



International Convention on the Elimination of All Forms of Racial Discrimination

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Committee on the Elimination of Racial Discrimination Eighty-eighth session

Summary record of the 2405th meeting

Held at the Palais Wilson, Geneva, on Wednesday, 2 December 2015, at 10 a.m.

Chair: Mr. Calí Tzay
later: Mr. Amir (Vice-Chair)
later: Mr. Calí Tzay (Chair)

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The meeting was called to order at 10.05 a.m.

Consideration of reports, comments and information submitted by States parties under article 9 of the Convention (continued)

*Combined eighth to eleventh periodic reports of Slovenia (continued)
(CERD/C/SVN/8-11 and CERD/C/SVN/Q/8-11)*

1. *At the invitation of the Chair, the delegation of Slovenia took places at the Committee table.*

2. **Ms. Herman** (Slovenia) said that autochthonous Roma had the right to representation on the councils of the some 20 municipalities in which they had traditionally lived. Special bodies that monitored the situation of the Roma community had also been established in other municipalities, including those, such as Ribnica, that hosted non-autochthonous Roma communities. Under the Roma Community Act, adopted in 2007, the Government had been required to earmark funds for the establishment and operation of an umbrella organization, the Roma Community Council, that represented Roma before the State. Under the law, it also had to set up a working body, on which the Roma community was represented, to monitor the situation of Roma in the country. The State did not keep records on ethnic affiliation, so Roma population figures were only estimates.

3. Measures had been taken to encourage greater cooperation among the State, Roma and local communities. Calls for bids on projects to benefit the Roma community never went unanswered. As a rule, there were more bidders than available funds.

4. **Ms. Iskrenovič** (Slovenia) said that, as Committee members had noted, the situation with respect to access to water and sanitation in the country's Roma settlements was not ideal. The State had first begun working on the problem in 1993, very shortly after independence. Matters had gradually improved. The economic crisis had led to declines in public investment in 2008 and 2009, and those declines had affected all public investment, not just that benefiting the Roma community. In 2013, the State had invested around €3 million in sanitation projects for Roma settlements.

5. The Ministry of the Environment and Spatial Planning was heavily involved in addressing water and sanitation concerns. It had set up a special group of experts from the Ministry and other bodies to resolve the dilemma of whether to remove the Roma settlements or to allow them to remain. In consultation with the local communities and Roma themselves, the authorities had ultimately decided to legalize the settlements. That decision had not solved every problem, but in general the situation was improving, not least because the guiding principle of the Government's action was not to work from the top down. The local communities, including Roma ones, were always involved.

6. The Ministry had organized a seminar to raise awareness among Roma of the opportunities to take part in planning processes likely to affect their settlements. Not many Roma representatives had attended, however, and for that reason the proceedings had been published, the seminar had been offered again and officials from the Ministry had reached out to municipal focal points for Roma affairs.

7. The Ministry also proposed amendments to the law. Only the month before, in fact, it had launched a public consultation, to be completed by January 2016, on a draft law on land-use planning. The main objective of the proposed law was to simplify the legalization of illegal constructions, primarily those that had been standing for at least 20 years. Issues involving land-use planning were a major

component of the 2015-2020 National Programme of Measures for Roma People, which had drawn on the results of the previous five-year Programme.

8. The Government did not have a policy of sending building inspectors specifically to Roma settlements. Nonetheless, if reports of illegal construction were received, building inspectors were required by law to visit the sites in question. As a result, some buildings had been demolished. Not a single Roma family had been forcibly evicted, however.

9. Access to drinking water was a right in Slovenia, and nearly 90 per cent of the population was connected to the water supply network. A smaller percentage of the population had access to sewerage systems, in part because the construction of motorways had encouraged people to move into the countryside, where the coverage of such systems was less extensive. Many Roma communities were connected to the public water supply network, and those that were not had water tanks, which were sometimes filled free of charge. The proposed legislation on land-use planning would help ensure that Roma communities, including the one in Kočevje, could enjoy their legal right to drinking water.

10. The condition of the Roma settlements in Trata, Dobruška vas, Goriča vas and Loke was slightly worse than that of other Roma settlements. None of the inhabitants of those settlements had been evicted, however, and all had access to water and electricity.

