
Resolution CM/ResCMN(2018)12 on the implementation of the Framework Convention for the Protection of National Minorities by Slovenia

*(Adopted by the Committee of Ministers on 24 October 2018
at the 1328th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Articles 24 to 26 of the Framework Convention for the Protection of National Minorities (hereinafter referred to as “the Framework Convention”),

Having regard to Resolution Res(97)10 of 17 September 1997 setting out rules adopted by the Committee of Ministers on the monitoring arrangements under Articles 24 to 26 of the Framework Convention;

Having regard to the voting rule adopted in the context of adopting Resolution Res(97)10;¹

Having regard to the instrument of ratification deposited by Slovenia on 25 March 1998;

Recalling that the Government of Slovenia transmitted its State report in respect of the fourth monitoring cycle under the Framework Convention on 6 January 2017;

Having examined the Advisory Committee's fourth opinion on Slovenia adopted on 21 June 2017,

Adopts the following conclusions in respect of Slovenia:

The authorities are invited to take account of the observations and recommendations contained in Sections I and II of the Advisory Committee's fourth opinion. In particular, they should take the following measures to improve further the implementation of the Framework Convention:

Recommendations for immediate action:²

- step up efforts to ensure security of tenure for the Roma³ living in informal settlements, including through their legalisation where possible, and guarantee adequate living conditions and effective access to basic services and infrastructure; monitor, within the applicable legal framework, the fulfilment by municipalities of their duties in this respect; adopt swiftly the necessary amendments to the 2007 Roma Community Act in order to improve the access to rights of the persons belonging to this minority;

¹ In the context of adopting Resolution Res(97)10 on 17 September 1997, the Committee of Ministers also adopted the following rule: “Decisions pursuant to Articles 24.1 and 25.2 of the Framework Convention shall be considered to be adopted if two-thirds of the representatives of the Contracting Parties casting a vote, including a majority of the representatives of the Contracting Parties entitled to sit on the Committee of Ministers, vote in favour”.

² The recommendations below are listed in the order of the corresponding articles of the Framework Convention.

³ The term “Roma and Travellers” is used at the Council of Europe to encompass the wide diversity of the groups covered by the work of the Council of Europe in this field: on the one hand a) Roma, Sinti/Manush, Calé, Kaale, Romanichals, Boyash/Rudari; b) Balkan Egyptians (Egyptians and Ashkali); c) Eastern groups (Dom, Lom and Abdal); and, on the other hand, groups such as Travellers, Yenish, and the populations designated under the administrative term “Gens du voyage”, as well as persons who identify themselves as Gypsies. The present is an explanatory footnote, not a definition of Roma and/or Travellers.

- intensify efforts to combat the increase of hate speech, particularly on social media, by swiftly and actively condemning racially hostile language in the public domain; strengthen the response of the criminal justice system in cases of hate crimes by ensuring that, when sentencing, racist motivation for committing an offence is duly taken into account as an aggravating circumstance for all offences; ensure effective investigation and appropriate prosecution and punishment of perpetrators; increase public awareness of the remedies available and enhance training of the police, prosecutors and judges on the application of legislation;
- improve equal access of all Roma children to education, in particular, by mainstreaming preschool education for Roma pupils as soon as possible into the general education system; increase the number of Roma assistants and their level of qualifications; transform the “incubators” located in the Roma settlements into multipurpose community centres.

Further recommendations:

- pursue a constructive dialogue with representatives of the new national communities and the German-speaking ethnic community to enhance the protection of the rights of persons belonging to these minorities offered by the Framework Convention on an article-by-article basis in order to preserve and promote their identity;
- identify and apply alternative ways of gathering disaggregated, anonymous data on the situation of persons belonging to minorities, including through thematic reports and surveys in order to enable the adoption and implementation of evidence-based policies for their protection;
- take steps to ensure that the existing legal framework pertaining to the protection of the Italian and Hungarian national minorities is adequately implemented, in particular by facilitating the use of minority languages in official contacts with local authorities, in the judiciary and with providers of basic services in the relevant ethnically mixed areas, and provide effective teacher training in minority languages;
- ensure without delay the effective implementation of anti-discrimination legislation and the proper functioning of the Advocate of the Principle of Equality by providing this institution with adequate powers and the necessary human and financial resources to carry out its mandate; support the ombudsperson through awareness raising initiatives for persons belonging to national minorities and minority communities and the effective follow-up to this body's recommendations;
- consider providing opportunities for those ‘erased’ persons still living in Slovenia without a regular status to regularise their situation; take measures to raise the awareness of society as a whole on the issue of the “erased”, including in school material, in order to encourage mutual understanding and the integration in society;
- continue ensuring adequate support to radio and television broadcasting for the Italian, Hungarian and Roma national minorities, in consultation with their representatives; increase support for media in the languages of other national communities with a view to promoting and preserving their identities;
- raise awareness of minority rights and of diversity of society in general education and ensure that curricula, textbooks and teaching materials adequately reflect this diversity; support the development of teaching materials in varieties of the Romani language in close co-operation with representatives of the Roma communities, as well as increase their teaching; provide teaching of and the possibility to learn other minority languages taking into consideration the needs of the potential beneficiaries;
- ensure the effective functioning of the Roma Community Council, including by revising the rules on its composition and its functioning with a view to strengthening Roma participation in the decision-making process; encourage participation and representation of all Roma in decision making at local level, in particular in those areas inhabited by this minority in substantial numbers;
- step up efforts to increase employment for Roma, on the basis of reliable data and in consultation with the minority's representatives, as well as develop empowerment activities for girls and women within the framework of the National Programme of Measures for the Roma in the Period 2017-2021.