



Statement by

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*Madam Chair,
Excellencies,
Ladies and Gentlemen,*

It is my honour to present to you Slovenia's third national report to the Universal Periodic Review.

The report is the result of an inclusive process involving ministries and other government institutions, as well as national human rights institutions. Civil society was regularly briefed on the preparations and their views were mostly incorporated in the report.

Our delegation includes, besides myself, Deputy Minister of Justice Ms Dominika Švarc Pipan, Deputy Minister of Culture Ms Tanja Kerševan Smokvina, and representatives of 11 ministries and governmental offices who will assure appropriate follow-up to today's proceedings.

Slovenia accords the **highest priority to the respect, protection and fulfilment of human rights**. This is the ideal upon which our country was grounded, and for which we continue to strive, recognising that improvements are always possible.

We see the **UPR process as an additional incentive to do better**. Your comments and recommendations are a valuable tool in this regard, and our Government takes them very seriously. We have set up a process of systematic implementation monitoring via the National Inter-ministerial Commission for Human Rights. We also submitted a voluntary mid-term report in March 2017.

Slovenia is a vocal human rights advocate in its foreign policy. We believe our international activities must go hand in hand with efforts to further improve the human rights situation at home. We thus welcome today's opportunity to look constructively into how Slovenia is faring domestically, and what we can do better in responding to human rights challenges.

Ladies and Gentlemen,

I am pleased to report that Slovenia has **fully or partially implemented all but four of the 142 accepted recommendations** from the previous cycle.

Let me briefly present **some areas where significant progress** has been achieved since 2014:

(Institutional framework)

We have strengthened our **institutional framework** for the protection of human rights. In 2017, the Human Rights Ombudsman Act was amended to broaden the powers of the **Ombudsman – our national human rights institution**, with a view to **obtaining Status A** under the Paris principles.

The amended Act also established the Council of Human Rights, the Centre for Human Rights, and children's rights advocates within the Office of the Ombudsman.

In 2016, the **Advocate of the Principle of Equality** was established under the Protection against Discrimination Act. Its mandate is to provide assistance to persons subjected to discrimination in administrative and judicial proceedings, to monitor protection against discrimination, to raise the awareness and institute measures for its prevention.

It also makes recommendations on measures to prevent or redress discrimination, and conducts independent research into this topic. The Advocate is empowered to request a review of the constitutionality or legality of legal acts.

(Gender equality)

Slovenia is committed to **women's empowerment and gender equality** both at the national and international levels. Priorities are set in the Resolution on the National Programme for Equal Opportunities for Women and Men 2015-2020.

They include the prevention of violence against women, our premise being that each instance of violence is one instance too many.

We have ratified, in 2014, the **Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence**. This year, we prepared our first national report on its implementation. A new resolution on the national programme for preventing domestic violence 2020-2025 is also in preparation.

We have carried out a number of campaigns against domestic violence, cyber violence, and on equalising power relations between women and men. We have criminalised stalking and expanded the network of crisis centres and safe houses throughout the country, with plans under way for further expansion. As elderly women are particularly vulnerable to violence, several programmes are under way to prevent violence against them, especially in their domestic environment.

In addition, the Government co-funds civil society-led projects related to gender equality, with the focus on **awareness raising, prevention of gender-based discrimination and elimination of gender stereotypes**, where special attention is devoted to vulnerable groups.

In 2018, we adopted the 2nd national action plan for the Implementation of UN Security Council's Resolutions on **Women, Peace and Security** in the 2018–2020 period.

(Equality – other groups)

In 2016, Slovenia adopted the **Civil Union Act**, granting heterosexual couples and same-sex couples living in a civil union equal rights as those enjoyed by married couples, except in relation to medically assisted procreation and joint adoption of children.

We have also improved the situation of **persons with disabilities** by adopting the Personal Assistance Act, which provides for the employment of personal assistants.

In 2017, the amended National Assembly Elections Act entered into force, stipulating that polling stations must be accessible to people with disabilities. The amended Act was applied during the elections to the National Assembly and the local elections in 2018, and during the European elections in 2019.

In compliance with recommendations by international mechanisms, we have taken additional measures to resolve the **status of persons erased from the Register of Permanent Residents** of Slovenia after the dissolution of Yugoslavia. Legislation was adopted or amended to enable every "erased" person to claim just compensation.

In 2016, the Council of Europe deemed the implementation of the related judgement of the European Court for Human Rights satisfactory, and concluded its supervision over the matter. Furthermore, the initial cap on the amount of financial compensation was repealed by the Constitutional Court in 2018. With this, we believe the matter has been justly settled.

(Justice sector)

We have made considerable progress in **reducing court backlogs**. The right to trial without undue delay is now generally respected and is no longer a systemic issue. The number of unresolved cases has been halved over the last five years, and the length of trials has been significantly shortened.