11. **Ms. Klopčič** (Slovenia) said that Roma women, as part of a project on empowerment that they had led themselves, had produced a documentary that could be viewed on YouTube. She would leave a brochure describing the project with the Committee. At a recent international conference organized by a Roma organization and the Ministry of Health, Roma women had spoken about their experiences to an audience made up of people of both Roma and non-Roma background.

12. **Ms. Snoj** (Slovenia) said that the citizens of the other former Yugoslav republics who had been legally resident in Slovenia on 23 December 1990 had been entitled to apply for Slovene citizenship, and that more than 170,000 had thus obtained it. Those who had not applied had later been left without legal status and were referred to as “erased”, as they had been removed from the register of permanent residents. There was no data on the ethnic breakdown of that group, but their numbers certainly included some members of Roma communities. No one erased from the register had become stateless, as all had retained their previous nationalities.

13. As a result of the Act Amending the Act Regulating the Legal Status of Citizens of the Former Yugoslavia Living in the Republic of Slovenia, adopted in 2010, persons whose names had been erased and who had been living outside Slovenia for justifiable reasons, which included being prevented by war from returning to the country, were entitled to apply for permanent residency. The Constitutional Court had issued a number of rulings related to the Act, including one rejecting a proposal to hold a referendum on the amendments adopted in 2010.

14. As at 1 November 2015, 1,602 applications for permanent residency had been submitted by persons whose names had been erased, a number that, in view of the considerable publicity given to the Act, was smaller than expected. Clearly, not all the persons who had lost their legal status in Slovenia had applied to regain it. The authorities surmised that those persons whose applications had been denied did not live in Slovenia and did not intend to return. Most of the rejected applications had been submitted by people whose names had not been erased from the register. They had left Slovenia before independence for reasons other than those that would have entitled them to permanent residency in the country.

15. The Act on Reparation for Persons Erased from the Register of Permanent Residents had entered into force in late 2013. It regulated the right to financial and other forms of compensation. The categories of persons entitled to reparations had been expanded under the Act, which recognized the right to reparation not only of erased persons who had been granted permanent residence permits or had become citizens of Slovenia, but also of persons whose applications to regularize their status had been rejected. The decision to expand the right to reparations had been taken in response to the judgement of the Grand Chamber of the European Court of Human Rights in the case of *Kurić and Others v. Slovenia*. The Committee of Ministers of the Council of Europe had urged the Slovene authorities to devote special attention to properly applying the scheme to beneficiaries whose applications for citizenship or permanent residence had been rejected.

16. Under the Act, reparations could be obtained through administrative or judicial proceedings. The administrative proceedings were speedy and effective, but applicants who believed that they were entitled to additional reparations could institute judicial proceedings as well.

17. During the period from the entry into force of the Act on 16 June 2014 until 26 November 2015, a total of 7,070 applications for financial compensation had been filed with the administrative authorities. Decisions had been handed down on 6,856 applications, or almost 97 per cent. Financial compensation amounting to €21,251,000 had been paid to date.

18. **Ms. Ošljaj** (Slovenia) said that a new law on protection against discrimination, which was currently being drafted, would replace the 2007 Implementation of the Principle of Equal Treatment Act. Under the new legislation, the office of the Advocate of the Principle of Equality would operate as an independent body with well-defined tasks and additional human resources. It would be directly involved in preparing the State budget and would conduct inspections, issue executive decisions, represent victims of discrimination in the courts and take action if public interests were undermined by discriminatory acts.

19. During the second cycle of the universal periodic review, Slovenia had accepted several recommendations concerning the alignment of its national human rights institution, the Slovene Human Rights Ombudsman, with the Paris Principles so that it would meet the requirements of A status. The Government had acted on those recommendations in February 2015.

20. **Ms. Tomc** (Slovenia) said that family reunification had previously been regulated by the International Protection Act. However, as international protection had been granted under the Act to persons who had failed to meet the requisite conditions, the authorities had decided that the provisions of the Aliens Act should instead apply in such circumstances. The number of family members who could benefit from reunification had increased, as registered partners and older children who required special assistance had been added to those covered. Foreigners who obtained residence permits in accordance with that procedure enjoyed the same rights as Slovene citizens to health care, education and employment.

