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Committee against Torture

REFERENCE: CAT/Follow-up - Slovenia

1 April 2025

Excellency,

In my capacity as Rapporteur for Follow-up to Concluding Observations of the Committee against Torture, I have the honour to refer to the follow-up to the examination of the fourth periodic report of Slovenia, in accordance with the Guidelines for follow-up to concluding observations (CAT/C/55/3).

At the end of its 78th session held from 30 October to 24 November 2023, the Committee transmitted its concluding observations to your Permanent Mission. The Committee's concluding observations (CAT/C/SVN/CO/4, para. 46) requested the State party to provide within one year further information on the specific areas of concern identified in paragraphs 17, 29, 37(a) and 39(d) of the concluding observations.

On behalf of the Committee, allow me to express appreciation for your letter of 22 November 2024 providing your Government's response to the above-mentioned paragraphs (CAT/C/SVN/FCO/4) and to make the following comments:

Juvenile justice (para. 17 of the Committee's concluding observations)

The Committee takes note of the information provided by the State party stating that children in the juvenile justice system may only face prison sentences if the offence alleged to have been committed carries a prison term of five years or more in the case of adult offenders. The Committee also takes notes of the State Party's statement that access to *ex officio* legal counsel is ensured in all cases for children alleged to have committed an offence for which the corresponding penalty would be three years' incarceration or more for an adult offender, ensuring, in effect, that all children facing prison sentences have access to *ex officio* legal counsel. However, the Committee remains concerned that not all minors facing criminal charges, including those which may result in corrective measures or financial penalties, are represented by either a lawyer of their choice or an *ex officio* lawyer.

The Committee similarly takes note of information provided by the State party regarding the existence of rehabilitation programmes and specialized programmes for child drug and alcohol users, along with the recent appointment of an educational counsellor for children detained in Celje Juvenile and Adult Prison. Nevertheless, while the Committee notes efforts made by the State party to ensure that children in detention in Celje and Ljubljana prisons are subject to a specific regime which takes into account their age and development, the Committee is concerned that children continue to be housed with adult prisoners, and that certain therapeutic and rehabilitative programmes to which they have access, such as group addiction therapy, are not specifically tailored to the needs of children (3/B2).

.../...

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Migrant children (para. 29 of the Committee's concluding observations)

The Committee appreciates the information provided by the State party regarding the Decree on providing appropriate accommodation, care and treatment to unaccompanied minors (Official Gazette of the Republic of Slovenia [Uradni list RS], Nos 106/23 and 8/24), adopted in 2024, aimed at providing appropriate accommodation for unaccompanied minors who are third-country nationals or stateless persons, including those who have not applied for international protection. The Committee similarly notes the information provided regarding resources and assistance available to unaccompanied minors, including through the development of individual care plans. However, the Committee is concerned about the absence of specific information provided with regard to measures taken to ensure that families with children are not detained solely because of their immigration status, or the existence of alternative accommodation for such individuals (2/B1).

Sexual and gender-based violence (para. 37(a) of the Committee's concluding observations)

The Committee takes note of information provided by the State party regarding the Resolution on the National Programme for the Prevention of Domestic Violence and Violence Against Women 2024–2029, adopted in April 2024, including information regarding key objectives of the strategy, such as the improvement of legislation on the prevention of domestic violence and violence against women, improving comprehensive and professional treatment of victims of gender-based violence and domestic violence, revision of the compensation system for victims of domestic violence, and increasing access to free legal aid. The Committee also takes note of information provided by the State party regarding measures taken to remove barriers which may operate to prevent women and girls from reporting acts of violence committed against them, including through the implementation of additional accompaniment and protection measures in the context of legal proceedings. In this regard, the Committee is concerned that, according to the Criminal Code, investigations into marital rape and sexual violence against a spouse or partner may still only be initiated upon receipt of a complaint (3/B1).

Treatment of persons in social care and psychiatric institutions (para. 39(d) of the Committee's concluding observations)

The Committee takes note of information provided by the State party regarding the challenges it is facing with regard to a lack of suitably qualified staff in social care and psychiatric institutions, and steps taken in response to such challenges. The Committee similarly takes note of information provided indicating that the State party is actively implementing measures to enhance access to the outdoors, rehabilitation programmes, social activities and other meaningful activities in psychiatric hospitals, in line with the recommendation of the Committee. However, the Committee regrets that no specific information was provided with regard to what such measures may consist of (1/D).

Implementation plan

Lastly, the Committee takes note of information provided by the State party as regards its efforts to widely disseminate the Committee's concluding observations, in appropriate languages, through the media, the Ombudsman, and non-governmental organizations. The Committee also takes note of information provided confirming that the State party will supply responses to the remaining recommendations of the Committee's concluding observations in its next periodic report. Nonetheless, it regrets that the State party has not furnished information on its plans to implement the recommendations contained in the Committee's concluding observations within the next reporting period (C).

The Government of Slovenia is encouraged to provide additional information, if there is any, which would further contribute to the Committee's analysis of the progress made regarding the specific issues of concern cited above. This additional information may be provided in any subsequent report by the State party pursuant to the Committee's request in its concluding observations on the fourth periodic report of Slovenia or other future periodic reports.

The Committee looks forward to a continued constructive dialogue with the authorities of Slovenia on the implementation of the Convention.

Accept, Excellency, the assurances of my highest consideration.



Bakhtiyar Tuzmukhamedov
Rapporteur for Follow-up to Concluding Observations
Committee against Torture