and eliminate all forms of violence against women and girls, and to intensify campaigns to raise awareness about the criminal nature of domestic violence (Ghana);
39. To implement more effective protection measures to address the problem of the sexual harassment and the trafficking in women, and, in that context, to implement the recommendations of the Committee on the Elimination of Discrimination against Women and the Human Rights Committee (Kazakhstan);
40. To continue efforts to combat all forms of human trafficking, and to intensify efforts to bring perpetrators to justice (Netherlands);
41. To combat all forms of the trafficking in women and girls (Islamic Republic of Iran);
42. To strengthen the preventive measures aimed at combating the trafficking in persons (Algeria);
43. To effectively apply the biennial action plans to prevent the trafficking in human beings, whose victims are often women and children forced into prostitution against their will, and to establish mechanisms for border and airport control to prevent such crimes, as well as conduct information campaigns and provide adequate assistance to victims (Mexico);
44. To increase its efforts to fight human trafficking (Azerbaijan);
45. To continue to vigorously investigate sex and labour trafficking offences and increase trafficking prosecutions and convictions; to continue to provide trafficking awareness training for judges; to ensure that a majority of convicted traffickers serve

time in prison; and to continue to refer a significant number of identified victims for assistance (United States of America);

46. To seek improved detection of instances of human trafficking into and out of the country (United States);

47. To support awareness programming to make potential victims more aware of the risks associated with trafficking and better prepare them to identify potential situations in which they could be trafficked (United States);

48. To improve its control mechanisms at borders and entry points, in order to detect cases of trafficking, in accordance with its domestic legislation (Nicaragua);

49. To further prevent and combat human trafficking, including by enhancing the mandates of relevant mechanisms so that socially vulnerable individuals enjoy improved legal protection (Kyrgyzstan);

50. To continue to step up efforts to combat the trafficking in human beings, and in particular to establish criminal liability for the production and dissemination of materials advocating the trafficking in children, child prostitution and child pornography (Belarus);

51. To continue its efforts to effectively protect children's rights and to combat child trafficking, child prostitution and pornography (Ukraine);

52. To criminalize the production and dissemination of materials advertising the sale of children, child prostitution and child pornography, and to bring its Penal Code into conformity with the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (Ghana);

53. To continue its efforts, in cooperation with all relevant stakeholders, to prevent the sale of children, child prostitution and child pornography (Kyrgyzstan);

54. To implement the reforms already made by the Pahor Government to improve efficiencies in the Slovenian judicial system (Australia);

55. To take further measures to reduce the case backlog before its courts (Canada);

56. To take the steps necessary to further reduce court backlogs (Netherlands);

57. To continue its efforts to ensure the rights to trial without undue delay and to a fair trial (France);

58. To establish specialized tribunals with a view to accelerating trials related to family cases, in which the best interests of children should prevail, and to implement measures enabling socio-economically disadvantaged persons to receive free legal aid (Chile);

59. To ensure freedom of religion, as stipulated in the 2007 Religious Freedom Act and the International Covenant on Civil and Political Rights (Pakistan);

60. To take special and effective measures to guarantee freedom of religion (Kyrgyzstan);

61. To adopt a law banning incitement to religious and racial hatred, and to formulate concrete measures to guarantee the political, economic and cultural rights of religious and ethnic minorities, including Muslim minorities (Kazakhstan);

62. To take more effective steps to ensure that the process of building places of worship for Muslim and other minority groups is facilitated with a view to ensuring freedom of religion for all segments of society (Malaysia);

63. To take responsible measures against the continuous public manifestations of hate speech by some politicians (Kazakhstan);
64. To strictly implement the criminal provisions concerning hate speech and hate crimes, while conducting awareness-raising campaigns promoting tolerance (Czech Republic);
65. To further promote the position of women in decision-making, and to guarantee equal remuneration between men and women (Algeria);
66. To strengthen its efforts to increase the number of women participating in political life, in particular at the national level, and to revise the national Assembly Elections Act to accelerate the political advancement of women in the forthcoming elections (Norway);
67. To continue to empower women by enhancing their status and increasing their participation in decision-making processes (Turkey);
68. To strengthen the position and the participation of women in public life by introducing regulations guaranteeing their participation (Argentina);
69. To continue to implement measures aimed at addressing women's occupational segregation and the diversification of their academic and professional choices, including in non-traditional fields (Portugal);
70. To take the measures necessary to end discrimination against women in the workplace, and to implement ILO recommendations to ensure equal remuneration for work of equal value in the public and private sectors (Kazakhstan);
71. To continue to take effective measures to prevent the Roma from being victims of discrimination, in particular at work (Chile);
72. To adopt legislative measures to counter sexual harassment in the workplace, including penalties and opportunities for women victims to report such situations (Chile);
73. To continue to improve the living conditions of the Roma population (Australia);
74. To take effective steps to reduce the high maternal mortality rate (Azerbaijan);
75. To pursue its national efforts to integrate human rights education into the education system and training programmes, and to continue to pursue that issue at the international level (Morocco);
76. To strengthen appropriate measures aimed at promoting and protecting the cultural rights of certain ethnic groups, in particular the rights of children belonging to those groups (Albania);
77. To enact appropriate legislation and accelerate the process of recognizing "erased" citizens (Australia);
78. To adopt legislative and other measures aimed at including all "erased persons", regardless of where they currently reside (Norway);
79. To grant, upon request, permanent residency to any person who was a citizen of another republic of the former Yugoslavia and who was a permanent resident of Slovenia immediately prior to its independence, as well as to his or her descendants; to provide appropriate compensation to those who were disadvantaged as a result of

their “erasure”; and to conduct an outreach campaign concerning those measures to inform those now living abroad (Canada);