21. The non-refoulement principle was enshrined in the Aliens Act rather than the International Protection Act because the latter merely regulated the procedures for granting international protection. The possibility of refoulement arose only when it was officially established under the Aliens Act that a person was residing illegally in Slovenia. A person who was granted international protection was legally entitled to reside in the country. The International Protection Act too took the basic idea of non-refoulement into account.

22. The social rights granted to persons enjoying international protection were on a par with those enjoyed by Slovene citizens. They were accommodated for one year in “integration homes”, and for the following two years they received financial support for the payment of rent.

23. Slovenia had not yet ratified the Convention relating to the Status of Stateless Persons, but ratification was expected in the near future.

24. **Ms. Škrebliin** (Slovenia) said that the Interdepartmental Working Group on the Fight against Trafficking in Human Beings had been established in 2003. It was composed of representatives of the responsible ministries and of NGOs and humanitarian organizations operating in that area. The Working Group prepared biannual programmes of work, monitored their implementation and submitted annual reports to the Government. With a view to preventing the trafficking of children and adolescents, the Government had been co-financing awareness-raising projects at primary and secondary schools for the past five years.

25. Most of the victims of forced marriage of underage girls were from the Roma community. The Ministry of Labour, Family, Social Affairs and Equal Opportunities, which had analysed the situation in 2014 with a view to developing adequate countermeasures, had found that the community’s patriarchal value system was largely responsible for such marriages. In July 2015 the Criminal Code had been amended to include forced marriages and unions as a criminal offence.

26. **Mr. Gazdić** (Slovenia) said that article 61 of the Constitution stipulated that all persons, not just citizens, had the right to freely express affiliation with their nation or national community and to use their language and script. Anyone who appeared before a court and who required linguistic assistance had the right to the services of an interpreter. Affirmative measures had been taken on behalf of minorities, including those of African descent, and special projects would be funded to mark the International Decade for People of African Descent.

27. Action had been taken to implement the Committee’s recommendations concerning communities from the former Yugoslav republics. The parliament had adopted the Declaration of the Republic of Slovenia on the Status of National Communities of Members of Nations of the Former Socialist Federal Republic of Yugoslavia in the Republic of Slovenia. There were regular radio and television broadcasts in minority languages, during which the problems encountered in the daily lives of the members of minority communities were discussed.

28. The legislation governing the media prohibited hate speech that went beyond the boundaries of freedom of speech. The supervisory mechanisms, though largely self-regulatory, were effective. Webmasters deleted hate speech posted on social media. An ethnic journalists’ organization had recently taken action against a journalist who had posted a tweet that was offensive to refugees, revoking an award that had previously been granted to the journalist in question. The President of Slovenia had explicitly stated that parliamentarians should refrain from using hate speech.

29. **Ms. Klopčič** (Slovenia) said that incitement to hatred, violence or intolerance was a criminal offence under the Criminal Code and was prosecuted ex officio by the Prosecutor General. The Office of the State Prosecutor General had adopted a legal opinion in 2013 concerning the prosecution of acts of hatred, violence or intolerance. The fact that a specific or concrete act posed a threat to public order and peace was an important element of the crime.

30. The Ministry of Justice had conducted a series of workshops on the principle of non-discrimination for judges and prosecutors between 2008 and 2010. A new

programme of work involving similar courses on hate speech and racial and other forms of discrimination was being drawn up for 2016.

31. Violations of the principle of equality could be taken into account as an aggravating circumstance when penalties were imposed under the Criminal Code.

32. **Mr. Skerbiš** (Slovenia) said that the police were subject to internal and external monitoring. Members of the National Assembly and of the parliamentary Commission for the Oversight of the Intelligence and Security Services could raise questions about the work of the police, and the police were required to respond to such queries in writing. The National Assembly could also establish working groups to address specific police activities, and the Government exercised supervisory functions and could, through the Ministry of the Interior, suspend police activities.

