



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
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REFERENCE: DB/follow-up/Slovenia/68

28 November 2017

Excellency,

In my capacity as Rapporteur for Follow-up on Concluding Observations of the Committee on the Elimination of Discrimination against Women (CEDAW), I have the honour to refer to the examination of the combined fifth and sixth periodic reports at the Committee's sixty-second session, held in November 2015. At the end of that session, the Committee's concluding observations were transmitted to your Permanent Mission (CEDAW/C/SVN/CO/5-6). You may recall that in paragraph 47 of the concluding observations, the Committee requested the Republic of Slovenia to provide, within two years, written information on the steps undertaken to implement the recommendations contained in paragraphs 26 and 38 of the concluding observations.

The Committee welcomes the follow-up report received on time in November 2016 (CEDAW/C/SVN/CO/5-6/Add.1) under the CEDAW follow-up procedure. At its sixty-eighth session, held in November 2017 in Geneva, the Committee examined this follow-up report and adopted the following assessment.

Regarding the recommendation made in **paragraph 26** of the concluding observations, urging the State party "to simplify the procedures for the issuance of permanent residence permits to all persons who were deleted from the register of permanent residents in 1992": The State party indicated that to regulate the legal status of persons erased from the Register of Permanent Residents, the Legal Status Act was amended, increasing the time-limit for applications for permanent residence permits from 3 months, as specified in the Act Regulating the Legal Status of Citizens of the Former Yugoslavia Living in the Republic of Slovenia, to three years, and thus until 24 July 2013. The State party added that it made the content of this amendment public before its adoption and distributed it to NGOs. The State party further reported that erased persons who did not avail themselves of the opportunity to submit permanent residence permit applications may still obtain a residence permit in the Republic of Slovenia under the conditions laid down in the Aliens Act.

The Committee welcomes efforts made by the State party to simplify the procedure for the issuance of permanent residence permits for all persons who were deleted from the register of permanent residents in 1992. It takes note of amendments to the Legal Status Act and their publication and distribution. It considers that the State party has taken significant steps to implement the recommendation. The Committee considers the recommendation **has been implemented**.

His Excellency
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With regards to the recommendation “to ensure that, in addition to receiving pecuniary compensation, all women and girls whose names were deleted from the register are entitled to payment of compulsory health insurance contributions, priority consideration in social assistance programmes and public funds, State scholarships, housing and access to the education system, on a basis of equality with Slovenian citizens, and to participation or priority treatment in integration programmes”: The State party indicated that the Act Regulating the Compensation for Damage Sustained as a Result of Erasure from the Register of Permanent Residents was amended to expand the range of beneficiaries and to include erased persons who saw their applications for permanent residence permits or Slovenian citizenship rejected or dismissed, as well as to persons whose application procedure is still open. It further reported that this Act provides for financial compensation, payment of compulsory health insurance contributions, priority consideration in social assistance programmes, facilitation in exercising rights to public funds and to State scholarships. The State party also informed that holders of permanent residency permits receive equal treatment with Slovene citizens in terms of housing, education, and participation or priority treatment in integration programmes.

The Committee welcomes the information provided by the State party on the expansion of the range of beneficiaries of financial compensation, health insurance, priority consideration in social assistance programmes, facilitation in exercising rights to public funds and State scholarships. It also takes notes of the fact that holders of permanent residency permits receive equal treatment to that afforded to Slovenian citizens in the access to housing, the education system, and with regards to their participation in and their priority treatment in integration programmes. The Committee however regrets the absence of targeted measures for women and girls whose names were deleted from the register. It thus considers that the State party has taken some steps to implement the recommendation. It considers that the recommendation **has been partially implemented**.

In relation to the recommendation that the State party “facilitate family reunification under more favourable conditions for such women and girls”: The State party indicated that reunification of family members who were themselves among the erased persons and of children of erased persons born after 25 June 1991 in Slovenia was facilitated through the Amended Legal Status Act that allowed people to obtain permanent residence permits under less stringent conditions.

The Committee welcomes the information provided by the State party on the facilitation of the reunification of family members who were among the erased persons, as well as of children of erased persons, through the Amended Legal Status Act. However regretting the absence of targeted measures for women and girls whose names were deleted from the register, the Committee considers that the State party has taken some steps to implement the recommendation. It considers that the recommendation **has been partially implemented**.

The Committee recommends that, in relation to **paragraph 26** of the concluding observations, the State party provide, **in its next periodic report**, information on further actions taken to:

1. Take targeted action to ensure that women and girls whose names were deleted from the register have access to compensation in addition to receiving pecuniary compensation, including compulsory health insurance contributions, priority consideration in social assistance programs and public funds, state scholarships, housing and access to the education system, on a basis of equality with Slovenian citizens, and participation or priority treatment in integration programs.
2. Facilitate family reunification under more favourable conditions for women and girls whose names were deleted from the register.