80. To retroactively re-register the affected persons, in keeping with the relevant decisions of the Slovenian Constitutional Court from 1999 and 2003, to allow for the full enjoyment of their civil as well as their economic and social rights (Slovakia);

81. To launch an outreach campaign directed towards “the erased” living abroad, informing them about the adoption of any new legislative measures and the possibility of benefiting from them (Poland);

82. To place a greater focus on the issue of “erased persons” in the forthcoming period, given the long period of time for which those people have awaited a solution to the problem (Bosnia and Herzegovina);

83. To continue its efforts regarding the issue of “erased persons” in order to help facilitate the most appropriate remedies for that population in a dignified and efficient manner (Serbia);

84. To adopt further measures to facilitate access for “erased persons” to Slovenian citizenship (Czech Republic);

85. To fully implement the intention of the Government of Slovenia to resolve the status of so-called “erased persons” in the near future (Russian Federation);

86. To restore permanent residency status to the citizens of the former Yugoslavia permanently residing in Slovenia, and to restore the rights of victims (Mexico);

87. To take into account comments made by members of civil society regarding the rights of those who have lost permanent residency status and who may be entitled to regain it (Philippines);

88. To implement the mechanisms for guaranteeing the legal residency of minorities living in Slovenia to ensure that they have access to essential services and employment opportunities (Argentina);

89. To adopt measures to protect minorities not explicitly defined in the Constitution, and to adopt additional measures to promote, develop and preserve their ethnic and national identities (Czech Republic);

90. To take the measures necessary to respect and protect the political, civil, economic, social and cultural rights of all ethnic communities, without any discrimination (Pakistan);

91. To continue to strengthen its measures aimed at the promotion and protection of the human rights of its minorities (India);

92. To devote greater attention to the rigorous enforcement of the rights of the autochthonous Italian minority in Slovenia (Italy);

93. To take further appropriate steps to support and to enhance the status of the German-speaking communities in Slovenia (Austria);

94. To take urgent and concrete measures to ensure the practical enjoyment by the Roma of their rights (Islamic Republic of Iran);

95. To continue to improve the situation of the Roma, and to consider implementing, as appropriate, the recommendations of human rights treaty bodies and special procedures in that regard (Jordan);

96. To consider the observations of the United Nations High Commissioner for Refugees regarding the International Protection Act and the screening of asylum seekers and refugees (Philippines);

97. To establish an effective and inclusive process for follow up on the recommendations resulting from the present review (Norway).

112. All conclusions and/or recommendations set out in the present report reflect the positions of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.

III. Voluntary pledges and commitments

113. The following pledges and commitments were made by Slovenia:

- The ratification of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights is a priority for this year;
- Similarly, the ratification process of the Convention for the Protection of all Persons from Enforced Disappearance is due to begin this year;
- In addition, there are some regional human rights instruments of the Council of Europe, such as the Convention on Access to Official Documents, that Slovenia plans to ratify later this year.

Annex

Composition of the delegation

The delegation of Slovenia was headed by the Minister for Foreign Affairs, Samuel Žbogar, and was composed of a total of 22 members:

- Mr. Goran Klemenčič, State Secretary, Ministry of Interior, Deputy Head of Delegation;
- Mr. Andrej Logar, Ambassador, Permanent Representative of the Republic of Slovenia to the United Nations Office and other International Organizations in Geneva;
- Andrej Benedejčič, Ambassador, Director-General, Directorate for Global Issues and Multilateral Political Relations Ministry of Foreign Affairs;
- Nina Gregori, Director-General, Migration and Integration Directorate, Ministry of the Interior;
- Stanko Baluh, Director, Office for National Minorities;
- Aleš Gulič, Director, Office for Religious Communities;
- Smiljana Knez, Head of Human Rights Department, Ministry of Foreign Affairs;
- Vlasta Močnik-Drnovšek, Secretary, Ministry of Health;
- Peter Pavlin, Secretary, Ministry of Justice;
- Tanja Dular, Secretary, Disability Directorate, Ministry of Labour, Family and Social Affairs;
- Anton Novak, Minister Plenipotentiary, Human Rights Department, Ministry of Foreign Affairs;
- Janez Rupnik, Police Councillor, Uniformed Police Directorate, Ministry of Interior;
- Violeta Neubauer, Coordinator for International Cooperation, Office for Equal Opportunities;
- Jadranka Vouk-Železnik, Senior Adviser I, International Cooperation and European Union Affairs Service, Ministry of Labour, Family and Social Affairs;
- Erika Rustja, Senior Adviser II, Education Development Office, Ministry of Education and Sport;
- Sarno Bardutzky, Senior Adviser, Ministry of Justice;
- Mojca Grabar, Adviser II, Ministry of Health;
- Branko Jezovšek, Adviser II, Ministry of Culture;
- Staša Curk, Adviser, Ministry of Justice;
- Anja Marija Ciraj, III, Secretary, Permanent Mission of the Republic of Slovenia to the United Nations Office and Other International Organizations in Geneva;
- Marko Ham, III, Secretary, Permanent Mission of the Republic of Slovenia to the United Nations Office and Other International Organizations in Geneva.