33. If the State Prosecutor's Office decided that the police had failed to gather sufficient evidence regarding complaints of police misconduct, it could either suspend their involvement in the investigation or request them to take further action. The State Prosecutor's Office also directed police investigations of criminal offences. When public officials were suspected of criminal offences, it was not the police, but a special Supreme Court unit that looked into the matter. The Constitutional Court too examined complaints concerning human rights violations by police officers.

34. The Office of the Human Rights Ombudsman could visit any police station or place of detention, raise issues with the police and make recommendations. The explanations provided by the police were included in the Ombudsman's annual report. NGOs and the media also played a key role in monitoring the work of the police. In addition, the European Court of Human Rights had considered a number of cases related to police activities, thus providing yet another level of oversight that helped to ensure the professionalism of a police force worthy of public trust. The police force itself had a complaint resolution procedure. Police officers were required to treat all persons equally, regardless of their ethnic affiliation. The police force was also responsible for border control and implementation of the Schengen Borders Code.

35. **Ms. Markov** (Slovenia) said that the structure of the periodic report had been based on the Committee's concluding observations issued after its consideration of the previous report. The authors had attempted to address all the points raised, while remaining within the prescribed word limit.

36. With regard to the survey of equality of opportunity in the Slovene diplomatic service, respondents had been requested to evaluate discrimination in eight areas: appointment to posts in the foreign service; appointments to leadership posts in domestic service; promotion; annual performance assessments; assignments; informal communication; working conditions; and overtime as a measure of performance. Respondents aged 60 or over had identified working conditions and informal communication as two particularly problematic areas.

37. **Mr. Amir** noted that the delegation had expressed optimistic views regarding the future situation of Roma. A number of NGOs were less optimistic. The State party had made a declaration under article 14 of the Convention, but no complaints had been filed. He wondered whether the Roma population was aware of the possibility of sending communications to the Committee. It was important to inform the general public about the provisions of article 14.

38. He asked whether members of the Roma community had acquired university degrees or advanced training in other areas and whether they had produced written commentaries on their status in Slovene society. He also wished to know whether they occupied senior posts in the administration and whether they joined the police force.

Lastly, he asked whether unemployed Roma tended to leave the country to seek employment elsewhere.

39. **Mr. Lindgren Alves**, referring to the issue of “erased” people, said that he was unaware of any similar issue elsewhere in the region. In Bosnia and Herzegovina and in Croatia, for example, although there were large numbers of internally displaced persons and refugees, the phenomenon of “erased” people was unknown. While the delegation had provided abundant and detailed information, it was difficult to assimilate all of it. The delegation should provide the Committee with a brief, written summary of the situation of “erased” people.

40. **Ms. Markov** (Slovenia) said that her Government made a conscious effort to disseminate information on the international human rights treaties that Slovenia had ratified and all the reports that were prepared for the treaty bodies. The drafts of the reports were posted online so that civil society organizations could consult them and have the opportunity to comment on them. A Slovene translation of the Convention itself was also available online. Several years earlier, the Ministry of Foreign Affairs had issued a special publication, in Slovene, containing all the United Nations human rights instruments and the reports submitted to the corresponding treaty bodies. The Government had also published information concerning the complaints procedure under article 14 of the Convention. It should be pointed out, however, that the public was also made aware of other mechanisms for filing complaints, such as that of the European Court of Human Rights. Complainants most often submitted their communications to those international complaints mechanisms.

41. **Ms. Herman** (Slovenia) said that the Office for Nationalities handled questions relating to the status of Roma persons. The Office, which reported directly to the Prime Minister, considered NGOs as partners. For example, it had invited Amnesty International to take part in the preparation of the National Programme of Measures for Roma People that was currently being drafted. Amnesty International had also helped the parliament to prepare the report for the universal periodic review. The Office enjoyed excellent collaboration with the Human Rights Ombudsman and all other relevant stakeholders in the promotion and protection of human rights. The members of the Roma community had the same rights as other Slovene citizens to social security, regardless of whether or not they were autochthonous. Many Roma had attained a high level of education. There was a Roma Academic Club that brought together young Roma with other intellectuals and students. While the Government did not keep data broken down by ethnic background, it was known that Roma persons came from all walks of life. The Office itself had recruited a woman from the Roma community, who had once worked in the police force. The members of the Roma community enjoyed full labour rights and equal employment opportunities. Furthermore, special measures had been taken to boost the employment of Roma, especially for the long-term unemployed.