The Committee of Ministers of the Council of Europe, which supervises the execution of judgments of the ECHR, subsequently closed 264 cases in which the Court found Slovenia to be in violation of the European Convention on Human Rights due to excessive length of judicial proceedings.

I am very proud to report that just last month, the Slovenian Supreme Court was awarded the "**European Scales of Justice**" **Prize** for its innovative approach to improving the quality of justice.

(Migration)

In the area of **migration**, the establishment of the **Government Office for the Support and Integration of Migrants** was a major step towards more effective action. The Office has been operational since June 2017, and is responsible for providing basic support to applicants for international protection and for integration measures. The Government has recently adopted the **National Strategy on Migration** and set up an inter-ministerial working group to monitor its implementation.

Ensuring **respect for the human rights of migrants and asylum seekers** entering Slovenia is an important aspect of migration management, with special attention paid to gender aspects and the protection of migrant children.

All **migrant children**, regardless of their status, are integrated into the mainstream educational system at all levels no later than 3 months upon their arrival, under the same conditions as Slovenian citizens. They are also offered free Slovene language courses. Additionally, a special module for educating teachers for working with migrant children was introduced, encouraging intercultural learning and positive attitudes towards understanding and accepting differences.

While **legal aid** and refugee counsellors are available to all applicants for international protection, unaccompanied minors are also designated a legal representative throughout the international protection procedure.

(Hate speech)

The Government considers respect for diversity an important value in a democratic society, and strives for zero tolerance with regard to **hate speech**. Public incitement to hatred, violence or intolerance is a criminal offence, punishable by a prison term.

In addition, any incitement to or justification of discrimination on the basis of personal circumstances is punishable by a fine.

Priority is given to **prevention**, which we consider essential. The **promotion of tolerance and respect** for diversity are among the goals of the public education system and among the tasks of the public media. A special web site allows anonymous reporting of hate speech or other illegal web content. It has proved to be a very efficient prevention tool.

Since our UPR report was submitted in July, the Ministry of Culture has concluded a public consultation on a new Media Act aiming to adapt legislation to the new digital media reality, by including detailed provisions to counter online hate speech and false news.

(Other issues)

I am pleased to report that last year Slovenia ratified the **Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure**.

In 2018, Slovenia also adopted the first **National Action Plan on Business and Human Rights**.

The last important development that I want to specifically point out is the inscription of the **right to drinking water in the Constitution**, in 2016. With this step, the state took on the responsibility of guaranteeing access to drinking water to all on a non-profit basis.

Let me turn now to the advance questions submitted to us by Portugal, the UK, Germany, Spain and the USA.

Regarding the **national mechanism for coordinating the implementation of the UPR recommendations** – the question put to us by Portugal, the Government established an Inter-departmental Commission on Human Rights in 2013. It manages the national process of reporting to UN treaty bodies, UPR and regional organisations, and oversees the follow-up process on the recommendations received. It includes representatives of all ministries, the national Statistical Office and the Office of the Prime Minister. In 2014, the membership of the Commission was extended to include representatives of the civil society and the academia.

The Commission has a mandate to co-operate with all relevant institutions, and may invite them to participate in its sessions. It has issued a standing invitation to the Human Rights Ombudsman and to the Advocate of the Principle of Equality to participate in its meetings. It holds annual meetings with civil society.

The Commission strives to ensure timely reporting to the treaty bodies, and is entrusted with revising and updating the Common Core Document. Last month, it decided to review the implementation of the accepted UPR recommendations as a standing item on its agenda.

Regarding the question on **Media Freedom Coalition** by the UK, we believe that the initiative will importantly contribute to raising the awareness about the safety of journalists and media workers. It will encourage governments to protect and preserve the freedom of expression and independent media. The freedom of speech, freedom of public expression and media freedom are imperative for any democratic society.

In Slovenia, freedom of expression is safeguarded by the Constitution. Any state interference is inadmissible. Media freedom is elaborated in sectoral legislation, such as the Media Act, Audiovisual Media Services Act, and Public Service Broadcasting Act. Journalistic autonomy and editorial independence are promoted by the Media Act. The Constitution and the Media Act adequately protect the right to public information.

In 2019, Slovenia started amending its umbrella Media Act. Next year, it plans to amend the Radiotelevizija Slovenija Act and the Audiovisual Media Services Act. The amendments will focus on the financial support for the development of varied independent media operating in public interest.

Regarding the **questions about Roma** that we received from the UK and Germany, I would like to point out that access to **water, sanitation and electricity** for Roma is related to the issue of the legalisation of Roma settlements. In this respect, the Expert Group for Resolving the Spatial Issues of Roma Settlements, appointed by the Ministry of Spatial Planning, prepared a concept for resolving these issues as a guideline for the future work of state authorities, municipalities and other institutions. The report, with different concrete measures, will soon be submitted to the Government for adoption.