Regarding the recommendation made in **paragraph 38** of the concluding observations, urging the State party “to ensure protection for all refugee and asylum-seeking women and strengthen its efforts to improve their living conditions by providing adequate health care, sanitary conditions, psychological support and legal counselling, especially for women with children, pregnant women or women at risk of trafficking or who are victims of violence, and take specific measures to reduce overcrowding in shelters”: The State party reported that female applicants for international protection are ensured adapted accommodation, and all necessary psychosocial care. It added that during the increase in migration between 2015 and 2016, two additional branches of the Asylum Centre were opened, of which one is exclusively intended to accommodate families. It reported that single women are accommodated in a separate part of the Asylum Centre, together with single mothers with young children and female potential victims of violence who have to be separated from members of their families. It added that where necessary, people in these groups may be moved to a more appropriate location outside the Asylum Centre, for example a safe house.

With regards to the support granted to refugees and asylum seekers, the State party indicated that female applicants are provided access to emergency health and dental care and the right to contraceptives, termination of pregnancy, and healthcare during pregnancy and childbirth, to legal information about their procedure, rights and obligations and on the consequences of failure to comply with their obligations or to cooperate with the competent authorities, that they receive legal counselling and legal assistance in concrete cases, have access to a psychologist and, in exceptional cases, also to psychotherapeutic help.

The Committee welcomes the information provided by the State party on measures taken to provide appropriate accommodation for refugee and asylum-seeking women by opening two additional branches of the Asylum Centre, with one specifically for single women and families. It also notes that female asylum seekers are provided access to emergency health and dental care, have the right to contraceptives, to termination of pregnancy, and healthcare during pregnancy, as well as to psychological and psychotherapeutic help and legal assistance in concrete cases. The Committee considers that the State party has significant steps to implement the recommendation. The Committee considers that the recommendation **has been implemented**.

Regarding the recommendation urging the State party “to uphold the principle of non-refoulement and to take a gender-sensitive approach to the continuing refugee inflows and to the asylum claims, including in procedural matters, in line with the rights covered in the Convention and its general recommendation No. 32 (2014) on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women”: The State party informed that it devotes particular attention to the aspect of gender quality and reported on workshops and awareness raising activities conducted to strengthen the awareness of refugees, asylum seekers, and professionals working with them on women’s rights.

The Committee takes note of the conduct of workshops by the State party to strengthen the awareness of refugees, asylum seekers, and professionals working with them on women’s rights. It however regrets the absence of information on measures taken to uphold the principle of non-refoulement, and to integrate a gender sensitive approach in procedural matters. The Committee considers that the State party has taken some measures to implement the recommendation. It thus considers that the recommendation **has been partially implemented**.

In relation to the recommendation that the State party “consider ratifying the 1961 Convention on the Reduction of Statelessness”: The State party reported that it is party to the 1954 Convention relating to the Status of Stateless Persons, and that the Ministry of the Interior, after having examined the contents of the 1961 Convention on the Reduction of Statelessness, is reluctant to ratify the Convention on amount of its Article 12, as this would require application of the Convention to Persons born in Slovenia before its entry into force. The State party also informed that this would include persons who were born in Slovenia, but went on to acquire citizenship of one of the other republics of the former Yugoslavia under the Republic of Slovenia

Act. It added that this act currently prevents the occurrence of statelessness and that in some respects, its provisions are more favourable than the ones enshrined in the Convention on Statelessness.

The Committee welcomes the information provided by the State party that several elements of the Citizenship of the Republic of Slovenia Act are more favourable than the Convention on Statelessness. It regrets however that the State party has not ratified the 1961 Convention on the Reduction of Statelessness. It thus considers the recommendation **has not been implemented**.

The Committee recommends that, in relation to **paragraph 38** of the concluding observations, the State party provide, **in its next periodic report**, information on further actions taken to:

1. Uphold the principle of non-refoulement and reinforce measures to take a gender sensitive approach towards the ongoing refugee inflows, as well as to the asylum claims, including in procedural matters, in line with the rights covered in the Convention and its General Recommendation No. 32 (2014).

2. Consider ratifying the 1961 Convention on the Reduction of Statelessness.

Please accept, Excellency, the assurances of my highest consideration.

Yours sincerely,



Hilary Gbedemah
Rapporteur on follow-up
Committee on the Elimination of Discrimination against Women