42. **Mr. Skerbiš** (Slovenia) said that the same selection criteria for police recruitment applied to all persons, without distinction as to ethnic background. There were Roma police officers. In 2007, a Roma woman had become a police officer; she had been the only female Roma police officer in Europe at that time.

43. **Ms. Klopčič** (Slovenia) said that Slovenia had a number of Roma writers, poets and scholars. She would give the Committee a publication providing an overview of the situation of the Roma community, which included an essay by a Roma activist on her experience of being forced into early marriage. She also drew the Committee’s attention to a television programme produced by Roma journalists on Roma life in Slovenia.

44. **Mr. Šuc** (Slovenia) said that a short summary of the measures taken to address the problems faced by “erased” people was already available. He would request the Ministry of the Interior to provide an update of the information and send it along to the Committee.

45. *Mr. Amir, Vice-Chair, took the Chair.*

46. **Mr. Diaconu** said that the Committee had not yet taken a final decision on the simplified reporting procedure. As the State party had submitted the current periodic report under that procedure, he suggested that the next report should cover all aspects of the Convention and written comments should be provided on the concerns raised and recommendations made in the concluding observations to be issued shortly. Turning to the application of article 4 (a) of the Convention, he pointed out that the Convention did not make any reference to public order when it came to declaring incitement to racial discrimination or hatred to be an offence punishable by law. He also drew attention to the Committee’s general recommendation No. 35 (2013) on combating racist hate speech, which dealt with certain restrictions that might apply to freedom of expression. The existence of a threat to public order should not be a condition for making the acts described in article 4 punishable offences.

47. *Mr. Calí Tzay resumed the Chair.*

48. **Ms. Dah** (Country Rapporteur), noting that the State party had declared that it recognized the competence of the Committee to receive communications from individuals and groups under article 14, asked whether a specific body was responsible for considering claims that the rights set forth under the Convention were violated. She took it from the State party’s follow-up to the universal periodic review process that it was seeking to obtain A status accreditation for the Office of the Human Rights Ombudsman as its national human rights institution.

49. Had the State party taken steps to improve the composition and functioning of the Roma Community Council? Some of the conditions imposed on “erased” persons for obtaining a residence permit in Slovenia struck her as overly strict. Those who had left the country prior to independence or before the adoption of the Citizenship Act had encountered difficulties in returning to Slovenia. It was entirely understandable in periods of instability and uncertainty for people to temporarily move, and it was also understandable for them to want to return to the place where they had their roots. She therefore suggested that the Government should consider reviewing the conditions for issuing residence permits for “erased” people. Hopefully, their situation would no longer be an issue the next time Slovenia presented a report to the Committee.

50. The State party stood to benefit in the future from the possibility of submitting reports in a new, simplified format on an alternating basis; the Committee was considering adoption of a new reporting procedure that would call for the submission of simplified reports part of the time.

51. **Ms. Trtnik** (Slovenia), said that the Constitution explicitly prohibited incitement to discrimination or hatred on the grounds of race or ethnic origin. Regarding hate speech, under the Criminal Code, public incitement to hatred, violence or intolerance constituted a criminal offence against public order and peace. Such acts could also constitute criminal offences against honour and reputation.

52. **Ms. Markov** (Slovenia) said that the Office of the Human Rights Ombudsman dealt not only with the rights protected under the Convention, but also the entire spectrum of human rights.

53. **Mr. Šuc** (Slovenia) added that the Government was indeed seeking to acquire A status accreditation for the Office of the Human Rights Ombudsman.

54. **Ms. Herman** (Slovenia) said that there had been gaps in implementation of the Roma Community Act. The amendment of the Act, originally planned for 2015, had been postponed and was currently part of the Government's work plan for 2016. She hoped that it would be possible to provide information in the next periodic report on the changes brought about by the soon to be amended legislation.