More than 75% of the Roma settlements in Slovenia have been provided the basic communal infrastructure by their local communities. These works were financed through the state budget and the EU cohesion funds.

The measures for the prevention of discrimination of Roma, for the improvement of their situation and for higher **social inclusion** of the Roma population were comprehensively integrated in the National Programme of Measures for Roma for the period 2017–2021.

The Programme defines eight strategic goals, including improvement of living conditions, stimulation of their settlements arrangement and access to public goods according to national legislative standards, including water, electricity, education, employment, health, social care and culture. Particular emphasis is given to antidiscrimination and improving the dialogue and cooperation at the local and national levels.

In its efforts to achieve the social empowerment and better integration of members of the Roma community, the Government is promoting and financing social programmes and activities, such as social activation, free legal assistance, advocacy and the processes of familiarisation with the legal and social rights of citizens and permanent residents.

With regard to supporting **access to the legal system** for members of the Roma community, we do not foresee any special system, as Slovenia already ensures easy access to courts, including to Constitutional Court, and to the legal aid scheme. Legal aid can be granted to everyone, including members of the Roma community, if they meet the threshold set by the Legal Aid Act. It can be granted for judicial protection before all courts as well as before the Constitutional Court and international courts.

With the aim to strengthening the fight against all forms of discrimination, Slovenia adopted a new **Protection against Discrimination Act** in 2016. It amended the legal system in the field of combating discrimination, and reorganised the position of the Advocate of the Principle of Equality, which was transformed into an independent state body and strengthened in terms of staff and financial resources. This provides a good basis for intensifying the fight against discrimination in the future.

With regard to the question on **corporal punishment of children**, put forward by Spain, we would like to inform that in 2016 the Domestic Violence Prevention Act was amended with the provision to forbid corporal punishment. Furthermore, the 2017 amendments to the Organization and Financing of Education Act prohibited corporal punishment of children in kindergartens, schools and educational institutions for children and youth with special needs.

As for the question on **forced labour, modern slavery and human trafficking**, our activities in the field of preventing and combating trafficking in human beings are carried out on the basis of two-year action plans prepared by the Inter-ministerial Working Group and adopted by the Government. The prevention goals include raising public awareness, including of the targeted population, as well as education and training of experts in the field.

In the scope of the Action plan for the period 2019-2020, four projects are currently being co-financed by the Government and implemented by civil society. The police, prosecutors and courts continue to make efforts for the effective investigation and prosecution of human trafficking crimes.

With regard to the question on **corruption**, posed by the USA, let me underline that fighting corruption, especially in the public sector, is one of the priorities of the State Prosecutor General as defined by the Prosecution Policy of the State Prosecutor's Office, adopted in 2017. With regard to the public sector, the Policy emphasises combating corruptive actions related to major public service systems such as health-care, energy, telecommunications and other important State projects.

Furthermore, in July, the Government submitted to the Parliament the amendments to the Integrity and Prevention of Corruption Act, which will improve legislative framework, taking into account also recommendations of OECD and GRECO, in order to enable the Commission for the Prevention of Corruption to perform its tasks more effectively.

The Government adopted the Programme of Anti-Corruption Measures 2017-2019 on Zero Tolerance for Corruption. It contains measures to strengthen the integrity of public employees, high officials and other employees in the public sector, and to increase the transparency of operations in the public sector. Proactive operation and identification of corruptive centres in public and private sector is one of the key priorities of the Slovenian police.

With regard to the question on the restitution of the **Jewish-owned property**, the restitution of Holocaust-era confiscations is regulated in the Slovenian legal framework. All Yugoslav nationals and persons of the Allied countries, who were persecuted by the Fascist or Nazi occupation authorities, were able to receive their confiscated property back, based on either the Yugoslav restitution legal framework of 1945 and 1946, or on the Denationalization Act adopted by independent Slovenia in 1991. Slovenia is one of the first countries to have adopted most comprehensive laws on the restitution of property.

As regards the issue of heirless property, which is a specific and narrow category of property, another joint study was commissioned by the Ministry of Justice and World Jewish Restitution Organization in 2018 in order to evaluate the size of heirless formerly Jewish-owned property in Slovenia. Ministry of Justice will analyse the study and act in accordance with the findings.

With regard to the question on the **restrictions on ritual slaughter**, the Constitutional Court in 2013 ruled that restrictions, which are included in the Animal Protection Act, do not contradict the Constitution or freedom of religion, respectively, and are in line with the decision of the European Court of Justice. The Court argued that the arrangement safeguards the central moral imperative in the Slovenian cultural space, since it protects animals from the suffering that can be prevented, while not disproportionately infringing on religious freedom.

Before concluding, let me thank all the delegations that take part in today's session. I look forward to your questions and recommendations. Let me assure you that we take recommendations very seriously and we will actively engage in the follow-up process for their comprehensive implementation.

I look forward to hearing your comments on our progress, and my delegation and I stand ready to answer any further questions.