55. **Ms. Snoj** (Slovenia), in response to the question posed by Ms. Dah concerning the criteria for issuing residence permits to "erased" persons, said that the war in Slovenia had been very brief. The status of residents who had left the country for up to a year, regardless of the reasons for their absence, had not been affected. All those who had applied for residence upon their return had received permits.

56. **Ms. Hohoueto** asked whether Slovenia had ratified the Convention on the Reduction of Statelessness. Evidently, a large number of "erased" persons had become stateless in their own country. What measures were taken to resettle Roma communities when their camps were closed? According to some reports, there were no laws governing eviction procedures or affording protection to those who were evicted from their homes. The management of the camps was left to the local authorities, and often the living conditions in the camps were unbearable and unhealthy.

57. **Mr. Vázquez** said that he welcomed the information provided by the delegation on the draft law on protection against discrimination, which would govern the activities of the Advocate of the Principle of Equality. When was the law expected to be enacted? He welcomed the information provided by the delegation concerning the President's public condemnation of racist hate speech. As general recommendation No. 35 pointed out, the formal rejection of hate speech by high-level public officials was of the utmost importance. He would be interested in learning how that general recommendation had been taken into account by the State party in formulating its policies on hate speech, especially as the legislation on hate speech predated the general recommendation.

58. He would appreciate clarification concerning cases in which racist motivation could be taken into account as an aggravating circumstance. The delegation had suggested that such motivation could be considered an aggravating circumstance not just for murder, but for other offences as well. A report of the European Commission against Racism and Intolerance (ECRI) stated that only one offence specifically gave rise to aggravated sanctions based on racist motivation. For what other offences could racist motivation be an aggravating circumstance?

59. The delegation had claimed that refugees had all the rights of citizens. The Committee had received information, however, that under the current national legislation, the possibility of applying for social housing was restricted to Slovene citizens. He would be grateful if the delegation would comment on reports that Slovenia did not provide protection to asylum-seeking children, especially unaccompanied children, because there was no formal mechanism in place to determine the child's best interests. Could it also present information on the guardianship system? It had been reported that guardians were often untrained and had little experience working with foreign children.

60. Lastly, he had heard the term "positive discrimination" used by the delegation. In that connection, he wished to recall that in general recommendation No. 32 (2009) the term "positive discrimination" was described as a contradiction in terms; it should thus be avoided. The Committee recommended that the term "special measures" should be used instead.

61. **Ms. Tomc** (Slovenia) said that the situation of "erased" persons had not resulted in them being stateless. Slovenia had not yet ratified the Convention on the Reduction of Statelessness. The Government was of the view that its national legislation already

covered the main principles in the Convention. It was carefully examining that Convention with a view to ratifying it in the future.

62. **Ms. Iskrenovič** (Slovenia) said that Slovenia had never settled Roma in special camps. Until the 1970s, the Roma community had primarily lived in tents. Later, they had begun to move into more permanent settlements, which had expanded over time. The Government did not carry out forced evictions from those settlements. Rather, it aimed to find permanent or long-term solutions, in cooperation with the Roma community itself. Significant progress had been made, but further efforts were needed to legalize the dwellings in the settlements and to provide adequate infrastructure. Most of the settlements were connected to a clean water supply, and those that were not had access to tanks of safe water.

63. **Ms. Ošlaj** (Slovenia) said that the bill on protection against discrimination would be considered by the Government before the end of 2015 and should be adopted by the parliament by the end of March 2016.

64. **Ms. Trtnik** (Slovenia) said that under the rules for sentencing set out in the Criminal Code, courts could take account of various circumstances that led to an offence. Among the circumstances was motivation, which could constitute an extenuating circumstance or an aggravating one, for instance in the case of racial motivation.

65. **Ms. Tomc** (Slovenia) said that the only difference between the treatment of refugees and persons granted subsidiary protection was that the former were issued permanent residence permits while the latter were issued temporary permits. It was true that only Slovene citizens had access to social housing. However, refugees were placed in integration homes for one year and received rental subsidies for two years thereafter. In 2014, 22 guardians of unaccompanied minors seeking asylum had received training in family law and the rights of the child, and more would be trained in 2015. There had never been a case in which a minor had been placed with an unsuitable guardian.

66. During asylum proceedings, minors were placed in the children's unit of the asylum centre and were provided with all the services they needed, including psychological counselling. All refugees up to 26 years of age were entitled to make use of the education system and were granted an education allowance for three years.

67. **Ms. Crickley** said that she agreed with Mr. Vázquez that the term "positive discrimination" should not be used and that reference should instead be made to "special measures". With respect to such measures, ethnic origin should be given consideration in matters of employment so as to create the conditions for the elimination of racial discrimination. She wished to know the results of the efforts made to help Roma organizations prepare applications for grants.

68. She strongly urged the State party not to lay the blame for health inequalities on individuals' lifestyle choices, but instead to consider the social determinants of health, particularly with respect to members of the Roma community. Was the State providing support to Roma who wished to legalize the status of their homes?

69. She requested further information about the draft law on protection against discrimination. Specifically, would it have a particular focus on racial discrimination, and how would it deal with the issue of redress? She expressed concern about the lack of engagement with the Committee on the part of Slovene NGOs. Did the Government plan to encourage those organizations to show more active involvement, including by attending the Committee's sessions in Geneva?

70. **Mr. Gazdić** (Slovenia) said that he agreed that "positive discrimination" was a contradiction in terms. The Ministry of Culture never used that term in any formal

documents. The Ministry carried out a number of special measures, including some aimed at helping Roma organizations prepare applications for grants. The results of those measures had been very positive, as more organizations were receiving training in how to apply for funding.

71. **Ms. Čobal** (Slovenia) said that she had not by any means meant to imply that the members of the Roma community should be blamed for their own health situation. Rather, her aim had been to inform the Committee about the steps taken to raise awareness among them about the importance of health and how it could be improved. Such awareness-raising measures were held for both members of the community and health-care professionals.

72. **Ms. Iskrenovič** (Slovenia) said that significant progress had been made in legalizing homes in Roma settlements. Two bills addressing the issue had been drafted and put forward for public discussion, and if adopted they would greatly simplify the legalization process. Her Government had a genuine desire to resolve the issue in cooperation with local authorities, the Roma community and other relevant stakeholders. Water was essential to life, and the Government did not wish to deny anyone — including those persons who were living in illegal dwellings — access to a source of safe water. The central and local governments would continue to make financial investments to improve the situation.

73. **Ms. Ošljaj** (Slovenia) said that the Advocate of the Principle of Equality would be responsible for all aspects of action against discrimination and would have the power to represent victims before the courts or to take action *ex officio* when the public interest was at stake.

74. **Ms. Herman** (Slovenia) said that special measures were in place to promote the employment of Roma job seekers. For example, they were able to access services at career centres to help them find employment and plan their careers and education paths.

75. **Ms. Markov** (Slovenia) said that, while it was true that Slovene NGOs rarely attended the sessions of the treaty bodies, they did submit shadow reports. The Government would continue to engage in dialogue with those organizations. An interdepartmental commission on human rights that included members from civil society organizations was fully informed about the reporting process and was given the opportunity to comment on the reports submitted by the Government.

76. **The Chair** said that the Committee had not yet taken a definitive decision on the implementation of the simplified reporting procedure. If it was adopted, even under that procedure, States would still be required to report on the implementation of all aspects of the Convention.

77. **Ms. Dah** said that the Committee would recommend the legislative, administrative, institutional and other measures that it considered to be the most urgent to give effect to the Convention. The Committee hoped that the many bills drawn up to resolve issues of inequality would soon be adopted, and it looked forward to the planned improvements in the functioning of State institutions. The Committee was pleased to learn that racial motivation could be invoked as an aggravating circumstance for certain offences and it welcomed the State party's efforts to incorporate several of the Committee's general recommendations into its practice and policies. Lastly, she commended the State party for its efforts to resolve some of the most important and urgent matters, such as the situation of "erased" persons and the integration of the Roma community.

78. **Mr. Šuc** (Slovenia) thanked the Committee for the opportunity to participate in an open and honest exchange of views and to explain the steps the Government of

Slovenia was taking to implement the Convention. He assured the Committee of his Government's firm commitment to the principles and goals of the Convention.

The meeting rose at 1 p.m.